

MEMO

TO: Board of Health

FROM: Mark Castrodale

DATE: December 21, 2017

SUBJ: OWTS Regulations

CC: Connie Hunt – County Administrator
Elisabeth Lawaczeck – Public Health Director

The Colorado Department of Public Health and Environment, through the Water Quality Control Commission, officially adopted revisions to Regulation 43 on May 8, 2017. On-site wastewater treatment systems (OWTS), also known as *septic* systems, are governed by *Regulation 43* and the *OWTS Act*. The new regulations became effective on June 30, 2017. Local agencies or jurisdictions must each adopt local regulations that are at least as stringent as Regulation 43, prior to June 30, 2018.

The attached draft was prepared by Staff and has been reviewed by representatives of CDPHE who returned the following comments: “*no inconsistencies or conflicts in the proposed revisions to the local regulation with regard to the On-site Wastewater Treatment Systems Act...*” and “*the division has no objections to the local regulation on that basis.*” (see memo)

Staff notes that the new/draft regulations replace, rather than amend, the existing County OWTS regulations, adopted via Ouray County Resolutions 2014-005 and 2014-012. Staff also notes that per CDPHE requirements, 5-days after final adoption, the new regulations must be submitted to CDPHE to determine if the local regulations are as stringent as Regulation 43 and the OWTS Act. Local (County) regulations become effective 45-days after the date of final adoption unless the Division notifies the local Board of Health by the 45th date of inconsistency with Regulation 43 and the OWTS Act.

The Board of Health conducted a first reading of the proposed ordinance on November 7, 2017. During that review, questions or issues were raised that included the following;

- Section 2.D should be reviewed to clarify and confirm applicability.
 - *Staff confirmed applicability and made redline changes to draft.*
- Sections 5.A and 5.B should be reviewed by Staff to confirm adequate fees.

- *These process described in these sections is the process used today. Typically, OWTS inspections can be coordinated with other required inspections on the project. It is Staff's opinion that the current septic permit fee of \$275 is adequate to cover the costs associated with the required inspections.*
- A question was raised regarding the drafts proposed requirement of abandoning current pit privies and vault privies. The Board agreed that existing pit/vault privies should be allowed to remain, but no new pit/vault privies.
 - *Both Appendix A and the CDPHE "Local Regulation Review Submittal Form" have been revised to show that existing pit/vault privies are allowed to remain but no new pit/vault privies will be allowed.*
- A question was raised about the effective date of the ordinance.
 - *Staff's memo confirms that the effective date of the ordinance, per CDPHE requirements, is to be 45-days from the date of adoptions by the County.*
- A question was raised regarding Regulation 43, Sections 43.4.H and 43.4.I regarding experimental systems. Specifically, the Board of Health wanted to know if this Board, or future Boards, could approve experimental OWTS systems without any additional oversight by the State.
 - *Staff discussed this issue extensively with Chuck Cousino, OWTS Coordinator with CDPHE. Mr. Cousino clarified several key points addressed in Sections 43.4.H and 43.4.I, including:*
 - *This section addresses "product development" permits only. This section does not address full blown acceptance of a system, rather the allowance to work through the State process for possible acceptance of a new/experimental system.*
 - *In order to be a candidate for issuance of a product development permit, the applicant must provide proof of out-of-state testing, or, a minimum of 1-year of local testing including laboratory results.*
 - *The new language in Regulation 43 no longer allows local counties to approve experimental systems without having oversight and approval by the State.*
 - *Although, CDPHE admits these sections could have been more clearly written, it is the State's interpretation that Section 43.4.H and 43.4.I are 'linked' and local county jurisdictions may not approve experimental systems without coordinated approvals by the State/CDPHE.*

att.

SUMMARY OF REVISIONS TO STATE REGULATION 43 (OWTS)

