

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 13-257—SB 963

Planning and Development Committee

AN ACT CONCERNING THE EXPIRATION OF APPROVALS FOR ON-SITE SEWAGE DISPOSAL SYSTEMS WITH DESIGN FLOWS OF LESS THAN FIVE THOUSAND GALLONS PER DAY

SUMMARY: This act extends the validity period for certain on-site sewage disposal system (i.e., septic system) permits and approvals. With certain exceptions, it applies to permits and approvals for on-site sewage disposal systems with a daily capacity of less than 5,000 gallons that (1) were issued before July 1, 2011 and (2) had not expired by July 11, 2013.

The act makes eligible permits and approvals valid for nine years from the approval date, unless they were issued for certain projects requiring land use approvals that have received at least one extension. In such cases, the permit or approval is valid for the same period as the land use approval.

EFFECTIVE DATE: Upon passage

PERMITS AND APPROVALS FOR SMALL ON-SITE SEPTIC SYSTEMS

The Public Health Code authorizes local health directors to issue and administer “permits to discharge” and “approvals to construct” for on-site septic systems with a daily capacity of less than 5,000 gallons. Under prior law, approvals to construct were valid for one year from the issue date and expired if construction did not start within that period. They could be extended for an additional year for reasonable cause. Permits to discharge expired five years after the issue date (Conn. Agencies Reg., § 19-13-B103e and *Technical Standards for Subsurface Sewage Disposal Systems*).

With certain exceptions, the act extends the validity period for these permits and approvals to nine years from the approval date, if they were issued before July 1, 2011 and have not expired by July 11, 2013. The extension does not apply if there have been any changes, since the permit or approval was issued, to the:

1. ownership of the property on which the septic system is to be installed;
2. approved site or building plan issued in conjunction with the permit or approval; or
3. property on which the septic system is to be installed, or any adjacent property, that the municipal health authority or district health department that issued the permit or approval deems will prevent the system’s effective operation.

If the permit or approval was issued in conjunction with a project requiring site plan, subdivision, or inland wetlands approval, and the applicant has received at least one extension in connection with the land use approval, the act instead ties the septic system permit’s or approval’s validity period to the corresponding land

OLR PUBLIC ACT SUMMARY

use approval's expiration date.

Generally, these land use approvals expire between five and 10 years from the date they were approved, depending on the municipality and the nature of the project. But certain approvals that had not expired by May 9, 2011 and were approved before July 1, 2011 are valid for between nine and 14 years.

OLR Tracking: RP:KM:VR:ts