DOLORES COUNTY

The Guidelines on Individual Sewage Disposal Systems

And

General Prohibitions 25-10-112 C.R.S.

In General (applicable to lots in the unincorporated areas of the county)

The primary responsibility for enforcement of the provisions of Article 10 of Title 25, C.R.S. and the regulations adopted under said Section shall lie with the local health departments or local boards of health. (ISDS, paragraph IV.I.)

No person shall construct or maintain any dwelling or other occupied structure that is not equipped with adequate facilities for the sanitary disposal of sewage without endangering the public health or water quality. [25-10-112 (6)]

Prior to commencement of installation, alteration or repair of a system, a written applications shall be submitted to the local health department providing, as a minimum, the information call for on the application form and a permit shall have been issued by the local department or its designated agent having jurisdiction.
(ISDS IV. A.1.)

No city, county, or city and county shall issue to any person a permit to construct or remodel a building or structure that is not serviced by a sewage treatment works, until a permit for an individual sewage disposal system has been issued by the local health department. [25-10-112 (1)]

After receiving an application for an individual sewage disposal system permit, the application shall be reviewed by the local health department and an inspection shall be made by the health officer or his/her designed representative consisting of:

1. Inspection of the premises, unless previously inspected.
2. Evaluation of soil where percolation tests are required.
3. A determination as to the suitability of the site and of the proposed design based upon verification of the ground water table, suitable soil, depth to bedrock, ground slope and pertinent physical features. (ISDS Paragraph IV. B.)

A determination shall be made on behalf of the local health department by a sanitarian, environment health specialist or a registered professional engineer after review of the application,

site inspection, test results, and other required information, whether the proposed system is in compliance with the requirements of Article 10 of Title 25, C.R.S. and applicable rules and regulations adopted under said section. A permit may be issued by the health officer or his/her designated representative if the proposed system is determined to be in compliance with the requirements of Article 10 of Title 25, C.R.S. and the rules and regulations adopted pursuant thereto. (ISDS Paragraph IV. E.)

Local regulations shall specify the stages of construction, installation, alteration, or repair at which time the local health department will require inspections. Before the system is placed in use the owner, the owner's agent or the systems contractor shall provide the local health department with notice that the progress of the work has been sufficiently completed to allow inspection to determine if the work has been performed in accordance with the permit requirements and to determine compliance of the system with Article 10, Title 25, C.R.S. and the rule and regulation adopted there under. (ISDS Paragraph IV.F.)

No city, county, or city and county occupancy permit shall be issued to any person for the use of a building that is not serviced by a sewage treatment works until a final inspection of the individual sewage treatment works until a final inspection of the individual sewage disposal system has been made by the local health department, as provided for in section 25-10-106 (1) (h), and the installation has received the approval of the local health department. [25-10-112 (2)]

If an individual sewage disposal system permit is issued, it shall expire one year after the date of issuance if construction has not commenced or as specified by local board of health regulations. Any change in plans or specifications after the permit has been issued invalidates the permit unless written approval is secured from the health officer or his/her authorized agent for such change.

Regarding enforcement of rule and regulations and systems that are thought not to be functioning properly.

For the purpose of inspection and enforcing applicable rules and regulations and the terms and conditions of any permit issued, the health officer or his/her designed agent is authorized to enter upon private property at reasonable times and upon reasonable notice for the purpose of determining whether or not operating individual sewage disposal facilities and systems are functioning in compliance with Article 10 of Title 25, C.R.S. and applicable rules and regulations adopted pursuance thereto and terms and conditions of any permit issued and to inspect and conduct tests in evaluating any permit application. The owner or occupant of every property having an individual sewage disposal system shall permit the health officer or his/her designated agent access to the property to conduct required tests, take samples, monitor compliance, and make inspections. (ISDS IV.G.)

The local health department may issue a repair permit and an emergency use permit to the owner or occupant or property on which a system is not functioning properly. Application for a repair permit shall be made by such owner or occupant to the local health department within two business days after receiving notice from the local health department that the system is not functioning in compliance with Article 10, Title 25, C.R.S. or applicable rules and regulations

adopted there under or otherwise constitutes a nuisance or a hazard to public health. (ISDS IV. A-5. in part)

The health officer or his/her authorized representatives may issue an order to cease and desist from the use of any system which is found by the health officer not to be functioning in compliance with Article 10, Title 25, C.R.S. or with applicable rules and regulations or is found to constitute a hazard to public health, or has not otherwise received timely repairs under the provisions of C.R.S. Section 25-10-106 (i)(j). Such an order may be issued only after a hearing which shall be conducted by the health officer not less than 48 hours after written notice thereof is given to the owner or occupant of the property on which the system is located and at which the owner or occupant may be present, with counsel, and be heard. The order shall require that the owner or occupant bring the system into compliance or eliminate the health hazard within a reasonable period of time, not to exceed thirty days, or thereafter cease and desist from the use of the system. A cease and desist order issued by the health officer shall be reviewable in the district court for the county wherein the system is located and upon a petition filed not later than ten days after the order is issued. (ISDS IV.N.)

The issuance of a permit and specifications or terms and conditions therein shall not constitute assumption or create a presumption that the local health department or its employees may be liable for the failure of any system nor act an certification that the equipment used in the system or any component thereof used in its operation or that the system for which the permit was issued insures continuous compliance with the provision of Article 10 of Title 25, C.R.S., the rules and regulations adopted thereunder or any terms and conditions of a permit. (ISDS IV. A.8.)

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