- Many changes related to minor word-smithing, grammar, etc.
- Changing all “shalls” to “will” or “must”.
- Modified or revised definitions.
- New definitions including:
 - Accessible
 - Basal Area
 - Bedroom
 - Cistern
 - Cut-Bank
 - Linear Loading Rate
 - Media, Enhanced Manufactured
 - Record Drawing
 - Repair
 - Treatment Media
- Clarification that *record drawing* (ie. as-built) must include a scaled drawing, location of the OWTS from “known and findable points” and dimensions, depths, sizes, mfg. name, etc.
- Clarification on requirements for submitting projects that have NOT received acceptance by the Division to the local jurisdiction for a “product development permit”.
- Clarification on regulations, process, procedures, relating to variances.
- Clarifies process in the instance of a failed cesspool.
- Clarifies penalties and fines that may be assessed by the local Board of Health.
- Clarifies requirements for “site and soil evaluations”.
- Clarifies requirements for “site reconnaissance” by the local designing engineer.
- Clarifies requirements for the “detailed soil investigation”.
- Clarifies requirements for percolation tests.
- Deletes provisions relating to “visual and tactile evaluation of soil requirements”.
- Clarifies requirements for “marking of soil profile test pit excavations”.
- Details requirements for “soil and site plans”.
- Revisions and additions to the requirements for the “Design Document”.
- Average GPD (gallons per day) requirements established for “tiny homes”.
- Average GPD requirements for travel trailer parks with individual water and sewage hookups changed from 50gpd to 100gpd.
- Some changes made to requirements/specifications relating to wastewater strength.

- Revisions/updates to “minimum horizontal distances between components of an OWTS after November 15, 1973.
- For OWTS in the 100-year floodplain, clarifies that the OWTS must be located to avoid impairment to floodwaters or contamination during a flood.
- Clarifies no “flexible couplings” for non-gravity flow systems.
- Clarifies requirements for cleanouts.
- Clarifies pump or siphon requirements on mechanical systems.
- Adds additional requirements for grease receptor tanks. (commercial systems)
- Clarifies, modifies, amends, requirements for “soil treatment area long-term acceptance rates by soil texture, soil structure, percolation rates, and treatment levels”.
- Changes/clarifications to the general requirements regarding the design of distribution systems.
- Changes to requirements for “distribution laterals”.
- Changes to requirements for “pressure distribution”.
- Changes to requirements for soil treatment areas.
- Changes to requirements for “alternating systems” and “sequencing zone systems”.
- Substantive changes to the allowances/requirements for “storage distribution media”.
- Substantial changes to the requirements for “soil replacement systems”.
- Minor changes to requirements regarding repairs to OWTS systems.
- Clarifies requirements, provisions, and prohibitions, on “wastewater ponds”.
- New language/requirements regarding “remediation systems”.
- Substantive changes to design criteria for “higher level treatment systems”.
- Changes to requirements for “mounded systems”.
- Changes to design criteria for “evapotranspiration and evapotranspiration/absorption systems”.
- New language/restrictions regarding “seepage pits”.
- Clarification that the use of an approved compost or incinerating toilet does NOT reduce the size of the required OWTS.
- Clarification that composting toilets must meet NSF/ANSI 41 standard.
- Additional language for design and testing of composting systems.



Colorado Department
of Public Health
and Environment

Water Quality Control Division
Engineering Section
On-site Wastewater Treatment Systems

4300 Cherry Creek Drive South, B2
Denver, Colorado 80246-1530
CDPHE.WQEngReview@state.co.us
303-692-6298

Local Regulation Review Submittal Form

A. General Information			
Type of Submittal	2017 Regulation Update	<input checked="" type="checkbox"/>	Submittal Date: August 17, 2017
	Modification	<input checked="" type="checkbox"/>	Portions Modified*: December 21, 2017
Local Public Health Agency Name	Ouray County Public Health Dept.		
Submittal Title	Public Health Director - Elisabeth Lawaczeck		
County/Counties Covered	Ouray County		
B: Local Public Health Agency (LPHA) Contact Information			
Main Contact Name	Mark Castrodale		
Title	Planning Director		
Address	P.O. Box 28		
	Ridgway, CO 81432		
Email	mcastrodale@ouraycountyco.gov		
Phone	(970) 626-9775 x17	Fax	(970) 626-4439
Alternate Contact Name	Bryan Sampson		
Title	Associate Planner		
Address	P.O. Box 28		
	Ridgway, CO 81432		
Email	bsampson@ouraycountyco.gov		
Phone	(970) 626-9775 x12	Fax	(970) 626-4439
C. Report Submittal Requirements			
One hard copy of any submitted material and an electronic copy (PDF). Send PDF to CDPHE.WQEngReview@state.co.us			<input checked="" type="checkbox"/>
Local Regulation Format (Select appropriate description.)	CDPHE template used for Regulation		<input checked="" type="checkbox"/>
	Regulation format consistent with Regulation 43 sections.		<input checked="" type="checkbox"/>
	Regulation follows a different section format. Note: If format is different, the "cross-walk" must be completed. (See pages 5-6.)		<input type="checkbox"/>

*** Use this area if additional space is needed:**

- Changes made in Section 2.C.1 regarding applicability of regulations.
- Changes made to submittal form and Table a regarding existing pit privies and vault privies.

