



Shawn Davis, Chair  
Bebe Kleinman, Vice Chair  
Kristine Burrows  
Dr. Mark Levine  
Terrence Walker  
Michelle Weinraub  
Mark Mcmillan

# Arapahoe County

## Arapahoe County Board of Health

### Agenda

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Wednesday, August 20, 2025  
3:00 PM

Arapahoe Board Room  
Lima Plaza

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*The public is welcome to attend the Board of Health meeting in the West Hearing Room or virtually on Teams using the following meeting information:*

Meeting ID: 270 688 752 384 0  
Passcode: qf3ir7EE

*The Board of Health agenda and materials can be viewed online at  
<https://arapahoe.legistar.com/Calendar>.*

1. CALL TO ORDER
2. APPROVAL OF MINUTES
  - 2.a June Meeting Minutes

Board of Health Meeting minutes - June 2025

[25-456](#)

**Attachments:** [BOH\\_Meeting\\_Minutes\\_06182025](#)

3. PUBLIC COMMENT

*Individuals are invited to speak to the Board of Health about any topic. To provide Public Comment, please contact the Board of Health Liaison ([hbanks@arapahoegov.com](mailto:hbanks@arapahoegov.com)) at least 30 minutes prior to the start of the respective board meeting. Speakers will be called in the order in which they signed up. Each person has a 3-minute time limit for comments, unless otherwise noted by the Chair. Individuals must state their name and address for the record prior to making remarks.*

4. BOARD OF HEALTH COMMENTS
5. GENERAL BUSINESS ITEMS

- 5.a On-site Wastewater Treatment System

57075 E Maplewood Pl. Strausburg, CO 80136

[25-449](#)

**Attachments:** [4. BOH\\_57075 E Maplewood Pl Presentation](#)  
[5. BOH\\_57075 Maplewood Pl Supplemental Packet](#)

**5.b Public Health FY26 Budget Presentation**

FY26 Budget Presentation

[25-453](#)**Attachments:** [2. BOH\\_26 Budget AUG2025\\_Final](#)**6. STUDY SESSIONS****6.a RAFT Presentation**

Introduction to RAFT

[25-454](#)**Attachments:** [6. CORE Metrics Mini Report\\_BOH Packet\\_08202025](#)  
[7. RAFT Intro BOH Presentation\\_08202025](#)**6.b Graywater Follow up****6.c Director's Report**

August 2025 Director's Report

[25-455](#)**Attachments:** [8. BOH\\_Director's Report\\_2025](#)**7. EXECUTIVE SESSION AND COUNTY ATTORNEY LEGAL MEETING***No Executive Session meeting was held.***8. ADJOURN**

*Arapahoe County is committed to making its public meetings accessible to persons with all abilities. Please contact the Board of Health Liaison ([hbanks@arapahoegov.com](mailto:hbanks@arapahoegov.com)) at least three (3) days prior to a meeting, should you require special accommodations.*



# Arapahoe County

5334 South Prince Street  
Littleton, CO 80120  
303-795-4630  
Relay Colorado 711

## Board Summary Report

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**File #:** 25-456

**Agenda Date:** 8/20/2025

**Agenda #:**

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# **Arapahoe County**

*Arapahoe County Public Health - Willow Building  
6162 S Willow Dr.  
Greenwood Village, CO 80111*



**ARAPAHOE COUNTY**

## **Meeting Minute Summaries**

**Wednesday, June 18, 2025**

**3:00 PM**

**Virtual - Microsoft Teams**

### **Arapahoe County Board of Health**

*Shawn Davis, Chair  
Bebe Kleinman, Vice Chair  
Kristine Burrows  
Dr. Mark Levine  
Terrence Walker  
Michelle Weinraub  
Mark Mcmillan*

The public is welcome to attend the Board of Health meeting in the West Hearing Room or virtually on Teams.

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_Yzc5ZWNiOGMtYzk1YS00YTYxLWIwYTtEtYTRiYWQwNzZlNzRm%40thread.v2/0?context=%7b%22Tid%22%3a%2257d7b626-d71d-47f6-84c1-c43bda19ba16%22%2c%22Oid%22%3a%22c0695c0a-202a-41ae-9aa5-a71df8e21ec2%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_Yzc5ZWNiOGMtYzk1YS00YTYxLWIwYTtEtYTRiYWQwNzZlNzRm%40thread.v2/0?context=%7b%22Tid%22%3a%2257d7b626-d71d-47f6-84c1-c43bda19ba16%22%2c%22Oid%22%3a%22c0695c0a-202a-41ae-9aa5-a71df8e21ec2%22%7d)

The Board of Health agenda and materials can be viewed online at <https://arapahoe.legistar.com/Calendar>.

**1. \*CALL TO ORDER**

**Present** Bebe Kleinman, Shawn Davis, Kristine Burrows, Terrence Walker, Michelle Weinraub, Mark Mcmillan, and Mark Levine

**2. \*APPROVAL OF MINUTES**

**Attachments:** [1. BOH\\_Meeting\\_Minutes\\_20250521](#)

A motion was made by Burrows, seconded by Davis, that this Minutes be approved as amended. The motion carried by the following vote:

**Aye:** Kleinman, Davis, Burrows, Walker, Weinraub, Mcmillan, and Levine

**3. \*PUBLIC COMMENT**

Individuals are invited to speak to the Board of Health about any topic. To provide Public Comment, please contact the Board of Health Liaison ([hbanks@arapahoegov.com](mailto:hbanks@arapahoegov.com)) at least 30 minutes prior to the start of the respective board meeting. Speakers will be called in the order in which they signed up. Each person has a 3-minute time limit for comments, unless otherwise noted by the Chair. Individuals must state their name and address for the record prior to making remarks.

**4. \*BOARD OF HEALTH COMMENTS**

**5. \*GENERAL BUSINESS ITEMS**

There was no General Business

**6. \*STUDY SESSION**

**6.a.**

**Attachments:** [2. BOH\\_Q125 Financial Update June2025\\_FINAL - Copy](#)  
[3. Funding Risks](#)

**6.b.**

**Attachments:** [4. FC\\_BOH CHIP Update June 2025](#)

**6.c. Graywater Follow up**

Item was tabled.

**6.d. Measles Update**

Item was covered in the Director's Report.

6.e.

**Attachments:** [5. BOH\\_Director's Report\\_2025 \(4\)](#)

## 7. EXECUTIVE SESSION AND COUNTY ATTORNEY LEGAL MEETING

### Executive Session

A motion was made by Davis, seconded by Mcmillan, that the Board of Health enter into executive session pursuant to C.R.S § 24-6-402(4)(f) to discuss personnel matters related to grant funding delays. The motion carried by the following vote:

**Aye:** Kleinman, Davis, Burrows, Walker, Weinraub, Mcmillan, and Levine

## 8. \*ADJOURN

*Arapahoe County is committed to making its public meetings accessible to persons with all abilities. Please contact the Board of Health Liaison ([aschmidt@arapahoegov.com](mailto:aschmidt@arapahoegov.com)) at least three (3) days prior to a meeting, should you require special accommodations.*

\*Items marked with an asterisk will be live streamed for public viewing.



## Board Summary Report

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**File #:** 25-449

**Agenda Date:** 8/20/2025

**Agenda #:**

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**To:** Board of Health

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

**Prepared By:**

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

**Presenters:** Steven Chevalier, Environmental Health Manager, Public Health

**Subject:**

57075 E Maplewood Pl. Strasburg, CO 80136

**Purpose and Request:**

The purpose of this hearing is to inform the Board of Health (BOH) about violations related to the discharge of sewage from a recreational vehicle (RV) located at 57075 E Maplewood Place, Strasburg, CO. The RV has no permitted on-site wastewater treatment system (OWTS), and raw sewage continues to be discharged directly onto the ground. Despite multiple Notices of Violation from Arapahoe County Public Health (ACPH) and concurrent enforcement activity by Arapahoe County Zoning, the violation has not been resolved.

We are requesting that the BOH review this case, determine whether civil penalties should be assessed, and ensure that corrective actions are implemented by the property owner to eliminate the sewage discharge and bring the property into compliance. The Board's guidance is also sought on next steps should noncompliance continue...end

**Background and Discussion:** The property at 57075 E Maplewood Place is located in unincorporated Arapahoe County and is currently occupied by at least one recreational vehicle. The RV does not have a permitted OWTS, and no permit application has been submitted to date. In April 2025, ACPH received an anonymous complaint that sewage was being discharged directly onto the ground. Staff contacted the property's

real estate agent and then coordinated with Arapahoe County Zoning. Arapahoe County Zoning confirmed there is an open zoning violation on file for the RV, which has reportedly been on the property for approximately six years. On May 13, 2025, two ACPH staff conducted a site visit and observed an active sewage discharge from a gray hose extending from the RV to the ground surface. ACPH staff also documented a fresh water storage tank and a garden hose connected to the RV. As a result, ACPH issued a Notice of Violation under Section 18.1.D of the Arapahoe County OWTS Regulations, which prohibits the use of any dwelling or occupied structure not equipped with adequate sewage disposal facilities. During a follow-up visit on May 29, 2025, staff confirmed that discharges continued and issued a second Notice of Violation. The property owner has not responded to either notice and has not taken any corrective action. Section 4.1 of the OWTS Regulations prohibits construction, alteration, installation, or use of any OWTS without a valid permit issued by ACPH. Continued use of an RV without proper wastewater treatment is unlawful and poses a direct threat to public health and the environment. These discharges increase the risk of exposure to pathogens, groundwater contamination, and nuisance conditions, all of which are prohibited by both local regulation and the Colorado On-Site Wastewater Treatment Systems Act. Pursuant to C.R.S. § 25-10-113, the BOH may assess a civil penalty of up to \$50 for each day of violation. In determining the appropriate penalty, the BOH is authorized to consider the seriousness of the public health risk, the length of time the violation has continued, and whether the responsible party has a history of similar violations. ACPH staff have attempted to engage the property owner through both direct notices and coordination with Zoning, but no resolution has occurred, and the discharge remains ongoing.

**Fiscal Impact:** N/A

**Staff Recommendation:** Staff recommends that the Board of Health issue a Cease and Desist order, assess civil penalties in accordance with C.R.S. § 25-10-113, and make a finding that the surfacing sewage constitutes a nuisance pursuant to C.R.S. 25-1-518. Staff further recommends that the Board direct the property owner to either immediately remove the RV from the property, ensure all surfacing sewage is cleaned up using a vacuum truck, all solids are removed from the ground surface, and the area treated with lime, or, if the property owner intends to keep the RV on the property, they must first confirm that continued occupancy is permissible under Arapahoe County zoning and obtain a valid OWTS permit from ACPH. If zoning approval is not granted or a permit is not obtained, all use of the RV and discharge of sewage must cease immediately.



