



# Arapahoe County

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## Board Summary Report

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**File #:** 25-551

**Agenda Date:** 10/14/2025

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**To:** Board of County Commissioners

**Through:** Jennifer Ludwig, Public Health Director, Public Health

**Prepared By:**

Steven Chevalier, Environmental Health Manager (Early Childhood and Environmental Protection Programs), Public Health

**Subject:**

Resolution Prohibiting Graywater Systems

**Purpose and Request:**

The Arapahoe County Board of Commissioners discussed HB24-1362 and the options for a local graywater ordinance during a study session on June 10, 2025, with Public Health Department staff. The commissioners agreed that the county should prohibit graywater systems and indicated an interest to reexamine the issue in the future should demand and public interest require it. The commissioners approved to add this item to the consent agenda at an upcoming Board of County Commissioners business meeting for adoption of a formal resolution.

**Alignment with Strategic Plan :** Good Governance - Understand and respond to community needs, interests, and values.

**Background and Discussion:** The purpose of the June 2025 study session was to provide an overview of House Bill 24-1362, which shifts graywater regulation to an “opt-out” model effective January 1, 2026. Unless the County adopts a resolution to prohibit certain categories of graywater systems, all allowable uses, both indoor and outdoor types, will be automatically permitted in unincorporated Arapahoe County. In accordance with HB 24-1362, which encourages collaboration with local boards of health prior to implementation of any local graywater control program, the Public Health Department sought and received a recommendation from the Board of Health. The Board of Health recommended maintaining current plumbing code provisions that allow indoor graywater systems for toilet and urinal flushing, while prohibiting graywater systems that discharge externally from a structure, such as laundry-to-landscape (L2L) systems.

**Alternatives :** N/A

**Fiscal Impact :** If all graywater systems are prohibited, fiscal impact would be minimal. Costs would be limited to staff time for drafting and adopting a resolution, amending the Plumbing Code to remove existing indoor allowances, and communicating the prohibition publicly. No ongoing regulatory program, staffing increases, or infrastructure investment would be required, making this the most fiscally sustainable option.

**Alignment with Strategic Implementation Strategies:** The attached framework helps Arapahoe County institutionalize values-based, transparent decision-making, documenting how we make decisions and carry out actions to achieve the county's strategic plan.

**Concurrence :** The Public Health Department coordinated closely with the Department of Public Works and Development, including the Building Division and the Planning Division, throughout the review of graywater options. These departments concur with the staff recommendation to prohibit graywater systems in unincorporated Arapahoe County. Input from local water providers and municipalities was also solicited during stakeholder engagement; their concerns around cross-connections, enforcement, maintenance, and water rights align with the recommendation for prohibition.