Local Public Health Agency: Ouray County

D. Decision Points Summary – Local On-site Wastewater Treatment System Regulations

CROSSWALK

ITEM: Options Below are the Same as in 2013 Regulation 43	ALTERNATIVES Select Check Box for Decision Chosen. (Only one selection per item. Decisions must also be identified either within the local regulation or Appendix A to the regulation)	Citation Reg #43	Citation Local Reg
Licensing Systems Contractors and Systems Cleaners	Neither (Do not license contractors or cleaners)	<input checked="" type="checkbox"/>	43.4.K
	Systems Contractors only are licensed	<input type="checkbox"/>	43.4.K.1
	Systems Cleaners only are licensed	<input type="checkbox"/>	43.4.K.3
	Both contractors and cleaners are licensed	<input type="checkbox"/>	43.4.K.1 and 3
Variances	Variances Allowed (Must have a variance procedure prescribed within the local regulation.)	<input checked="" type="checkbox"/>	43.4.N.
	Variances not allowed	<input type="checkbox"/>	43.4.N
Occupancy – Residential	Bedrooms 1 through 3: 2 people per bedroom All additional Bedrooms: 1 person per bedroom	<input checked="" type="checkbox"/>	43.6.A.2e
	All bedrooms: 2 persons per bedroom	<input type="checkbox"/>	43.6.A.2.f
How the number of bedrooms in a home will be defined for flow requirements	Bedrooms: flow estimates will be determined from the number of bedrooms originally finished	<input checked="" type="checkbox"/>	N/A
	If unfinished area is present in house, OWTS must also be sized for 1 or 2 more bedrooms based on an assumption that 150 square feet of unfinished space can be converted into a bedroom, if the space can meet applicable code requirements for a bedroom.	<input type="checkbox"/>	43.6.A.2.h
Effluent Screen	May be used (owner's option)	<input checked="" type="checkbox"/>	43.9.J.1
	Required in all new septic tanks	<input type="checkbox"/>	43.9.J.1
Length of distribution laterals (e.g., trenches or beds)	100 feet maximum length for any OWTS system	<input checked="" type="checkbox"/>	43.10.E.2.d
	100 feet maximum for gravity fed from one end, and up to 150 feet if pressure dosed or effluent applied at center of lateral or chamber	<input type="checkbox"/>	43.10.E.2.b & c
Inspection ports at initial (front) end of lateral or chamber	Not required	<input type="checkbox"/>	
	Required	<input checked="" type="checkbox"/>	43.10.F.6.d
Vault Privies – new	Allow new vault privies	<input type="checkbox"/>	43.12.D.1.a
	Prohibit <u>new</u> vault privies	<input checked="" type="checkbox"/>	43.12.D.1.a
Vault Privies - existing	Allow continued use of <u>existing</u> vault privies	<input checked="" type="checkbox"/>	43.12.D.1.b
	Require abandonment of existing vault privies	<input type="checkbox"/>	43.12.D.1.b