# ARAPAHOE COUNTY



# **57075 E Maplewood Pl. Strasburg OWTS Enforcement Case**

Arapahoe County Public Health  
August 2025 Board of Health Meeting  
Steven Chevalier, MS, REHS

# Hearing Purpose

- Inform BOH of ongoing sewage discharge from RV at 57075 E Maplewood Pl. Strasburg
  - RV is not connected to a permitted OWTS
  - Multiple violations issued; no corrective action taken
- Requesting BOH to:
  - Consider assessment of civil penalties
  - Make a nuisance finding
  - Provide direction on required corrective actions
  - Guide next steps if noncompliance continues

# Background

- Property located in unincorporated Arapahoe County.
- Occupied by at least one RV with no permitted wastewater system.
- April 22, 2025: Complaint received regarding sewage discharge.
- May 13, 2025: Site visit confirmed discharge from gray hose.
- May 29, 2025: Follow-up visit confirmed continued discharge.

# 57075 E Maplewood Pl.



# 57075 E Maplewood Pl.



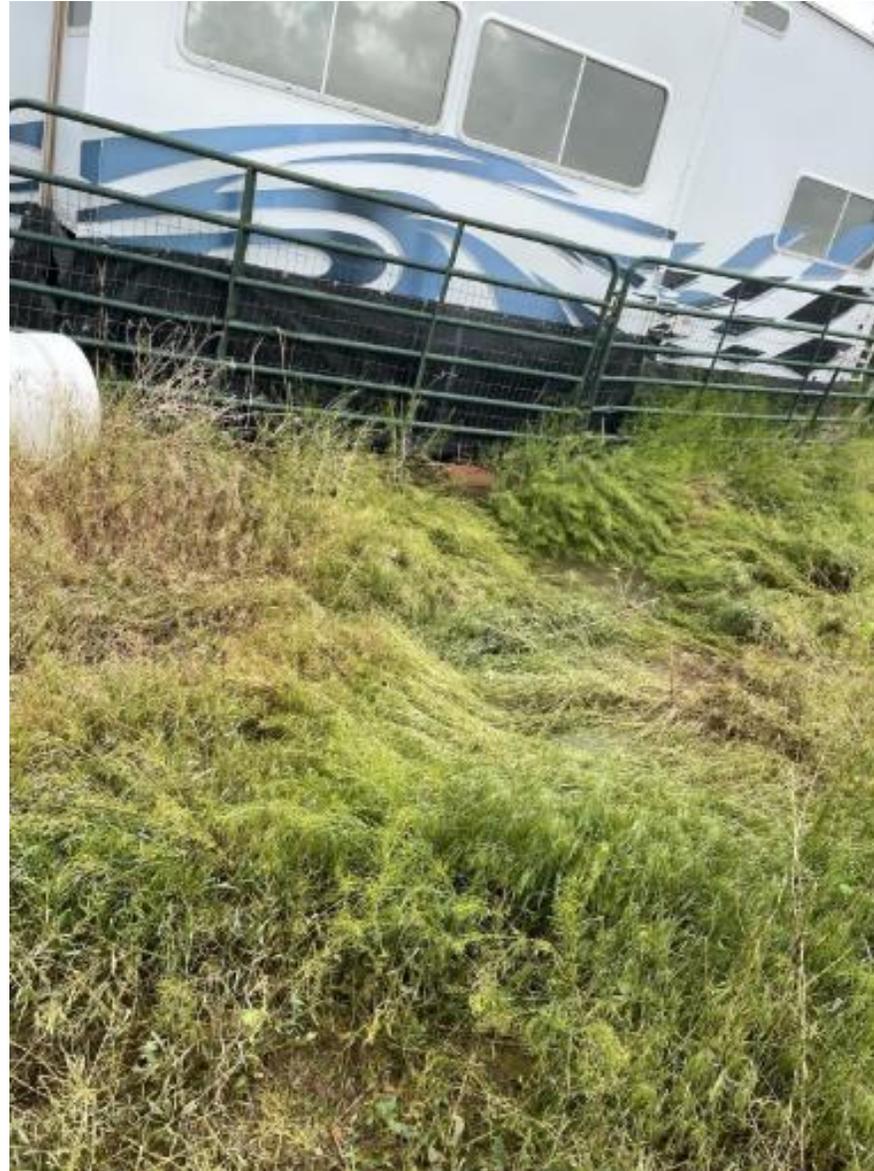
# 57075 E Maplewood Pl.



# 57075 E Maplewood Pl.



# 57075 E Maplewood Pl.



# 57075 E Maplewood Pl.



# Observations & Findings

Active raw sewage discharge from RV to ground surface.

Freshwater tank and hose connections observed.

No OWTS permit on file or application submitted.

Zoning enforcement also active; RV on property for approximately six years.

# Applicable Regulations and Statutes

- ACPH OWTS Regulations:
  - Section 18.1.D: No dwelling may be maintained without adequate sewage disposal.
  - Section 4.1: No OWTS may be constructed, altered, or used without a permit.
- OWTS Statute (C.R.S. § 25-10-113):
  - BOH may assess penalties up to \$50/day for violations.
  - Consider seriousness, duration, and history of violations.
- Nuisance Statute (C.R.S. § 25-1-518):
  - BOH shall examine all nuisance and sources of filth which in its opinion may be injurious to the health of the county inhabitants and it shall destroy, remove, or prevent the nuisance as the case may require.

# Enforcement History

- May 13, 2025 – First Notice of Violation issued.
- May 29, 2025 – Second Notice of Violation issued.
- No response or corrective action from property owner.
- Ongoing coordination with Arapahoe County Zoning.

# Public Health Risks

- Exposure to pathogens from untreated sewage.
- Risk of groundwater contamination.
- Violation of state and local nuisance and health regulations.

# Board Request

- Consider assessment of civil penalties
- Provide direction on required corrective actions
- Guide next steps if noncompliance continues

## **OWTS Hearing – 57075 E Maplewood PI, Strasburg**

### **BOH Meeting August 20, 2025**

#### Index to Presentation Packet

- A. BSR for introduction purposes
- B. Presentation of facts
  - 1. Assessor record
  - 2. Timeline document (updated to include most recent events)
  - 3. Photographs of overall property
  - 4. ACPH communication history w/ property owner
    - a. May 15, 2025 Written Notice of Violation.
    - b. May 15, 2025 Notice of Violation Letter
    - c. May 29, 2025 2<sup>nd</sup> Written Notice of Violation.
    - d. June 9, 2025 2<sup>nd</sup> Notice of Violation with Intent to Proceed with Enforcement Letter
    - e. June 27, 2025 Delivery Confirmation of 2<sup>nd</sup> NOV Letter
    - f. July 27, 2025 Notice of Hearing
    - g. August 6, 2025 Delivery Confirmation Notice of Hearing
  - 5. Site Visit Photos from May 13, 2025
  - 6. Site Visit Photos from May 29, 2025
  - 7. Notice of Hearing Posted on Property July 31, 2025
- C. Violations
  - 1. Colorado Revised Statutes
    - a. C.R.S. § 25-1-508
    - b. C.R.S. § 25-1-518
    - c. C.R.S. § 25-10-104
    - d. C.R.S. § 25-10-106
    - e. C.R.S. § 25-10-112
    - f. C.R.S. § 25-10-113
  - 2. ACPH On-site Wastewater Regulations
    - a. ACPH OWTS Regulations, Section 2
    - b. ACPH OWTS Regulations, Section 3
    - c. ACPH OWTS Regulations, Section 4
    - d. ACPH OWTS Regulations, Section 6
    - e. ACPH OWTS Regulations, Section 18
    - f. ACPH OWTS Regulations, Section 19

**PIN:** 034610421  
**AIN:** 2065-00-0-00-377  
**Situs Address:** 57075 E Maplewood Pl  
**Situs City:** Strasburg

**Full Owner List:** Williams James J  
**Ownership Type:** Sole Ownership  
**Owner Address:** 5300 S 4178 Rd  
**City/State/Zip:** Chelsea, OK 74016-1306

**Neighborhood:** Ag - Twn 2063 And 2065  
**Neighborhood Code:** 5004.00  
**Acreage:** 35.1300

**Land Use:**  
**Legal Desc:** That Part Of The N 1/2 Of Sec 22-5-62 Desc As Beg 30 Ft E Of The Nw Cor Of Sd Sec Th E 1152.23 Ft Th S 1327.45 Ft Th W 1153.3 Ft Th N 1327.52 Ft To Beg Ex 1/2 M/R's Sec 22-5-62 (A/K/A Parcel 1 Casadora Acres)

**Notifications!**

	<b>Total</b>	<b>Building</b>	<b>Land</b>
2025 Appraised Value	3,456	0	3,456
2025 Assessed Value	933	0	933
		<b>2024 Mill Levy:</b>	<b>85.984</b>

<i>Sale</i>	<b>Book Page</b>	<b>Date</b>	<b>Price</b>	<b>Type</b>
	D712 5775	11-03-2017	140,240	
	B806 3954 *Multi Sched	06-04-2008	267,000	

<i>Land Line</i>	<b>Units</b>	<b>Land Use</b>
	35.1300 AC	Dry Farm Class IIB

*Note: Land Line data above corresponds to the initial appraised value and does not reflect subsequent appeal related adjustments, if any.*

\* Not all parcels have available photos / sketches.

In some cases a sketch may be difficult to read. Please contact the Assessors Office for assistance. Measurements taken from the exterior of the building.

The Arapahoe County Assessors Office does not warranty the accuracy of any sketch, nor assumes any responsibility or liability to any user.

Although some parcels may have multiple buildings and photos, at this time our system is limited to 1 sketch and 1 photo per parcel number. Sorry for any inconvenience.

[New Search](#)

## Timeline for 57075 E Maplewood Pl, Strasburg, CO 80136

4/22/25 – Complaint received. Amara Thomas called realtor (Trinette Miller - 720-255-8005) to get owners contact info. Owner is living on property in a RV. Trinette will call me back with owners info after owner gives permission to give it out.

