

Section 1 – Scope and Purpose

1. Authority

- a. These requirements will be known as the Clear Creek County On-site Wastewater Treatment System Regulations. These requirements have been adopted by the Clear Creek County Board of County Commissioners, acting as a 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 Clear Creek Environmental Health Department to implement these Regulations on behalf of the Board of Health.

2. Scope and Purpose

a. Declaration

- i. In order to preserve the environment and protect the public health and water quality; to eliminate and control causes of disease, infection, and aerosol contamination; and to reduce and control the pollution of the air, land and water, it is declared to be in the public interest to establish minimum standards and regulations for On-site Wastewater Treatment Systems (OWTS) in the state of Colorado and to provide the authority for the administration and enforcement of such minimum standards and regulations.
- ii. This regulation applies to On-site Wastewater Treatment Systems as defined in section 25-10-103(12), C.R.S.

b. Purpose

- i. The purpose of these Clear Creek County On-site Wastewater Treatment System Regulations as authorized by the OWTS Act is to establish the minimum standards for the location, design, construction, performance, installation, alteration and use of OWTS with a design capacity less than or equal to 2,000 gallons per day within Clear Creek County, and to establish the minimum requirements for regulations adopted by local boards of health including but not limited to permit application requirements; requirements for issuing permits; the inspection, testing, and supervision of installed systems; the maintenance and cleaning of systems; the disposal of waste material and the issuance of cease and desist orders.

c. Jurisdiction

- i. These Clear Creek County On-site Wastewater Treatment System Regulations apply to all OWTS in the unincorporated areas of the county and over all municipal corporations within the territorial limits of Clear Creek County, but not over any municipal corporation that maintains its own public health agency.

d. Severability

- i. The provisions of this regulation are severable, and if any provisions or the application of the provisions to any circumstances are held invalid, the application of such provisions or other circumstances, and the remainder of this regulations will not be affected thereby.

3. Incorporation of Regulation #43 Included By Reference

- a. The requirements of the Colorado Water Quality Control Commission's "On-site Wastewater Treatment System Regulation, Regulation 43, 5 CCR 1002-43, Effective date, June, 30, 2017", are made a part of these Clear Creek County On-site Wastewater Treatment System Regulations and will apply except where identified as an option of the local public health agency or where these regulations are more stringent than Regulation 43, 5 CCR 1002-43, and included in these Clear Creek County On-site Wastewater Treatment System Regulations.
- b. 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 these Clear Creek County On-site Wastewater Treatment System Regulations.

4. Division Authority to Administer and Enforce

- a. Wherever the term Clear Creek County Board of Health or Clear Creek Environmental Health Department is used in this regulation, said terms must also include the Division under its designated authority for the purposes of administering and enforcing the provisions of this regulation where necessary to protect the public health and environment.

5. Effective Date

- a. These regulations will become effective 45 days after final adoption by the Clear Creek County Board of Health.