Local Public Health Agency: Ouray County

ITEM	ALTERNATIVES Select Check Box for Decision Chosen. (Only one selection per item.)		Citation Reg #43	Citation Local Reg
Pit Privies - new	Allow new pit privies	<input type="checkbox"/>	43.12.D.2.c	
	Prohibit <u>new</u> pit privies	<input checked="" type="checkbox"/>	43.12.D.2.a	N/A
Pit Privies - existing	Allow continued use of existing pit privies	<input checked="" type="checkbox"/>	43.12.D.2.c	
	Require abandonment of existing pit privies	<input type="checkbox"/>	43.12.D.2.b	N/A
Slit trenches	Allow slit trenches	<input type="checkbox"/>	43.12.F	
	Prohibit slit trenches	<input checked="" type="checkbox"/>	43.12.F	N/A
Optional Programs/Permits				
Reductions in soil treatment area (STA) size or separation distances for higher level treatment systems with mandatory maintenance and oversight	Allow reductions for higher level treatment. <i>(To allow reductions, local regulation must require mandatory inspections and maintenance, and local public health agency program of inspection and maintenance oversight must be in place.)</i>	<input type="checkbox"/>	43.14.D.2	
	Reductions in area and separation distances not allowed for higher level treatment systems.	<input checked="" type="checkbox"/>	43.14.D.3	N/A
Transfer of Title inspections	Required <i>(If transfer of title inspections are required, the criteria that inadequate systems must achieve following repair or replacement must be specified in local regulation.)</i>	<input type="checkbox"/>	43.4.L.1	
	Not required	<input checked="" type="checkbox"/>	43.4.L.1	N/A
Permits for the Continued Use of an OWTS; Define these items on Pg. 4 that are more stringent than Regulation 43.	Used in local regulation <i>(Specify purpose within local regulation.)</i>	<input type="checkbox"/>	43.4.M.1	
	Not used in local regulation	<input checked="" type="checkbox"/>		N/A
For CDPHE Tracking Purposes				
Require that all Soil Evaluations be submitted and stamped by a licensed professional engineer	All soil evaluations must be submitted by a licensed professional engineer	<input checked="" type="checkbox"/>	N/A	N/A
	A licensed professional engineer or "Competent Technician" may submit soil evaluations	<input type="checkbox"/>	N/A	
Require that all OWTS designs be submitted and stamped by a licensed professional engineer	All OWTS plans must be stamped by a licensed professional engineer	<input checked="" type="checkbox"/>	N/A	4A(3)
	We do not require an engineer's stamp for sites where an engineer's stamp is not required by Regulation 43; Reference section 43.10.B	<input type="checkbox"/>	N/A	

ORDINANCE NO. 2018-001

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO ACTING IN THEIR CAPACITY AS THE BOARD OF HEALTH ESTABLISHING REGULATIONS FOR ON-SITE WASTEWATER TREATMENT SYSTEMS 2017 ORDINANCE

WHEREAS, the Board of County Commissioners, either as the Board of County Commissioners or acting in its capacity as the Board of Health, has authority pursuant to Colorado law, including, but not limited to C.R.S. 30-11-101 and 25-10-101, et seq. to promulgate regulations pertaining to On-site Wastewater Treatment Systems (OWTS), enforce such regulations, and collect fees for the permitting of OWTS; and

WHEREAS, the Colorado Water Quality Control Commission (CWQCC) has adopted revisions to the OWTS regulations, effective June 30, 2017, and the County is required to update its Ordinance and regulations pertaining to OWTS to retain consistency with those regulations promulgated by the CWQCC; and

WHEREAS, the Board finds that the revised provisions of this Ordinance will protect the health, safety and welfare of residents and visitors to Ouray County,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, ACTING AS THE OURAY COUNTY BOARD OF HEALTH:

Section 1. Title and Authority

These requirements will be known as the "Ouray County On-site Wastewater Treatment Systems Ordinance. These requirements have been adopted by the Ouray County Board of Health pursuant to and under authority contained in the On-site Wastewater Treatment System Act, 25-10-101, et seq. C.R.S. and has designated the Ouray County Land Use Department to implement this ordinance on behalf of the Board of Health. (**Note:** Information shown in [] refers to corresponding section(s) in the State CDPHE Regulation 43.)

Section 2. Scope and Purpose

A. Declaration

1. This regulation applies to On-site Wastewater Treatment Systems as defined in section 25-10-103(12), C.R.S.

B. Purpose

1. The purpose of this Ordinance is to establish the minimum standards for the location, design, construction, performance, installation, alteration and use of OWTS with a design less than or equal to 2,000 gallons per day within Ouray County.

C. Jurisdiction

1. This Ordinance applies to all OWTS in the unincorporated areas of the county, the Town of Ridgway, the City of Ouray (limited to residences that cannot be served by the city's sanitation system) but not over the ~~the territory of any municipal corporation that maintains its own public health agency including City of Ouray Fairway Pines Sanitation District or the Cornerstone Metropolitan District.~~

D. Prohibition of OWTS Where Public Sewer Service is Available and Feasible

1. An OWTS permit must not be issued to any person when the subject property is located within a municipality or special district that provides public sewer service, except where such sewer service to the property is not feasible in the determination of the municipality or special district, or the permit is otherwise authorized by the municipality or special district. **[43.4(B)(11)]**

Section 3. Incorporation of Regulation 43

A. Included By Reference

1. The requirements of the Colorado Water Quality Control Commission's (CWQCC) "On-site Wastewater Treatment System Regulation, Regulation 43, 5 CCR 1002-43, Effective date, June, 30, 2017", and such amendments to Regulation 43 as may be made by the CWQCC are adopted and incorporated by reference and made a part of this Ordinance and will apply except where identified as an option of the local public health agency or where this Ordinance is more stringent than Regulation

43, 5 CCR 1002-43. All aspects of an On-site Wastewater Treatment System including, but not limited to, permits, design, performance, location, construction, alteration, inspection, maintenance and use must be as provided in Regulation 43 and any additional requirements contained in this Ordinance.