4/24/25 -Amara Thomas called realtor to check in, owner didn't want to give me their contact information, so realtor shared my info with them. Internet search shows owners phone number as 3036212048. Emailed Brant Love (Arapahoe County Zoning) about open zoning violation & to get more information.

4/28/25 – Amara Thomas called owner from phone number given by zoning, got his voicemail. Left a message & asked to be called back.

5/6/25 - Amara Thomas reached out to zoning to get information on the property, outstanding zoning enforcement and advice on making contact with the property owner.

5/13/25 – Amara Thomas completed a site visit with Conner Gerken, WQ Supervisor. No one was home upon arrival, witnessed sewage on the ground coming from the RV pipe. There was small truck with an IBC tank that had a garden hose coming out of it, hooked into the RV. There were two dogs on site and it was apparent someone is actively living here. We left a written Notice of Violation on the windshield of the car & will be sending certified mail NOTICE OF VIOLATION.

5/15/25 – Amara Thomas drafted NOTICE OF VIOLATION & letter to be sent to the following addresses: 57075 E Maplewood Pl., Strasburg, CO 80136-9601 P.O. Box 432 Strasburg, CO 80136-0432 5300 S 4178 Rd, Chelsea, OK 74016-1306.

5/16/25 – Amara Thomas sent out NOTICE OF VIOLATION to 57075 E Maplewood Pl., Strasburg, CO 80136-9601 P.O. Box 432 Strasburg, CO 80136-0432 5300 S 4178 Rd, Chelsea, OK 74016-1306.

5/20/25 - Conner Gerken reached out to zoning to see if any contact with the property owner had been made on their enforcement case

5/29/25 – Rachel Gamache conducted 2nd site visit with Conner Gerken, who left 2nd written Notice of Violation on truck windshield. No changes were observed to be made to the site, sewage was still visibly discharging onto the ground.

6/9/25 – Amara Thomas called owner & realtor, left a message for both people asking to be called back.

6/9/2025 - Steve Chevalier reached out to zoning to get feedback prior to the issuance of second Notice letter.

6/25/25 – Steve Chevalier drafted and sent SECOND NOTICE OF VIOLATION AND INTENT TO PROCEED WITH ENFORCEMENT letter.

7/14/25 – Amara Thomas and Conner Gerken drove by the property to verify that the camper was still there.





# ARAPAHOE COUNTY PUBLIC HEALTH

## Official Notice of Violation On-Site Wastewater Treatment Systems (OWTS)

To:  Homeowner  Occupant  Installer  Cleaner  
 Name: James Williams  
 Address: 57075 E Maplewood Pl.  
 City: Strasburg State: CO Zip: 80136

The violation of ACPH OWTS Regulation, effective date December 10, 2022 consists of the following (indicated by an ):

- Section 3.1**  
No person or persons shall install, alter, repair or use an On-Site Wastewater Treatment System (OWTS) within the county of Arapahoe, State of Colorado, unless such person holds a valid permit, issued by the Department in the name of the property owner for the specific construction, remodeling, installation, or use, proposed at the location described on the permit.
- Section 3.5.B**  
No change of design of an OWTS after the permit has been issued shall be made unless authorized in writing by the Department.
- Section 3.13.A**  
It is the responsibility of the system contractor to notify the Department when construction, installation, alteration, or repair had been sufficiently completed to allow inspection of the conventional system before the system is placed in use.
- Section 3.14.A**  
It is the responsibility of the systems contractor to notify the professional engineer and the Department when construction, installation, alteration, or repair has been sufficiently completed to allow inspection of the engineered system before the system is placed in use.
- Section 5.1.C**  
A Use Permit shall be maintained and renewed until the system is either abandoned or the Department authorizes the decommissioning or removal of the **higher-level treatment unit**.
- Section 7.1.A**  
No person shall install, alter, or repair an OWTS unless he holds a valid Systems Contractor License issued by the Department.
- Section 7.2.A**  
No person shall engage in the cleaning of OWTS Systems or the transportation of sewage to a disposal site unless he holds a valid Systems Cleaner License issued by the Department.
- Section 18.1.D**  
No person shall construct or maintain any dwelling or other occupied structure which is not equipped with adequate facilities for the sanitary disposal of sewage.
- Section 18.1.E**  
All persons shall dispose of septage removed from systems in the process of maintenance or cleaning at an approved site and in an approved manner.
- Section** \_\_\_\_\_

Description of the Violation: sewage actively surfacing on the ground

Corrective Actions Required: Immediately take action to keep sewage off the ground, treat affected area w/ lime and fence area off. Apply and pay for an Onsite Wastewater Treatment System (OWTS) installation permit within 48 hours of receipt of this Notice of Violation.

Official Notice Issued by:  
Amara Thomas  
Environmental Health Specialist (Print)

[Signature]  
Environmental Health Specialist (Signature)

Date Notice Given: 5/15/25

Compliance  
Deadline:  
within 48hrs of receipt

Official Notice Received by:  
\_\_\_\_\_  
Owner/Occupant/Installer/Cleaner (Print)

\_\_\_\_\_  
Owner/Occupant/Installer/Cleaner (Signature)

Date Notice Received: \_\_\_\_\_



Altura Plaza  
15400 E. 14th Pl., Suite 115  
Aurora, CO 80011  
303-795-4584  
arapahoegov.com

May 15, 2025

**NOTICE OF VIOLATION**

James Williams

5300 S 4178 RD. CHELSEA OK 74016-1306

PO BOX 432, STRASBURG CO 80136-0432

57075 E MAPLEWOOD PL. STRASBURG CO 80136-9601

Delivery: Certified Mail

Subject: Notice of Violation, James Williams, 57075 E Maplewood Pl., Strasburg, CO 80136

Dear James Williams:

On May 13<sup>th</sup>, 2025, Amara Thomas, Environmental Health Specialist, Arapahoe County Public Health (ACPH) and Conner Gerken, Water Quality Supervisor, ACPH conducted a site visit at 57075 E Maplewood after receiving a complaint regarding someone living in a recreational vehicle (RV) without adequate sewage disposal.

During the site visit, ACPH observed sewage actively discharging onto the ground outside the RV with no apparent means for proper treatment and disposal as required by the Arapahoe County On-Site Wastewater Regulation. No record of a permitted septic system is known for this property.

ACPH has issued to the above property owner the accompanying Notice of Violation (NOV) for the following violations of the Arapahoe County On-Site Wastewater Regulations:

- Section 18.1.D: No person shall construct or maintain any dwelling or other occupied structure which is not equipped with adequate facilities for the sanitary disposal of sewage.

**Corrective Actions:**

- Upon receipt of this notice, the property owner must immediately take all necessary action to keep sewage off the surface of the ground and ensure proper treatment and disposal. Such action includes dumping the blackwater and greywater tanks at a RV dump station as frequently as necessary to remove any source of nuisance, fencing off any affected area that has been treated with lime, and tilling the applied lime at least four (4) inches into the ground.

AND

- Apply and pay for an Onsite Wastewater Treatment System (OWTS) installation permit application with Arapahoe County Public Health within 48 hours of receipt of this Notice of Violation. Submit all necessary documents for the Onsite Wastewater Treatment System (OWTS) installation permit application. This process must be coordinated with Arapahoe County Public Works Zoning to confirm land use approval for a permanent or semi-permanent RV location.

OR

- Alternatively, the property owner may remove the RV and any living quarters from the property, fence off any affected area that has been treated with lime, and till the applied lime at least four (4) inches into the ground.

Failure to comply with this Notice of Violation may result in additional enforcement action, including issuance of civil penalties and/or filing of an action in district court against you.

If you have any questions, please feel free to contact me at [water@arapahoegov.com](mailto:water@arapahoegov.com).

Regards,

Amara Thomas  
Environmental Health Specialist  
Arapahoe County Public Health

Encl. ACPH Notice of Violation

CC: Conner Gerken, Arapahoe County Environmental Health Supervisor  
Steven Chevalier, Arapahoe County Environmental Health Manager  
Monica Kovaci, Senior Assistant Arapahoe County Attorney

**More Information:**

Online Permit Application: <https://myhealthdepartment.com/acph>

Information on Environmental Health programs: <https://tinyurl.com/mr38rutv>

CDPHE Solid Waste Cleanup: <https://cdphe.colorado.gov/hm/swguidance>

2nd Notice



# ARAPAHOE COUNTY PUBLIC HEALTH

## Official Notice of Violation On-Site Wastewater Treatment Systems (OWTS)

To:  Homeowner  Occupant  Installer  Cleaner  
 Name: James Williams and/or Current Resident  
 Address: 57075 E Maplewood Pl  
 City: Strasburg State: CO Zip: 80136

The violation of ACPH OWTS Regulation, effective date December 10, 2022 consists of the following (indicated by an ):

- Section 3.1**  
No person or persons shall install, alter, repair or use an On-Site Wastewater Treatment System (OWTS) within the county of Arapahoe, State of Colorado, unless such person holds a valid permit, issued by the Department in the name of the property owner for the specific construction, remodeling, installation, or use, proposed at the location described on the permit.
- Section 3.5.B**  
No change of design of an OWTS after the permit has been issued shall be made unless authorized in writing by the Department.
- Section 3.13.A**  
It is the responsibility of the system contractor to notify the Department when construction, installation, alteration, or repair had been sufficiently completed to allow inspection of the conventional system before the system is placed in use.
- Section 3.14.A**  
It is the responsibility of the systems contractor to notify the professional engineer and the Department when construction, installation, alteration, or repair has been sufficiently completed to allow inspection of the engineered system before the system is placed in use.
- Section 5.1.C**  
A Use Permit shall be maintained and renewed until the system is either abandoned or the Department authorizes the decommissioning or removal of the **higher-level treatment unit**.
- Section 7.1.A**  
No person shall install, alter, or repair an OWTS unless he holds a valid Systems Contractor License issued by the Department.
- Section 7.2.A**  
No person shall engage in the cleaning of OWTS Systems or the transportation of sewage to a disposal site unless he holds a valid Systems Cleaner License issued by the Department.
- Section 18.1.D**  
No person shall construct or maintain any dwelling or other occupied structure which is not equipped with adequate facilities for the sanitary disposal of sewage.
- Section 18.1.E**  
All persons shall dispose of septage removed from systems in the process of maintenance or cleaning at an approved site and in an approved manner.
- Section** \_\_\_\_\_

Description of the Violation: Sewage actively surfacing on the ground from the recreational vehicle (RV) on-site.

