

RESOLUTION NO.: 2014- 05

SUBJECT: On-site Wastewater Treatment Systems Regulations

EFFECTIVE DATE: February 24, 2014

RESOLUTION OF THE EL PASO COUNTY
BOARD OF HEALTH

WHEREAS, pursuant to Section 25-1-506(3)(b)(XI), C.R.S., the El Paso County Board of Health (“Board of Health”) has the power and duty to initiate and carry out health programs consistent with state law that are necessary or desirable to protect public health and the environment; and,

WHEREAS, pursuant to Section 25-1-508(5)(g), C.R.S., the Board of Health has the power and duty to adopt rules not inconsistent with the public health laws of this state; and,

WHEREAS, pursuant to Section 25-1-508(5)(j), C.R.S., the Board of Health has the power and duty to provide environmental health services in El Paso County to carry out its powers and duties; and,

WHEREAS, pursuant to Section 25-10-104(2), C.R.S., local boards of health in Colorado are required to adopt on-site wastewater treatment systems regulations that comply with rules adopted by the Colorado Water Quality Control Commission; and,

WHEREAS, the Colorado Water Quality Control Commission made substantial amendments to such rules in 2013, necessitating complete revision to the current Board of Health regulations pertaining to on-site wastewater treatment systems; and,

WHEREAS, El Paso County Public Health (“Public Health”) has recommended that the Board of Health amend El Paso County Board of Health Regulations Chapter 8 On-Site Wastewater Treatment Systems Regulations in order to comply with the Colorado Water Quality Control Commission on-site wastewater treatment systems rules adopted in 2013, as indicated in Attachment “A” hereto, and incorporated herein by reference; and,

WHEREAS, in accordance with Section 25-10-104(2), C.R.S., the Board of Health caused a public notice to be placed in the Fountain Valley News, a newspaper of general circulation in El Paso County, Colorado, announcing the time and place for the public hearing more than twenty (20) days prior to the public hearing to consider adoption of said On-site Wastewater Systems Regulations; and,

WHEREAS, on February 24, 2014, the Board of Health conducted the public hearing to consider adoption of said On-site Wastewater Systems Regulations, and, has received and considered comments relating thereto;


NOW, THEREFORE, BE IT RESOLVED BY THE EL PASO COUNTY BOARD OF HEALTH:

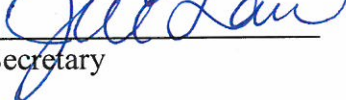
1. Pursuant to Section 25-10-104(2), C.R.S., not later than five (5) days after adoption of this Resolution by the El Paso County Board of Health (February 3, 2014), El Paso County Public Health shall transmit this Resolution, along with Attachment "A", to the Colorado Water Quality Control Division.

2. Pursuant to Section 25-10-104(2), C.R.S., effective forty-five (45) days from the final adoption of this Resolution by the El Paso County Board of Health (April 10, 2014), the current El Paso County Board of Health Regulation 8 "On-site Wastewater Treatment Systems Regulations" is hereby repealed in its entirety, and in its place, Chapter 8 "On-site Wastewater Treatment Systems Regulations", as indicated in Attachment "A" hereto, is adopted; except that, if the Colorado Water Quality Control Division notifies the El Paso County Board of Health prior to April 10, 2014, that any rule or amendment is not in compliance with Sections 25-10-105 and 106, C.R.S., all such noncompliant rules or amendments shall not become effective, but all remaining parts of Chapter 8 "On-site Wastewater Treatment Systems Regulations", as indicated in Attachment "A" hereto, shall be effective.

MOVED, SECONDED AND ADOPTED BY THE EL PASO COUNTY BOARD OF HEALTH AT ITS REGULAR MEETING HELD FEBRUARY 24, 2014.

EL PASO COUNTY BOARD OF HEALTH

BY: 
President

ATTEST: 
Secretary