2. Allowable local options identified in Regulation 43 and the designated local options are identified in the attached "Appendix A to OWTS Ordinance for Ouray County. Appendix A is made a part of this Ordinance.

B. Excluded

1. Reductions in soil treatment area size or separation distances, and wide beds with higher level treatment units are not allowed under this Ordinance. All designs must be based on TL-1 parameters as defined in Regulation 43. Area or separation distance reductions and wider beds for higher level treatment can only be allowed in the future if these Regulations are amended to include a program of oversight for inspection and maintenance of higher level treatment units, and this amendment is accepted by the Division.

Section 4. Permits and Fees

A. Permits **[43.4(B)]**

1. Prior to installing, altering, expanding or repairing an OWTS, the applicant must obtain a permit from the Ouray County Land Use Department.
2. The permit application must include information identified in section 43.4(B)(3) of Regulation 43 and a completed Ouray County Septic Permit Application
3. All OWTS plans submitted must be stamped by a Colorado Licensed Professional Engineer.
4. An OWTS permit expires after one year after the date of issuance if construction has not commenced. After expiration, a new application must be required to begin construction.
5. Any change in plans or specifications of the OWTS after the permit has been issued invalidates the permit unless the permittee receives written approval from the Ouray County Building Inspector. After a permit is invalidated, a new application and subsequent permit is required to begin construction.
6. Repair permits must identify a reasonable period of time in which the owner must make repairs prior to expiration of the permit.
7. Application for a product development permit may be approved by the Ouray County Land Use Department, consistent with requirements of section 43.4(I) of Regulation 43, and subsequent to approval of the proposed product or system by CDPHE.

B. Board of Health Review **[43.4(B)(9)]**

1. When an application is denied by the Land Use Department, an applicant may request review by the local Board of Health. Requests for review of permit denial by the local Board of Health must be submitted to the Land Use Department within 14-days from the date of denial.

C. Fees **[43.4(B)(4)]**

1. Permit fees and fees for other services and tests associated with OWTS will be set by the Board of Health, in conformance with section 43.4(B)(4) and (5) of Regulation 43 and 25-10-107, C.R.S.

D. Surcharge **[43.4(B)(5)]**

1. A surcharge of \$23.00 will be collected for each permit issued by the Land Use Department. Of that fee, the Land Use Department will retain three dollars to cover administrative costs and twenty dollars must be transmitted to the state treasurer.

Section 5. Inspections [43.4(E)]

A. Septic Tank **[43.9(B)(3)(c)]**

Procedures

(30-15-406 C.R.S.)

Ordinance 2018-001

- 1) **First Reading and Introduction of Ordinance:** Reading of the ordinance shall be introduced and read at a regular or special commissioner's meeting (January 23, 2018). After the first reading of the ordinance a request for motion to schedule a **second reading** can be made with a suggested date. (November 21, 2017)
- 2) **Initial Publication in Newspaper:** Ordinance must be published in full at least ten days prior to the second reading. (January 25, 2018)
- 3) **Second Reading:** Ordinance may be adopted at this time or continued. (February 13, 2018)
- 4) **Second Publication in Newspaper:** A second publication of the ordinance by title only must be made after adoption including any amendments (*Certification and Attestation of the County Clerk and Recorder by the Deputy Clerk of the Board must be included with the second reading concerning the dates of the reading and the facts concerning its publication*). (February 15, 2018).
- 5) **Effective Date:** Ordinance becomes effective 30 days after the second publication. (March 17, 2018)

First Reading: January 23, 2018

First Publication: January 25, 2018

Second Reading: February 13, 2018

Second Publication: February 15, 2018

Effective Date: March 17, 2018

Ordinance Procedures

1. The applicant must notify the Ouray County Land Use Department at least 48 hours prior to inspection so they can conduct a field inspection of the septic tank before backfilling to confirm size and manufacturer certification.