Corrective Actions Required: Immediately take action to keep sewage off of the ground, treat affected area with lime & fence off. Apply and pay for an Onsite Waste Water Treatment System (OWTS) Installation permit within 48 hours of receipt of this Notice of Violation.

Official Notice Issued by:  
Conner Gerken  
 Environmental Health Specialist (Print)  
[Signature]  
 Environmental Health Specialist (Signature)  
 Date Notice Given: 5/29/25

Compliance  
 Deadline:  
within  
48 hours of  
receipt

Official Notice Received by:  
 \_\_\_\_\_  
 Owner/Occupant/Installer/Cleaner (Print)  
 \_\_\_\_\_  
 Owner/Occupant/Installer/Cleaner (Signature)  
 Date Notice Received: \_\_\_\_\_



Altura Plaza  
15400 E. 14th Pl., Suite 115  
Aurora, CO 80011  
303-795-4584  
arapahoegov.com

June 25, 2025

**SECOND NOTICE OF VIOLATION AND  
INTENT TO PROCEED WITH ENFORCEMENT**

To: James Williams

P.O. Box 432 Strasburg, CO 80136-0432

5300 S 4178 Rd, Chelsea, OK 74016-1306

Delivery: First Class U.S. Mail

Subject: ARAPC2859, James Williams, 57075 E Maplewood Pl., Strasburg, CO 80136

Dear James Williams:

You are hereby issued this Second Notice of Violation for continued non-compliance of the Arapahoe County On-site Wastewater Regulations, Section 18.1.D, for maintaining a dwelling that is not equipped with adequate facilities for the sanitary disposal of sewage. You were previously issued the first Notice of Violation of May 13, 2025 and directed to immediately take all necessary action to keep sewage off the surface of the ground and ensure proper treatment and disposal, OR remove the RV and any living quarters from the property, fence off any affected area that has been treated with lime, and till the applied lime at least four (4) inches into the ground. To date, despite your notice of the issue, you have failed to remedy the situation and have maintained a nuisance that may be injurious to the public health by continuing to discharge sewage to the ground outside of an Arapahoe County permitted and approved septic system.

This is a notice that Arapahoe County Public Health will move forward with administrative enforcement for this property for your continued violations of the Colorado On-Site Wastewater Treatment Systems Act, the Arapahoe County On-Site Wastewater Regulations, and for failure to remove or abate a nuisance in violation of the Colorado Public Health Act. Colorado Revised Statute §§ 25-1-518, 25-10-112(4) and 113. State law permits assessment of civil penalties of \$50/day for violations of the On-Site Wastewater Treatment Systems Act, and the violation of public health laws is a class 2 misdemeanor, punishable by imprisonment in a county jail for up to 120 days, a fine of up to \$750, or both. Colorado Revised Statute § 25-1-516(3). In addition to the fine or imprisonment, you may be held liable for any expense incurred by health authorities in removing any nuisance, source of filth, or cause of sickness. *Id.*

Please reach out to us to discuss the situation to ensure compliance and avoid escalation of enforcement proceedings. You may contact me at [water@arapahoegov.com](mailto:water@arapahoegov.com) or at (303) 795-4584. We look forward to hearing from you.

Regards,

Conner Gerken  
Environmental Health Supervisor  
Arapahoe County Public Health

Enclosure:

Official Notice of Violation On-Site Wastewater Treatment Systems (OWTS)

CC: Steven Chevalier, Arapahoe County Environmental Health Manager;  
Caitlyn Mars, Arapahoe County Zoning Manager;  
Monica Kovaci, Senior Assistant Arapahoe County Attorney;  
Rebecca Taylor, Senior Assistant Arapahoe County Attorney;  
Jordan Lewis, Assistant Arapahoe County Attorney

2:38

◀ Camera



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CHELSEA, OK 74016

June 27, 2025, 2:13 pm



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July 29, 2025

**NOTICE OF HEARING**

James Williams and/or Occupant

P.O. Box 432 Strasburg, CO 80136-0432

and

5300 S 4178 Rd, Chelsea, OK 74016-1306

and

P.O. Box 565, Kiowa, CO 80117 0565

[kiowafarrier@gmail.com](mailto:kiowafarrier@gmail.com)

Delivery: First Class U.S. Mail, Email, and Posted at Property

Subject: NOTICE OF HEARING re: Violations of the Arapahoe County On-Site Wastewater Regulations 57075 E Maplewood Pl., Strasburg, CO 80136

Dear James Williams:

Notice is hereby given that the Arapahoe County Board of Health will hold an enforcement hearing on the date/time stated below for violations of the Arapahoe County On-site Wastewater Regulations, Section 18.1.D (maintaining a dwelling that is not equipped with adequate facilities for the sanitary disposal of sewage). As the property owner and/or property occupant, you may attend and present testimony.

**Arapahoe County Board of Health  
6964 S. Lima St, Arapahoe Boardroom  
Centennial, CO 80112**

**Wednesday, August 20, 2025  
3:00 p.m.**

If you have any questions, please feel free to contact us at [water@arapahoegov.com](mailto:water@arapahoegov.com).  
Regards,

Steven Chevalier, MS, REHS  
Environmental Health Manager  
Arapahoe County Public Health

CC: Monica Kovaci, Senior Assistant Arapahoe County Attorney  
Writer Mott, Deputy County Attorney  
Jennifer Ludwig, Arapahoe County Public Health Director  
Michele Askenazi, Arapahoe County Division Director  
Conner Gerken, Arapahoe County Environmental Health Supervisor  
Caitlyn Mars, Arapahoe County Zoning Manger  
Amara Thomas, Arapahoe County Environmental Health Specialist  
Rachel Gamache, Arapahoe County Environmental Health Specialist

Tracking Number:

Remove X

## 9505506580315216617692

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### Latest Update

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### Delivered

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CHELSEA, OK 74016

August 6, 2025, 1:07 pm

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Product Information



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## **Need More Help?**

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**FAQs**



5/13/2025 – 57075 E Maplewood Pl – View of Sewage Pipe from RV Discharging onto Ground



5/13/2025 – 57075 E Maplewood Pl – Expanded View of Sewage Pipe from RV Discharging onto Ground



5/13/2025 – 57075 E Maplewood Pl – Close up View of Sewage Pipe from RV Discharging onto Ground



5/13/2025 – 57075 E Maplewood Pl – Expanded View of Sewage Pipe from RV Discharging onto Ground



5/13/2025 – 57075 E Maplewood Pl – RV on property with Water Tank



5/13/2025 – 57075 E Maplewood Pl – Expanded view shows location of discharging sewage



5/13/2025 – 57075 E Maplewood Pl – RV, Truck, Propane tank, and Trailer on property



5/13/2025 – 57075 E Maplewood Pl – View of the fenced-off yard in front of the RV



5/13/2025 – 57075 E Maplewood Pl – Notice of Violation left on Windshield of Truck, unable to access RV door due to fence and dogs

**57075 E Maplewood Pl – Site Visit – 5/29/2025**



5/29/2025 – 57075 E Maplewood Pl – View of driveway from S CR 157 for 57075 E Maple Pl



5/29/2025 – 57075 E Maplewood Pl – View of RV and Truck on property



5/29/2025 – 57075 E Maplewood Pl – View of Truck



5/29/2025 – 57075 E Maplewood Pl – View of Windshield of Truck



5/29/2025 – 57075 E Maplewood Pl – View of License Plate of Truck



5/29/2025 – 57075 E Maplewood Pl – View of License Plate of Trailer



5/29/2025 – 57075 E Maplewood Pl – View of Ground near RV



5/29/2025 – 57075 E Maplewood Pl – View of RV



5/29/2025 – 57075 E Maplewood Pl – View of RV



5/29/2025 – 57075 E Maplewood Pl – View of Liquid next to RV

2nd Notice



Official Notice of Violation  
On-Site Wastewater Treatment Systems (OWTS)

To:  Homeowner  Occupant  Installer  Cleaner  
Name: James Williams and/or Current Resident  
Address: 57075 E Maplewood Pl  
City: Strasburg State: CO Zip: 80136

The violation of ACPH OWTS Regulation, effective date December 10, 2022 consists of the following (indicated by an ):

- Section 3.1  
No person or persons shall install, alter, repair or use an On-Site Wastewater Treatment System (OWTS) within the county of Arapahoe, State of Colorado, unless such person holds a valid permit, issued by the Department in the name of the property owner for the specific construction, remodeling, installation, or use, proposed at the location described on the permit.
- Section 3.3.B  
No change of design of an OWTS after the permit has been issued shall be made unless authorized in writing by the Department.
- Section 3.11.A  
It is the responsibility of the system contractor to notify the Department when construction, installation, alteration, or repair had been sufficiently completed to allow inspection of the conventional system before the system is placed in use.
- Section 3.14.A  
It is the responsibility of the systems contractor to notify the professional engineer and the Department when construction, installation, alteration, or repair has been sufficiently completed to allow inspection of the engineered system before the system is placed in use.
- Section 5.1.C  
A Use Permit shall be maintained and renewed until the system is either abandoned or the Department authorizes the decommissioning or removal of the higher-level treatment unit.
- Section 7.1.A  
No person shall install, alter, or repair an OWTS unless he holds a valid Systems Contractor License issued by the Department.
- Section 7.2.A  
No person shall engage in the cleaning of OWTS Systems or the transportation of sewage to a disposal site unless he holds a valid Systems Cleaner License issued by the Department.
- Section 18.1.D  
No person shall construct or maintain any dwelling or other occupied structure which is not equipped with adequate facilities for the sanitary disposal of sewage.
- Section 18.1.E  
All persons shall dispose of septage removed from systems in the process of maintenance or cleaning at an approved site and in an approved manner.
- Section \_\_\_\_\_

Description of the Violation: sewage actively surfacing on the ground from the recreational vehicle (RV) on-site.

