

CONTINUED USE PERMIT INSPECTIONS: A Brief Overview for Buyers and Sellers

What is a continued use permit?

Continued use for the purposes of transfer of title refers to the sale of property that is served by an on-site wastewater treatment system (OWTS, popularly referred to as a septic system). In a continued use, responsibility for maintenance and operation of the OWTS transfers from a seller to a buyer along with ownership of the property.

What is the continued use inspection requirement?

Beginning January 1, 2019, most OWTS that are involved in a transfer of title in La Plata County will need to be inspected by a certified NAWT inspector to identify any malfunctions and confirm the system configuration. These inspection reports must be submitted to La Plata County Public Health Department (LPCPHD) so LPCPHD can issue a Continued Use Permit for the purpose of transfer of title. Transferring most property with an OWTS without a Continued Use Permit will be illegal and subject to enforcement.

Why is this requirement being introduced?

Malfunctioning OWTS are a serious risk to drinking water and surface water quality. Continued use inspections provide a route to discover and repair failing and inadequate systems before they can make people sick. The sale of the property is the perfect time to perform these inspections because it gives buyers and sellers peace of mind that the system is properly permitted and functioning properly.

How do I get an inspection done of my OWTS?

Continued use inspections will be done by NAWT certified third-party inspector. Find inspectors at www.nawt.org/search. Around the same time, you may need to have the septic tank pumped by a licensed System Cleaner (confirm this need, and any required timing considerations, directly with the inspector in advance of the inspection). LPCPHD maintains a list of licensed System Cleaners at www.lpcgov.org/septic.

How do I get the transfer accepted by LPCPHD?

You will submit a continued use permit application to LPCPHD along with an inspection report from the last twelve months and, if necessary, a septic tank servicing receipt. LPCPHD will review the inspection report and all existing permits for the OWTS. If everything is performing acceptably and matches the permit(s) for the property, LPCPHD will issue a Continued Use Permit and the transfer may then be completed. Continued Use Permits will be valid for twelve months. LPCPHD's fee for acceptance will be \$120, and LPCPHD plans to issue Continued Use Permit within five business days if all items are satisfactory.

What happens if the system fails inspection or doesn't match its permit?

The property owner must apply for a new permit to fix any problems or expand the system as necessary. The smallest repairs- adding a fence, replacing a tank lid, etc., do not require a new permit. LPCPHD will inspect the repairs and a new Continued Use inspection does not need to be performed.

What about winter sales and inspections?

If the inspection cannot be performed or repairs cannot be completed due to snow cover or frozen ground, LPCPHD can issue a Conditional Continued Use Permit if the buyer agrees in writing to complete the necessary inspections and/or repairs within a reasonable timeframe. LPCPHD recommends getting inspections done in advance during fairer weather to avoid this possibility.

Are there any exceptions to the Continued Use Inspections requirement?

Systems that are less than four years old, inheritance, adding a spouse, etc., and a few other situations are exempt from the requirement to have an inspection and Continued Use Permit prior to sale.