B. Soil Treatment Area and Related Components **[43.4(F)(3)]**

1. The applicant must notify the Ouray County Land Use Department at least 48 hours prior to inspection so they can conduct a final field inspection of the soil treatment area and all related components of the OWTS before backfilling.

C. Inspections by Engineer

1. The design engineer must complete inspections of the entire OWTS prior to backfilling and submit a record drawing to the Ouray County Land Use Department.

Section 6. Variances [43.4(N)]

A. Variances Allowed

1. The Board of Health may approve a variance from a requirement of this Regulation. Variances cannot be granted by staff.
2. Approval of a variance must be based upon evidence presented by the applicant, or their designee, showing that the variance would prevent a substantial hardship on the Applicant and would not be injurious to the public health, water quality, or environment.
3. Variances must not be granted under the items identified in section 43.4(N)(5) of Regulation 43.

B. Variance Procedure

1. Variance requests must be provided in writing to the Land Use Department and will be scheduled on the next available agenda for the County Board of Health.
2. Variance requests must include all items identified in section 43.4(N)(2)(d) of Regulation 43.
3. The applicant has the burden of proof to demonstrate that the variance is justified and will pose no greater risk to public health and the environment than would a system meeting these Regulations. The Board of Health must determine if this item has been addressed prior to granting a variance.
4. The Board of Health has the authority to impose site-specific requirements and conditions on any variance granted.

Section 7. Violations.

It shall be unlawful for any person to violate any provision of this Ordinance.

Section 8. Enforcement and Penalties.

The Board may seek an injunction or other equitable relief in court to enjoin any violation of this Ordinance and may recover the costs of such actions, including reasonable attorneys' fees. The County may seek such criminal or civil penalties as are authorized by Colorado law, including, but not limited to, C.R.S. 25-10-110 and 113. Each day of violation may be considered a separate violation. Each violation may result in a fine of up to \$50.00.

The Ouray County Land Use department may issue a notice of violation for any violation of this Ordinance. The Ouray County Sheriff shall enforce any criminal penalties as may be authorized under Colorado law. Except as may be otherwise provided under Colorado law, all prosecutions for violations of this Ordinance shall be by the District Attorney for the Seventh (7th) Judicial District.

The remedies under Colorado law for violation of this Ordinance shall be cumulative, and in addition to any other remedy which may be available to the Board of the County. Nothing contained herein shall be construed to preclude the Board from seeking such other remedies in addition to, or in lieu of, the legal remedies granted herein.

Except as otherwise provided by law, all penalties and fines for the violation of this Ordinance shall be paid into the treasury of Ouray County.

Section 9. Severability.

If a Court of competent jurisdiction shall hold any part of this Ordinance void or unconstitutional, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining provisions of the Ordinance.

Section 10. Interpretation.

This Ordinance shall be interpreted and construed so as to effectuate its general purpose. Section headings of this Ordinance shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof.

Section 11. Effective Date.

This Ordinance shall be effective on _____, 2017 and shall remain in effect until such time as this Ordinance is amended, temporarily suspended, or repealed.

Section 12. Repeal of Prior Ordinance.

As of the effective date of this Ordinance, the provisions of any prior and or conflicting ordinance or resolution pertaining to OWTS, septic systems or individual sewage disposal systems are hereby repealed and replaced by this Ordinance.

Section 13. Certification.

The Ouray County Clerk and Recorder shall certify as to the passage of this Ordinance and make not less than three copies of the adopted Ordinance available for inspection by the public during regular business hours.

INTRODUCED AND FIRST READING on _____, 2018 and first reading continued until _____, 2018 and on such date ordered published in the *OURAY COUNTY PLAINDEALER*.

Published on _____, 2018

**Board of County Commissioners
Ouray County, Colorado**

Don Batchelder, Chair

John E. Peters, Vice-Chair

Ben Tisdell, Commissioner Member

ADOPTED ON SECOND AND FINAL READING on _____, 2018

**Board of County Commissioners
Ouray County, Colorado**

Don Batchelder, Chair

John E. Peters, Vice-Chair

Ben Tisdell, Commissioner Member

CERTIFICATION BY OURAY COUNTY CLERK AND RECORDER:

I, Michelle Nauer, Clerk and Recorder of Ouray County and Clerk to the Board of County Commissioners, do hereby attest and certify that this Ordinance was

INTRODUCED AND READ ON _____, 2018, AND CONTINUED TO _____, 2018, AND READ AND ORDERED PUBLISHED AT SUCH REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS.