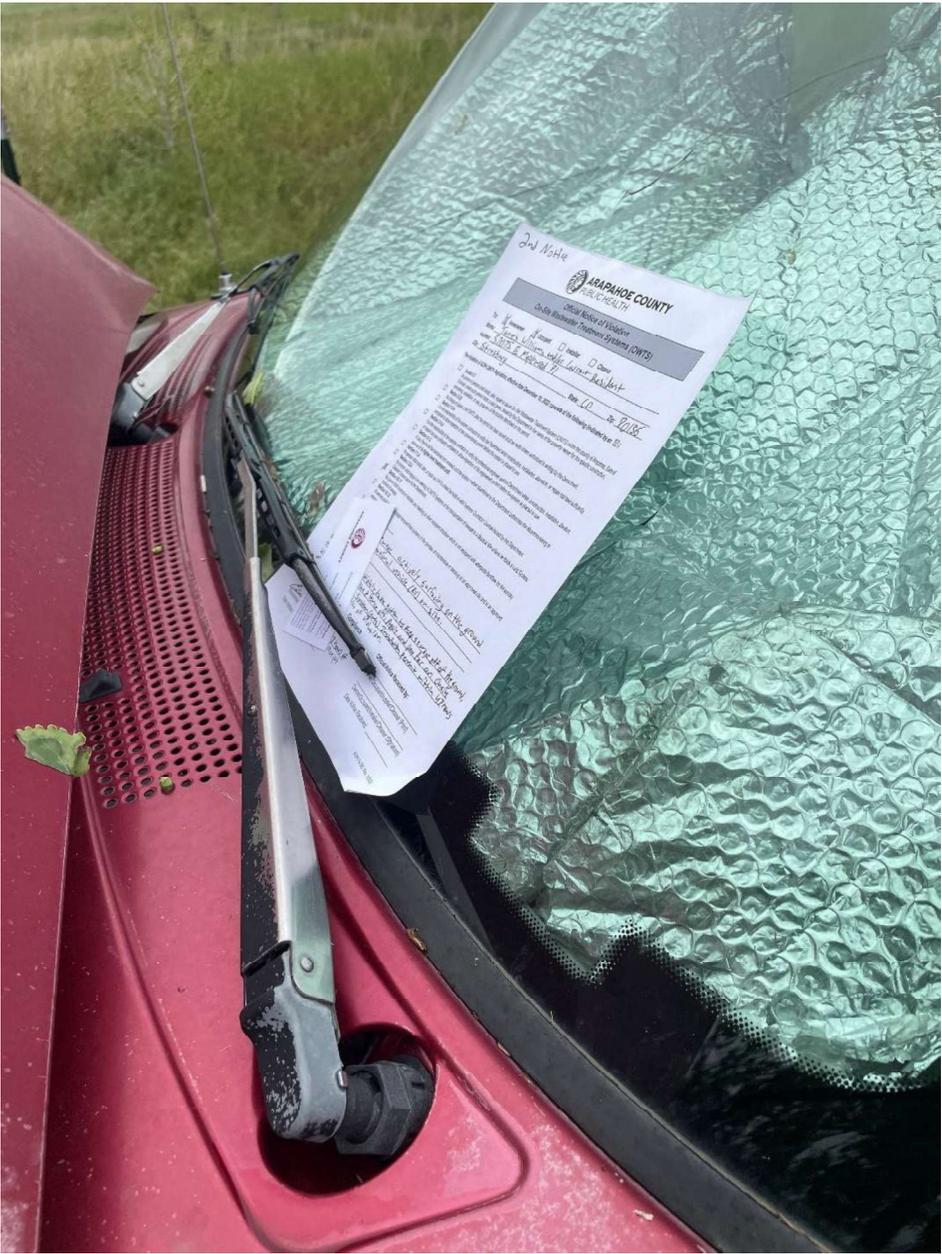
Corrective Actions Required: Immediately take action to keep sewage off of the ground, treat affected area with lime & fence off. Apply and pay for an Onsite Waste Water Treatment System (OWTS) Installation permit within 48 hours of receipt of this Notice of Violation.

Official Notice Issued by:  
Conner Geisler  
Environmental Health Specialist (Print)  
[Signature]  
Environmental Health Specialist (Signature)  
Date Notice Given: 5/29/25

Compliance  
Deadline:  
within  
48 hours of  
receipt

Official Notice Received by:  
\_\_\_\_\_  
Owner/Occupant/Installer/Cleaner (Print)  
\_\_\_\_\_  
Owner/Occupant/Installer/Cleaner (Signature)  
Date Notice Received: \_\_\_\_\_

5/29/2025 – 57075 E Maplewood Pl – View of 2<sup>nd</sup> Notice of Violation



5/29/2025 – 57075 E Maplewood Pl – View of 2<sup>nd</sup> Notice of Violation on Truck Windshield

**57075 E Maplewood Pl – Notice of Hearing Posted on Property by Entrance – 7/31/2025**



**ARAPAHOE COUNTY**  
PUBLIC HEALTH  
5000 S. Holly Street  
Denver, CO 80231  
303.769.4500  
arapahoe.gov

July 29, 2025

**NOTICE OF HEARING**

Public Health, Public Health Officer  
PO Box 112746, Denver, CO 80231-0462  
and  
5700 S. Holly Street, Denver, CO 80231  
and  
PO Box 161, Nampa, ID 83401-0161  
509.835.2200/509.835.2201

Ordinance 199-12, 199-13, 199-14, and 199-15  
Subject: 57075 E Maplewood Pl, a residence in the Arapahoe County On-Site Wastewater  
Regulation 57075 (Maplewood Pl, Nampa, ID 83401)  
that is under construction.

Notice is hereby given that the Arapahoe County Board of Health will hold an enforcement  
hearing on the subject listed below on the date and at the location of the Arapahoe County, Colorado  
Public Health, Public Health Officer, 5000 S. Holly Street, Denver, Colorado, at 10:00 AM on the date  
indicated below for the purpose of determining whether there is a violation with  
regards to the subject listed above on the property owner and/or property.

**Arapahoe County Board of Health**  
604 S. Oak St., Nampa, Idaho  
Nampa, ID 83401

Reschedule August 29, 2025  
8:00 AM

If you have any questions, please feel free to contact us at [publichealth@arapahoe.gov](mailto:publichealth@arapahoe.gov).

Steven Christian, MS, DPH  
Environmental Health Officer  
Arapahoe County Public Health



**COLORADO PUBLIC HEALTH ACT, C.R.S. §§ 25-1-501 to 520**

**C.R.S. § 25-1-508. County or district boards of public health--public health directors**

(5) In addition to all other powers and duties conferred and imposed upon a county board of health or a district board of health by the provisions of this subpart 3, a county board of health or a district board of health shall have and exercise the following specific powers and duties:

(a) To develop and promote the public policies needed to secure the conditions necessary for a healthy community;

(b) To approve the local public health plan completed by the county or district agency, and to submit the local plan to the state board for review;

(c)(I) To select a public health director to serve at the pleasure of the county or district board. The public health director shall possess such minimum qualifications as may be prescribed by the state board. A public health director may be a physician, physician assistant, public health nurse, or other qualified public health professional. A public health director may practice medicine, nursing, or his or her profession within his or her license and scope of practice, as necessary, to carry out the functions of the office of the public health director. The qualifications shall reflect the resources and needs of the county or counties covered by the agency. If the public health director is not a physician, the county or district board shall employ or contract with at least one medical officer to advise the public health director on medical decisions. The public health director shall maintain an office location designated by the county or district board and shall be the custodian of all property and records of the agency.

(II) A person employed or under contract to act as a medical officer pursuant to this paragraph (c) shall be covered by the "Colorado Governmental Immunity Act", article 10 of title 24, C.R.S., for duties performed for the agency.

(d)(I) In the event of a vacancy in the position of public health director or medical officer, to either employ or contract with a person deemed qualified to fill the position or to request temporary assistance from a public health director or a medical officer from another county. The county or district board may also request that an employee of the state department, such as a qualified executive director or the chief medical officer, serve on an interim basis with all the powers and duties of the position.

(II) A person filling a temporary vacancy as public health director or medical officer shall be covered by the "Colorado Governmental Immunity Act", article 10 of title 24, C.R.S., for duties performed for the agency.

(e) To provide, equip, and maintain suitable offices and all necessary facilities for the proper administration and provision of core public health services, as defined by the state board;

(f) To determine general policies to be followed by the public health director in administering and enforcing public health laws, orders, and rules of the county or district board, and orders, rules, and standards of the state board;

(g) To issue orders and to adopt rules not inconsistent with the public health laws of this state nor with the orders or rules of the state board as the county or district board may deem necessary for the proper

exercise of the powers and duties vested in or imposed upon an agency or county or district board by this part 5;

(h) To act in an advisory capacity to the public health director on all matters pertaining to public health;

(i) To hold hearings, administer oaths, subpoena witnesses, and take testimony in all matters relating to the exercise and performance of the powers and duties vested in or imposed upon a county or district board;

(j) To provide environmental health services and to assess fees to offset the actual, direct cost of such services; except that no fee for a service shall be assessed against any person who has already paid a fee to the state or federal government for the service, and except that the only fee that shall be charged for annual retail food establishment inspections shall be the fee set forth in section 25-4-1607;

(k) To accept and, through the public health director, to use, disburse, and administer all federal aid, state aid, or other property, services, or moneys allotted to an agency for county or district public health functions or allotted without designation of a specific agency for purposes that are within the functions of an agency, and to prescribe, by rule consistent with the laws of this state, the conditions under which the property, services, or moneys shall be accepted and administered. The county or district board is empowered to make agreements that may be required to receive such moneys or other assistance.

(l) To approve, as provided for in section 25-1-520, a clean syringe exchange program proposed by an agency. A county board of health or district board of health shall not be required to approve a proposed program.

#### **C.R.S. § 25-1-518. Nuisances**

(1) **Removal of nuisances.** The county or district board of health shall examine all nuisances, sources of filth, and causes of sickness, which, in its opinion, may be injurious to the health of the inhabitants, within its town, city, county, city and county, or district, and it shall destroy, remove, or prevent the nuisance, source of filth, or cause of sickness, as the case may require.

(2) **Unhealthy premises cleaned--structures removed.** If any cellar, vault, lot, sewer, drain, place, or premises within any city is damp, unwholesome, offensive, or filthy, or is covered for any portion of the year with stagnant or impure water, or is in a condition as to produce unwholesome or offensive exhalations, the county or district board of health may cause the area to be drained, filled up, cleaned, amended, or purified; or may require the owner or occupant or person in charge of the lot, premises, or place to perform such duty; or may cause the removal to be done by the proper officers of the city.

(3) **Expense for abating nuisance.** If any person or company neglects to remove or abate any nuisance or to perform any requirement made by or in accordance with any ordinance or resolution of the county or district board of health for the protection of the health of the inhabitants and if any expense is incurred by the board in removing or abating the nuisance or in causing such duty or requirement to be performed, such expense may be recovered by the board in an action against such person or company. In all cases where the board incurs any expense for draining, filling, cleaning, or purifying any lot, place,

or premises, or for removing or abating any nuisance found upon such lot or premises, the board, in addition to all other remedies, may provide for the recovery of such expense, charge the same or such part thereof as it deems proper to the lot or premises upon or on account of which such expense was incurred or from which such nuisance was removed or abated, and cause the same to be assessed upon such lot or premises and collected as a special assessment.

