

RESOLUTION NO. _____, SERIES OF 2025

**A RESOLUTION OPTING OUT OF THE GRAYWATER CONTROL PROGRAM
AND PROHIBITING THE USE OF GRAYWATER WITHIN FREMONT COUNTY**

WHEREAS, on May 29, 2024, the Governor of Colorado signed into law House Bill 24-1362 which, among other things, permits the use of graywater for certain purposes and authorizes the Colorado Water Quality Control Commission to adopt rules implementing HB 24-1362 and regulating graywater use; and

WHEREAS, the Colorado Water Quality Control Commission has promulgated Regulation 86, effective January 14, 2024, the Graywater Control Regulation, which is set forth at 5 CCR 1002-86; and

WHEREAS, Regulation 86 establishes a complex graywater control scheme which would require the County to develop an oversight program including permitting and design, inspection, and enforcement; and

WHEREAS, Fremont County does not presently have the resources within any existing County Department to develop and implement a graywater oversight program; and

WHEREAS, pursuant to §§25-8-205.4 and 30-11-107(kk), C.R.S., the Fremont County Board of County Commissioners has the authority to opt out of the Graywater Control Program and to adopt a Resolution prohibiting the installation of graywater treatment works as defined in §25-8-103(8.4), C.R.S., and the use of all graywater within the County and to so notify the Division of Administration within the Department of Public Health and Environment; and

WHEREAS, the Board of County Commissioners has determined that it would be in the best interests of the County, consistent with principals of fiscal responsibility and sound stewardship, to opt out of the Graywater Control Program and to prohibit the treatment and use of graywater within the County;

NOW, THEREFORE, BE IT RESOLVED by the Fremont County Board of County Commissioners that:

1. The installation of graywater treatment works as defined in §25-8-103(8.4), C.R.S. is prohibited within the unincorporated portions of Fremont County.
2. Use of graywater as defined in §25-8-103(8.3), C.R.S. is prohibited for all purposes within the unincorporated portions of Fremont County.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until amended or repealed by subsequent Resolution.

Commissioner _____ moved for the adoption of the foregoing Resolution, seconded by Commissioner _____ and approved by roll call vote as follows:

Debbie Bell	AYE	NAY	ABSTAIN	ABSENT
Kevin Grantham	AYE	NAY	ABSTAIN	ABSENT
Dwayne McFall	AYE	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: _____

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: _____
Chairman

By: _____
Clerk to the Board