THE ORDINANCE WAS PUBLISHED IN FULL IN THE *OURAY COUNTY PLAINDEALER* ON _____, 2018, ALONG WITH A NOTICE OF PUBLIC HEARING.

ADOPTED AND APPROVED AT A PUBLIC HEARING OF THE BOARD OF COUNTY COMMISSIONERS ON _____, 2018 AFTER THE SECOND AND FINAL READING OF THE ORDINANCE.

PUBLISHED AFTER ADOPTION IN THE *OURAY COUNTY PLAINDEALER* ON THE ____ DAY OF _____, 2018.

Michelle Nauer, Clerk and County Recorder
By: Hannah Hollenbeck, Deputy Clerk of the Board

Appendix A to OWTS Ordinance No. 2017-000

Local Public Health Agency: OURAY COUNTY

CROSSWALK				
ITEM	REQUIREMENTS See Check Box for Decision Chosen.		Citation Reg #43	Citation Local Reg
Occupancy – Residential	Bedrooms 1 through 3: 2 people per bedroom All additional Bedrooms: 1 person per bedroom	<input checked="" type="checkbox"/>	43.6.A.2e	N/A
	All bedrooms: 2 persons per bedroom	<input type="checkbox"/>	43.6.A.2.f	
How the number of bedrooms in a home will be defined for flow requirements	Bedrooms: flow estimates will be determined from the number of bedrooms originally finished.	<input checked="" type="checkbox"/>		N/A
	If unfinished area is present in house, system must also be sized for 1 or 2 more bedrooms based on an assumption that 150 square feet of unfinished space can be converted into a bedroom, if the space can meet applicable code requirements for a bedroom.	<input type="checkbox"/>	43.6.A.2.h	
Effluent Screen	May be used (owner's option)	<input checked="" type="checkbox"/>	43.9.J.1	N/A
	Required in all new septic tanks	<input type="checkbox"/>	43.9.J.1	
Length of Distribution Laterals (e.g., trenches or beds)	Limit the length of distribution lines to a maximum of 100 feet.	<input type="checkbox"/>	43.10.E.2.c	
	100 feet maximum for gravity fed from one end, and up to 150 feet if pressure dosed or effluent applied at center of lateral or chamber	<input checked="" type="checkbox"/>	43.10.E.2.b & c	N/A
Inspection ports at initial (front) end of distribution line (e.g., lateral or chamber)	Not required	<input type="checkbox"/>		
	Required	<input checked="" type="checkbox"/>	43.10.F.6.d	N/A
Vault Privies – new	Allow new vault privies	<input type="checkbox"/>	43.12.D.1.a	
	Prohibit new vault privies	<input checked="" type="checkbox"/>	43.12.D.1.a	N/A
Vault Privies - existing	Allow continued use of existing vault privies	<input checked="" type="checkbox"/>	43.12.D.1.b	
	Require abandonment of existing vault privies	<input type="checkbox"/>	43.12.D.1.b	N/A
Pit Privies - new	Allow new pit privies	<input type="checkbox"/>	43.12.D.2.c	
	Prohibit new pit privies	<input checked="" type="checkbox"/>	43.12.D.2.a	N/A
Pit Privies - existing	Allow continued use of existing pit privies	<input checked="" type="checkbox"/>	43.12.D.2.c	
	Require abandonment of existing pit privies	<input type="checkbox"/>	43.12.D.2.b	N/A
Slit trenches	Allow slit trenches	<input type="checkbox"/>	43.12.F	
	Prohibit slit trenches	<input checked="" type="checkbox"/>	43.12.F	N/A
Reductions in STA size or separation distances for higher level treatment systems; OWTS O/M and LPHA oversight required	Allow reductions for higher level treatment.	<input type="checkbox"/>	43.14.D.2	
	Reductions for higher level treatment not allowed	<input checked="" type="checkbox"/>	43.14.D.3	N/A
Transfer of Title inspections	Inspection of OWTS required prior to transfer of title	<input type="checkbox"/>	43.4.L.1	
	Inspection of OWTS NOT required	<input checked="" type="checkbox"/>	43.4.L.1	N/A