(4) **Removal of nuisance on private property--penalty.** Whenever any nuisance, source of filth, or cause of sickness is found on private property, the county or district board of health shall order the owner or occupant or the person who has caused or permitted such nuisance, at his or her own expense, to remove the same within twenty-four hours. In default thereof, he or she shall forfeit a sum not to exceed one hundred dollars at the suit of the board of county commissioners of the proper county or the board of the proper city, town, or village for the use of the county or district board of health of the city or town where the nuisance is found.

(5) **Board to remove--when.** If the owner or occupant does not comply with an order of the county or district board of health, the board may cause the nuisance, source of filth, or cause of sickness to be removed, and all expense incurred thereby shall be paid by the owner or occupant or by such other person who has caused or permitted the nuisance, source of filth, or cause of sickness.

(6) **Conviction--nuisance to be abated.** Whenever any person is convicted of maintaining a nuisance that may be injurious to the public health, the court, in its discretion, may order the nuisance abated, removed, or destroyed at the expense of the defendant under the direction of the county or district board of health of the town, city, county, or district where the nuisance is found, and the form of the warrant to the sheriff or other officer may be varied accordingly.

(7) **Stay warrant of conviction.** The court, on the application of the defendant, may order a stay of a warrant issued pursuant to subsection (6) of this section for such time as may be necessary, not exceeding six months, to give the defendant an opportunity to remove the nuisance upon giving satisfactory security to do so within the time specified in the order.

(8) **Expense of abating.** The expense of abating and removing the nuisance pursuant to a warrant issued pursuant to subsection (6) of this section shall be collected by the officer in the same manner as damages and costs are collected upon execution; except that the materials of any buildings, fences, or other things that may be removed as a nuisance may be sold by the officer in like manner as goods are sold on execution for the payment of debts. The officer may apply the proceeds of the sale to defray the expenses of the removal and shall pay over the balance thereof, if any, to the defendant upon demand. If the proceeds of the sale are not sufficient to defray the expenses incurred pursuant to this subsection (8), the sheriff shall collect the residue thereof as provided in subsection (3) of this section.

(9) **Refusal of admittance to premises.** (a) Whenever a county or district board of health finds it necessary for the preservation of the lives or health of the inhabitants to enter any building, car, or train of cars in its town, city, county, or district for the purpose of examining and abating, removing, or preventing any nuisance, source of filth, or cause of sickness and is refused entry, any member of the board may make complaint under oath to the county court of his or her county stating the facts of the case as far as he or she has knowledge thereof.

(b) The court may thereupon issue a warrant directed to the sheriff commanding him or her to take sufficient aid and, being accompanied by any two or more members of the county or district board of health, during daylight hours, to return to the place where the nuisance, source of filth, or cause of sickness complained of may be and destroy, remove, or prevent the nuisance, source of filth, cause of sickness, or danger to life or limb under the direction of the members of the board of health.

(10) **Damages occasioned by nuisance--action.** Any person injured either in his or her comfort or in the enjoyment of his or her estate by any nuisance may have an action for damages sustained thereby.

## **COLORADO ON-SITE WASTEWATER TREATMENT ACT, C.R.S. §§ 25-10-101 to 113**

### **C.R.S. § 25-10-104. Regulation of on-site wastewater treatment systems--state and local rules**

(1) The division shall develop, and recommend to the commission for adoption, rules setting forth minimum standards for the location, design, construction, performance, installation, alteration, and use of on-site wastewater treatment systems within Colorado. The commission may establish criteria for issuing variances in the rules.

(2) Every local board of health in the state shall develop and adopt detailed rules for on-site wastewater treatment systems within its area of jurisdiction. The rules must comply with the rules adopted by the commission pursuant to subsection (1) of this section and with sections 25-10-105 and 25-10-106. Before finally adopting such rules or any amendment to the rules, the local board of health shall hold a public hearing on the proposed rules or amendments. The local board of health shall give notice of the time and place of the hearing at least once, at least twenty days before the hearing, in a newspaper of general circulation within its area of jurisdiction. After the public hearing and before final adoption, the local board of health may make changes or revisions to the proposed rules or amendments, and no further public hearing is required regarding the changes or revisions. All rules and amendments must be transmitted to the department no later than five days after final adoption and become effective forty-five days after final adoption unless the department notifies the local board of health before the forty-fifth day that the rules or amendments are not in compliance with this section or section 25-10-105 or 25-10-106.

(3) If a local board of health has not adopted rules in compliance with this section and submitted them to the commission, the commission shall promulgate rules for the areas of the state for which no complying rules have been adopted, except for areas serviced exclusively by a sewage treatment works. Rules for such areas of the state promulgated by the commission must comply with the rules adopted under subsection (1) of this section and sections 25-10-105 and 25-10-106. The rules must be the same for all the areas of the state for which the commission promulgates such rules, except as may be appropriate to provide for differing geologic conditions.

(4) A local board of health may adopt rules after action by the commission under subsection (3) of this section, if the rules comply with the procedural requirements of subsection (2) of this section and are no less stringent than those promulgated by the commission. Rules of the local board so adopted become effective only after they are transmitted to the division and the division determines that they comply with this section and sections 25-10-105 and 25-10-106.

(5) In promulgating rules under this article, the commission and local boards of health shall give consideration to the protection of public health and water quality.

### **C.R.S. § 25-10-106. Basic rules for local administration**

(1) Local boards of health or the commission, as appropriate, shall adopt rules under section 25-10-104 that govern all aspects of the application for and issuance of permits, the inspection and supervision of installed systems, the issuance of cease-and-desist orders, the maintenance and cleaning of systems, and the disposal of waste material. The rules must, at a minimum, include provisions regarding:

- (a) Procedures by which a person may apply for a permit for an on-site wastewater treatment system. The permit application must be in writing and must include any information, data, plans, specifications, statements, and commitments as required by the local board of health to carry out the purposes of this article.
- (b) Review of the application and inspection of the proposed site by the local public health agency;
- (c) Specification of studies to be performed and reports to be made by the applicant and the circumstances under which the studies or reports may be required by the local public health agency;
- (d) Determination on behalf of the local public health agency by an environmental health specialist or a professional engineer after review of the application, site inspection, test results, and other required information, whether the proposed system complies with the requirements of this article and the rules adopted under this article;
- (e) Issuance of a permit by the health officer or the health officer's designated representative if the proposed system is determined to be in compliance with this article and the rules adopted under this article;
- (f) Review by the local board of health, upon request of an applicant, of applications denied by the local public health agency;
- (g) The circumstances under which all applications are subject to mandatory review by the local public health agency to determine whether a permit shall issue;
- (h) Final inspection of a system to be made by the local public health agency or its designated professional engineer after construction, installation, alteration, or repair work under a permit has been completed, but before the system is placed in use, to determine that the work has been performed in accordance with the permit and that the system is in compliance with this article and the rules adopted under this article;
- (i) Inspection of operating systems at reasonable times, and upon reasonable notice to the occupant of the property, to determine if the system is functioning in compliance with this article and the rules adopted under this article. Officials of the local public health agency are permitted to enter upon private property for purposes of conducting such inspections.
- (j) Issuance of a repair permit to the owner or occupant of property on which a system is not in compliance. An owner or occupant shall apply to the local public health agency for a repair permit within two business days after receiving notice from the local public health agency that the system is not functioning in compliance with this article or the rules adopted under this article or otherwise constitutes a nuisance or hazard to public health or water quality. The permit shall provide for a reasonable period of time within which the owner or occupant must make repairs, at the end of which period the local public health agency shall inspect the system to ensure that it is functioning properly. Concurrently with the issuance of a repair permit, the local public health agency may authorize the continued use of a malfunctioning system on an emergency basis for a period not to exceed the period stated in the repair permit. The period of emergency use may be extended, for good cause shown, if, through no fault of the owner or occupant, repairs may not be completed in the period stated in the repair permit and only if the owner or occupant will continue to make repairs to the system.

(k)(I) Issuance of an order to cease and desist from the use of any on-site wastewater treatment system or sewage treatment works that is found by the health officer not to be in compliance with this article or the rules adopted under this article or that otherwise constitutes a nuisance or a hazard to public health or water quality. Such an order may be issued only after a hearing is conducted by the health officer not less than forty-eight hours after written notice of the hearing 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 must require that the owner or occupant bring the system into compliance or eliminate the nuisance or 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 is reviewable in the district court for the county in which the system is located and upon a petition filed no later than ten days after the order is issued.

(II) For the purposes of this paragraph (k), any system or sewage treatment works that does not comply with any statute or rule of this title constitutes a nuisance.

(III) For the purposes of this paragraph (k), a sewage treatment works does not include any sewage treatment facility with a discharge permit issued pursuant to section 25-8-501.

(I) Reasonable periodic collection and testing by the local public health agency of effluent samples from on-site wastewater treatment systems for which monitoring of effluent is necessary in order to ensure compliance with this article or the rules adopted under this article. The sampling may be required not more than two times a year, except when required by the health officer in conjunction with action taken pursuant to paragraph (k) of this subsection (1). The local public health agency may charge a fee not to exceed actual costs, plus locally established mileage reimbursement rates for each mile traveled from the principal office of the local public health agency to the site of the system and return, for each sample collected and tested, and payment of such charges may be stated in the permit for the system as a condition for its continued use. Any owner or occupant of property on which an on-site wastewater treatment system is located may request the local public health agency to collect and test an effluent sample from the system. The local public health agency may, at its option, perform such collection and testing services, and is entitled to charge a fee not to exceed actual costs, plus locally established mileage reimbursement rates for each mile traveled from the principal office of the local public health agency to the site of the system and return, for each sample collected and tested.

(m) At the option of the local board of health, maintenance and cleaning schedules and practices adequate to ensure proper functioning of various types of on-site wastewater treatment systems. The local board of health may additionally require proof of proper maintenance and cleaning, in compliance with the schedule and practices adopted under this subsection (1), to be submitted periodically to the local public health agency by the owner of the system.

(n) Disposal of septage at a site and in a manner that does not create a hazard to the public health, a nuisance, or an undue risk of pollution.

