



**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO: 2021- 10**

**A RESOLUTION AMENDING THE GUNNISON COUNTY ON-SITE WASTEWATER
TREATMENT SYSTEM REGULATIONS**

WHEREAS, on July 1, 2014, the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") adopted the "Gunnison County On-site Wastewater Treatment System (OWTS) Regulations" through Resolution No: 14-17; and

WHEREAS, the Gunnison County Environmental Health Board has reviewed and recommended to the Board adoption of the proposed amendments to the Gunnison County OWTS Regulations; and

WHEREAS, the State of Colorado Water Quality Control Division has reviewed the proposed amendments to the Gunnison County OWTS Regulations pursuant to section 43.4(A)(2)(a) of the On-site Wastewater Treatment Systems Regulation 5 CCR 1002-43 (Regulation 43) and found no inconsistencies or conflicts in the proposed amendments with regard to the OWTS Act, Article 10 of Title 25, C.R.S. or Regulation 43; and

WHEREAS, the Board has determined that the proposed amendments to the Gunnison County OWTS Regulations are in the best interest of public health, safety and welfare of the citizens of Gunnison County; and

WHEREAS, a public hearing on this matter was held by the Board on the fourth day of May, 2021; and

WHEREAS, notice of the public hearing was given at least 20 days in advance; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that following amendments to the Gunnison County OWTS Regulations are hereby adopted for the unincorporated area of Gunnison County on or after the effective date below:

1. Amendments to the Gunnison County OWTS Regulations, as set forth in Appendix "A" attached hereto and incorporated herein, consisting of two (2) pages

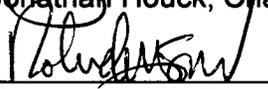
INTRODUCED by Commissioner Mason, seconded by Commissioner Smith, and adopted this 4th day of May, 2021.



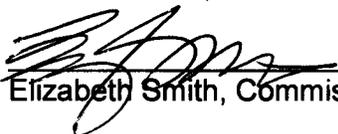
BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY



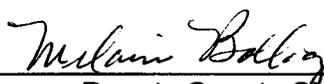
Jonathan Houck, Chairperson



Roland Mason, Commissioner



Elizabeth Smith, Commissioner

Attest: 

Deputy County Clerk
Melanie Bollig





Appendix A: Amendments to the Gunnison County OWTS Regulations

Concerning enforcement of septic installer and cleaner licenses:

Section 4: Regulation of OWTS Installer and OWTS Cleaners:

Revision to Section 4.A.4.a.:

An OWTS Installer or Cleaner's license may be revoked for failure to comply with these Regulations. Revocation shall take place only after a hearing before the ~~Board~~ Environmental Health Board, whose decision may be appealed on the record to the Board. The license holder shall be given not less than ten (10) days' notice of the hearing and may be represented at the hearing by counsel. Upon issuance of a decision by the Environmental Health Board for any such license revocation, such license shall be revoked for a period no less than 90 days unless the decision is appealed to and overturned by the Board.

Revision to Section 4.A.4.c.:

A person who has previously had a license revoked may be denied renewal by the ~~Board~~ Environmental Health Board, whose decision may be appealed on the record to the Board.

Appendix B: Gunnison County Environmental Health Board:

Revision to Appendix B.1.c:

In addition to the powers as the Board may grant from time to time, the Environmental Health Board shall consider and decide on the following matters ~~at a Public Hearing~~:

- (1) At a Public Hearing, Applications for a variance in accordance with Section 4.Q. of the Gunnison County OWTS Regulations.
- (2) At a Public Hearing, Requests for product development permits in accordance with Section 4.M. of the Gunnison County OWTS Regulations.
- ~~(2)~~(3) Enforcement of an OWTS Installer or Cleaner license in accordance with Section 4.A.4.

Revision to Appendix B.1.d.:

The Environmental Health Board shall serve as the initial review body for the following matters, and shall provide recommendations to the Board:

- ~~(1) Revocation of OWTS Installer and Cleaner licenses;~~
- ~~(2)~~(1) OWTS Regulations; and
- ~~(3)~~(2) OWTS Special Districts.

Concerning a plan review fee:

Appendix A: OWTS Fees and Licensing Fees:

- Add a new fee for plan revisions of \$150.00.



Concerning correction and clarification of Appendix B.2.d.:

A quorum of the Environmental Health Board shall consist of five members ~~is three members.~~ The Environmental Health Board consists of five regular members and two alternates. ~~A concurring vote of three members shall be necessary to grant an appeal or approve a decision.~~

Concerning grammatical and reference errors:

- Correct spelling for the definition of *systems contractor*.
- Section 3.M.5.a. references Section 4.Q.1. instead of the correct Section 3.M.1.
- Section 10.I.2., 3rd sentence correct grammar.
- Change the reference in Appendix B.1.c.(1) to 3.M.
- The reference in Appendix C.F. should be to E and not F.