**C.R.S. § 25-10-112. General prohibitions--rules**

(1) No city, county, or city and county shall issue to any person:

(a) A permit to construct or remodel a building or structure that is not serviced by a sewage treatment works until the local public health agency has issued a permit for an on-site wastewater treatment system; or

(b) A city, county, or city and county occupancy permit for the use of a building that is not serviced by a sewage treatment works until the local public health agency makes a final inspection of the on-site wastewater treatment system, as provided for in section 25-10-106(1)(h), and the local public health agency approves the installation.

(2) Construction of new cesspools is prohibited.

(3) A person shall not connect more than one dwelling, commercial, business, institutional, or industrial unit to the same on-site wastewater treatment system unless such multiple connection was specified in the application submitted and in the permit issued for the system.

(4) 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.

(5) All persons shall dispose of septage removed from systems in the process of maintenance or cleaning at an approved site and in an approved manner under this article.

**C.R.S. § 25-10-113. Penalties**

Currentness

(1) Any person who commits any of the following acts or violates this article 10 commits a civil infraction and shall be punished as provided in section 18-1.3-503:

(a) Constructs, alters, installs, or permits the use of any on-site wastewater treatment system without first applying for and receiving a permit as required under this article;

(b) Constructs, alters, or installs an on-site wastewater treatment system in a manner that involves a knowing and material variation from the terms or specifications contained in the application, permit, or variance;

(c) Violates the terms of a cease-and-desist order that has become final under section 25-10-106(1)(k);

(d) Conducts a business as a systems contractor without having obtained the license provided for in section 25-10-109(1) in areas in which the local board of health has adopted licensing regulations pursuant to that section;

(e) Conducts a business as a systems cleaner without having obtained the license provided for in section 25-10-109(2) in areas in which the local board of health has adopted licensing regulations pursuant to that section;

(f) Falsifies or maintains improper record keeping concerning system cleaning activities not performed or performed improperly; or

(g) Willfully fails to submit proof of proper maintenance and cleaning of a system as required by rules adopted pursuant to section 25-10-106.

(2) Upon a finding by the local board of health that a person is in violation of this article or of rules adopted and promulgated pursuant to this article, the local board of health may assess a penalty of up to fifty dollars for each day of violation. In determining the amount of the penalty to be assessed, the local board of health shall consider the seriousness of the danger to the health of the public caused by the violation, the duration of the violation, and whether the person has previously been determined to have committed a similar violation.

(3) A person subject to a penalty assessed pursuant to subsection (2) of this section may appeal the penalty to the local board of health by requesting a hearing before the appropriate body. The request must be filed within thirty days after the penalty assessment is issued. The local board of health shall conduct a hearing upon the request in accordance with section 24-4-105, C.R.S.



**ARAPAHOE COUNTY**

# ON-SITE WASTEWATER REGULATIONS

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**PROMULGATED BY THE BOARD OF HEALTH  
OF ARAPAHOE COUNTY**

**Effective Date  
December 24, 2022**

**Pursuant to Title 25-10-101, et seq. Colorado Revised Statutes and  
the Colorado Department of Public Health and Environment Water  
Quality Control Commission On-Site Wastewater Treatment System  
Regulation #43, 5 CCR-1002-43**

This document describes the rules and regulations for the use and permitting of On-Site Wastewater Treatment Systems in Arapahoe County. This Regulation should be used by anyone seeking a permit, designing a system, installing a system, repairing a system, or using a system.

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**APPENDIX A - TABLES**

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## **SECTION 1                      AUTHORITY, SCOPE, AND APPLICABILITY**

### **1.1 Authority**

This Regulation is promulgated pursuant to the On-Site Wastewater Treatment System Act, C.R.S. §25-10-101, et seq.

### **1.2 Declaration**

- A. In order to preserve the environment and protect the public health; to eliminate and control causes of disease, infection, and aerosol contamination; and to reduce and control the pollution of the air, land and water, it is declared to be in the public interest to establish standards, rules and regulations for On-Site Wastewater Treatment Systems (OWTS) in Arapahoe County, State of Colorado, and to provide the authority for the administration and enforcement of such minimum standards, rules and regulations.
- B. The Board of Health of Arapahoe County finds, determines and declares these Regulations and standards to be necessary for the preservation of the public health and welfare of the inhabitants of Arapahoe County, State of Colorado. These Regulations are adopted by the Board of Health of Arapahoe County on the 9th day of November, 2022 and shall become effective the 24th day of December, 2022.
- C. This Regulation will apply to On-Site Wastewater Treatment Systems as defined in Section C.R.S. §25-10-103(12).

### **1.3 Purpose**

The purpose of these Regulations, as authorized by C.R.S. §25-10-101, et seq., is to provide guidance and establish minimum standards (including the enforcement thereof) for the location, construction, performance, installation, alteration and use of OWTS within Arapahoe County, State of Colorado, and concerning the application for and issuance of permits, the inspection, testing, and supervision of installed systems, the use, maintenance, and cleaning of systems and the disposal of waste material.

### **1.4 Severability**

Should any section, paragraph, sentence, clause or phrase of these Regulations be declared unconstitutional or invalid for any reason, such portion shall be deemed separate and distinct and will not affect the validity of the remaining portion of these Regulations.

### **1.5 Effluent Discharged to Surface Waters**

Any system that will discharge into State Waters must be designed by a professional engineer. The discharge permit application must be submitted for preliminary approval to the Board of Health. Once approved by the Board of Health, the application must be submitted to the Water Quality Control Division for review in accordance with the Water Quality Control Act, C.R.S. §25-8-101, et seq., and all applicable regulations of the Water Quality Control

Commission. Compliance with such a permit will be deemed full compliance with this Regulation.

## 1.6 Applicability

### A. Regulation Coverage

- 1) An OWTS with design capacity less than or equal to 2,000 gallons per day (gpd) must comply with these Regulations and the OWTS Act. These Regulations govern all aspects of OWTS permits, performance, location, construction, alteration, installation, and use.
- 2) An OWTS with design capacity greater than 2,000 gallons per day (gpd) must comply with CDPHE Regulation 43, site location and design approval in C.R.S. §25-8-702, and the discharge permit requirements in the Water Quality Control Act, C.R.S. §25-8-501, et seq.

### B. Applicable Commission regulations include, but are not limited to, the following:

- 1) Regulation 22 - Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works (5 CCR 1002-22).
- 2) Regulation 41 - The Basic Standards for Ground Water (5 CCR 1002-41).
- 3) Regulation 42 - Site-Specific Water Quality Classifications and Standards for Ground Water (5 CCR 1002-42).
- 4) Regulation 43 - On-Site Wastewater Treatment System (5 CCR-1002-43).
- 5) Regulation 61 - Colorado Discharge Permit System Regulations (5 CCR 1002-61).
- 6) Regulation 62 - Regulations for Effluent Limitations (5 CCR 1002-62).

### C. The requirements for maintenance and standards of performance for systems greater than 2,000 gallons per day (gpd) shall be determined by the site application approval and discharge permit.

### D. In the interest of facilitating communication of Department concerns regarding a design being reviewed by the Division, the Department can provide comments to the Division for consideration during the Division's review of the proposed design and discharge permit application. Under such a coordinated process, the Division retains final authority for approval or denial of each domestic wastewater treatment works that is regulated under the site location approval and Colorado Discharge Permit System Regulations. Prior to approval or denial of each OWTS domestic wastewater treatment works, the Division must acknowledge and consider local OWTS regulations when they are more stringent and restrictive than in Regulation 43.

## 1.7 Materials Incorporated by Reference

Throughout these Regulations, standards and requirements by outside organizations have been adopted and incorporated by reference. The materials incorporated by reference cited herein include only those versions that were in effect as of April 10, 2017, and do not include later amendments to the incorporated material.

## SECTION 2 DEFINITIONS

**Absorption system** - means a leaching field and adjacent soils or other system for the treatment of sewage in an On-Site Wastewater Treatment System by means of absorption into the ground. See Soil Treatment Area.

**Accessible** - means easily reached, attained or entered by the necessary equipment or maintenance provider.

**Act or OWTS Act** - means the On-Site Wastewater Treatment Systems Act, C.R.S. 25-10-101, et seq.

**Applicant** - means a person who submits an application for a permit for an On-Site Wastewater Treatment System.

**Basal Area** - means the effective surface area available to transmit the treated effluent from the filter media in a mound system into the in-situ receiving soils. The perimeter is measured at the interface of the imported fill material and in-situ soil. On sloping sites, only the area down-gradient from the up-slope edge of the distribution media may be included in this calculation.

**Bed** - means a below-grade soil treatment area with a level sub-base, consisting of a shallow excavation greater than three feet wide containing distribution media and more than one lateral.

**Bedrock** - means continuous rock that underlies the soil or is exposed at the surface. Bedrock is generally considered impervious, but if fractured or deteriorated, it may allow effluent to pass through without adequate treatment.

**Bedroom** - means a room with an egress window, a closet, and/or is intended for sleeping purposes; or as defined by the local board of health, as stated in the local OWTS regulation.

**Board of Health** - means the Board of Health of Arapahoe County.

**Biochemical Oxygen Demand, Five-Day (BOD<sub>5</sub>)** - means the quantitative measure of the amount of oxygen consumed by bacteria while stabilizing, digesting, or treating biodegradable organic matter under aerobic conditions over a five (5) day incubation period; expressed in milligrams per liter (mg/L).

**Biochemical Oxygen Demand, Carbonaceous Five Day (CBOD<sub>5</sub>)** - means quantitative measure of the amount of oxygen consumed by bacteria while stabilizing, digesting, or treating the organic matter under aerobic conditions over a five (5) day incubation period while in the presence of a chemical inhibitor to block nitrification; expressed in milligrams per liter (mg/L).

**Building sewer** - means piping that conveys wastewater to the first system component or the sewer main.

**Carbonaceous Biochemical Oxygen Demand** - See Biochemical Oxygen Demand, Carbonaceous

**Cemented Sands** - Soil, having a sand, loamy sand or sandy loam texture having a cementation class of NC, EW, VW, W, M, ST, VS or I as described in the table on page 2-63 of the Natural Resources Conservation Service Field Book for Describing and Sampling Soils, National Soils Survey Center NRCS-USDA, 2012 (NRCS Field Book).

**Cesspool** - means an unlined or partially lined underground pit or underground perforated receptacle into which raw household wastewater is discharged and from which the liquid seeps into the surrounding soil. Cesspool does not include a septic tank.

**Cherry Creek Basin** - means the basin consisting of the drainage basin of Cherry Creek, as defined in C.R.S. §25-8.5-104.

**Cherry Creek Basin Water Quality Authority** - means a quasi-municipal corporation and political subdivision of the state, created pursuant to C.R.S. §25-8.5-103.

**Cherry Creek Reservoir Control Regulation** - means Water Quality Control Commission Regulation Number 72 (5 CCR 1002-72), promulgated by the Colorado Water Quality Control Commission pursuant to C.R.S. §25-8-202 (1) (c) and C.R.S. §25-8-205.

**Chamber** - means an open, arch-shaped structure providing an open-bottom soil interface with permeable sidewalls used for distribution of effluent in a soil absorption system.

**Cistern** - means an underground, enclosed unpressurized reservoir or tank for storing water as part of a potable water supply system.

**Cleaning** - means the act of removing septage or other wastes from a wastewater treatment system component or grease/waste from a grease interceptor.

**CDPHE** - means the Colorado Department of Public Health and Environment created by C.R.S. §25-1-102.

**Colorado Plumbing Code** - means Rules and Regulations of the Colorado State Plumbing Board (3 CCR 720-1).

**Commission** - means the Water Quality Control Commission created by C.R.S. §25-8-201.

**Competent technician** - means a person who has the appropriate expertise and is able to design OWTS and/or conduct and interpret the results of soil profile test pit excavations, percolation tests, and site evaluations. This individual has also met the required competencies for a "Competent Technician" as defined in Section 8.12.

**Component** - means a subsection of an On-Site Wastewater Treatment System; a component may include multiple devices.

**Composting toilet** - means a self-contained waterless toilet designed to decompose non-water-carried human wastes through microbial action and to store the resulting matter for disposal.

**Consistence** - means the degree and kind of cohesion and adhesion that soil exhibits and/or the resistance of soil to deformation or rupture under an applied stress to an extent that the soil density would restrict permeability. Aspects of consistence are used to determine if the horizon will have permeability lower than that of the defined soil type. Additional insight to consistence can be found in the Natural Resources Conservation Service Field Book for Describing and Sampling Soils, National Soils Survey Center NRCS-USDA, Sept. 2012 (NRCS Field Book)

**Crest** – means the highest point on the side of a dry gulch or cut bank.

**Cut-bank** - means a nearly vertical slope caused by erosion or construction that has exposed historic soil strata.

**Dawson Arkose** - means the Dawson Arkose formation of the Front Range of Colorado within the hydrogeological area known as the “Denver Basin”. Although cementation of the Dawson Arkose can vary from non-cemented to indurated, in some locations, the Dawson Arkose has the characteristics of Type 3A and 4A soils, from Table 10 in Appendix A. A moist sample of Dawson Arkose will typically exhibit cohesive behavior which allows the Dawson Arkose to form into a mass, which has low to high compressive strength when dried.

**Deep gravel system** - means a soil treatment area for repairs only where the trenches utilize a depth of gravel greater than six (6) inches below the distribution pipe and sidewall area is allowed according to a formula specified in this Regulation.

**Deficiency** - See Malfunction.

**Department** - as used in these Regulations, means the Arapahoe County Health Department.

**Design** - means: 1) the process of selecting, sizing, locating, specifying, and configuring treatment train components that match site characteristics and facility use as well as creating the associated written documentation; and 2) written documentation of size, location, specification and configuration of a system.

**Design capacity** - See Flow, Design

**Design flow** - See Flow, Design

**Designer, On-Site Wastewater Treatment System** - means a practitioner who utilizes site evaluation and investigation information to select an appropriate OWTS and prepares a design document in conformance with this Regulation.

**Distribution** - means the process of conveying wastewater or effluent to one (1) or more components, devices, or throughout a soil treatment area.

**Distribution box** - means a watertight component that receives effluent from a septic tank or other treatment unit and distributes effluent via gravity in approximately equal portions to two or more distribution laterals in the soil treatment area.

**Division** - means the division of administration of the department of which the Water Quality Control Division is a part.

**Domestic wastewater** - See Wastewater, domestic

**Domestic Wastewater Treatment Works** - means a system or facility for treating, neutralizing, stabilizing, or disposing of domestic wastewater which system or facility has a designed capacity to receive more than 2,000 gallons of domestic wastewater per day. The term "domestic wastewater treatment works" also includes appurtenances to such system or facility such as outfall sewers and pumping stations and to equipment related to such appurtenances. The term "domestic wastewater treatment works" does not include industrial wastewater treatment plants or complexes whose primary function is the treatment of industrial wastes, notwithstanding the fact that human wastes generated incidentally to the industrial process are treated therein. C.R.S. §25-8-103 (5)

**Dosing** - means a high rate periodic discharge into a soil treatment area.

**Dosing, demand** - means a configuration in which a specific volume of effluent is delivered to a component based upon patterns of wastewater generation from the source.

**Dosing, pressure** - means a uniform application of wastewater throughout the intended portion of the soil treatment area through small diameter pipes and orifices, under pressure. For this definition, the term pressure indicates that the system is capable of creating upward movement of effluent out of the distribution system piping.

**Dosing, timed** - means a configuration in which a specific volume of effluent is delivered to a component based upon a prescribed interval, regardless of facility water use.

**Dosing siphon** - means a device used for demand dosing effluent; which stores a predetermined volume of water and discharges it at a rapid rate, from a tank at a given elevation to a component at a lower elevation, accomplished by means of atmospheric pressure and the suction created by the weight of the liquid in the conveying pipe.

**Dosing tank** - means a tank, compartment or basin that provides for storage of effluent from a septic tank or other treatment unit intended to be delivered to a soil treatment area at a high rate periodic discharge.

**Drainfield** - See Soil treatment area

**Drop box** - means a device used for serial or sequential distribution of effluent by gravity flow to a lateral of a soil treatment area.

**Dry gulch** - See Gulch, dry

**Drywell** - means an unlined or partially lined underground pit (regardless of geometry) into which drainage from roofs, basement floors, water softeners or other non-wastewater sources is discharged and from which the liquid seeps into the surrounding soil.

**Effective Size** - means the size of granular media such that 10 percent (10%) by weight of the media is finer than the size specified.

**Effluent** - means the liquid flowing out of a component or device of an On-Site Wastewater Treatment System.

**Effluent filter** - See Effluent screen

**Effluent pipe** - means non-perforated pipe that conveys effluent from one On-Site Wastewater Treatment System component to the next.

**Effluent screen** - means a removable, cleanable (or disposable) device installed on the outlet piping of a septic tank for the purpose of retaining solids larger than a specific size and/or modulating effluent flow rate. An effluent screen may be a component of a pump installation. An effluent screen may also be installed following the septic tank but before higher level treatment components or a soil treatment area.

**Environmental Health Specialist (EHS)** - means a person trained in physical, biological, or sanitary science to carry out educational and inspectional duties in the field of environmental health.

**Evapotranspiration/absorption system** - means an unlined On-Site Wastewater Treatment component that uses evaporation, transpiration, and absorption for dispersal of effluent.

**Evapotranspiration system** - means an On-Site Wastewater Treatment component with a continuous, impermeable liner that uses evapotranspiration and transpiration for dispersal of effluent.

**Experimental system** - means a design or type of system based upon improvements or development in the technology of sewage treatment that has not been fully tested.

**Failure** - means a condition existing within any component of an OWTS which prevents the system from functioning as intended, and which results in the discharge of untreated or partially treated wastewater onto the ground surface, into surface water or ground water, or which results in the back-up of sewage into the building sewer. Other conditions within an OWTS component that are deemed by the Department to be a threat to public health and/or safety may also be deemed a failure.

**Field performance testing** - means data gathering on a system in actual use that is being proposed for Division acceptance.

**Floodplain (100-year)** - means an area adjacent to a stream which is subject to flooding as the result of the occurrence of a 100 year flood, and is so adverse to past, current or foreseeable construction or land use as to constitute a significant hazard to public or environmental health and safety or to property or is designated by the Federal Emergency Management Agency (FEMA) or National Flood Insurance Program (NFIP). In the absence of FEMA/NFIP maps, a professional engineer must certify the floodplain elevations.

**Floodway** - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot or as designated by the Federal Emergency Management Agency or National Flood Insurance Program. In the absence of FEMA/NFIP maps, a professional engineer must certify the floodway elevation and location.

**Flow, daily** - means the measured volume of wastewater generated from a facility in a twenty-four (24) hour period expressed as gallons per day.

**Flow, design** - means the estimated volume of wastewater per unit of time for which a component or system is designed. Design flow may be given in the estimated volume per unit such as person per unit time that must be multiplied by the maximum number of units that a facility can accommodate over that time.

**Flow equalization** - means a system configuration that includes sufficient effluent storage capacity to allow for regulated flow on a daily or multi-day basis to a subsequent component despite variable flow from the source.

**Flow equalizer** - means an adjustment device to evenly distribute flow between outlets in a distribution box or other device that may be out of level.

**Grease interceptor tank** - means a watertight device located outside a facility designed to intercept, congeal, and retain or remove fats, oils, and grease from sources such as commercial food-service that will generate high levels of fats, oils and greases.

**Ground water** - means that part of the subsurface water that is at or below the saturated zone.

**Ground water surface** - means the uppermost limit of an unconfined aquifer at atmospheric pressure.

**Gulch, dry** - means a deep, narrow ravine marking the course of an intermittent or ephemeral stream.

**Health officer** - means the chief administrative and executive officer of the Department, or the appointed health officer of the Board of Health. Health officer includes a director of the Department.

**Higher level treatment** - means designated treatment levels other than treatment level 1 (see Table 4).

**Holding tank** - See Vault.

**Infiltrative surface** - means designated interface where effluent moves from distribution media or a distribution product into treatment media or original soil. In standard trench or bed systems this will be the interface of the distribution media or product and in-situ soil. Two separate infiltrative surfaces will exist in a mound system and an unlined sand filter, one at the interface of the distribution media and fill sand, the other at the interface of the fill sand and in-situ soil.

**Inspection port** - means an access point in a system component that enables inspection, operation and/or maintenance.

**Invert** - means elevation of the bottom of the inside pipe wall or fitting.

**Lateral** - means a pipe, chamber, or other conveyance used to carry and distribute effluent.

**Leach field** - See Soil treatment Area

**Limiting layer** - means a horizon or condition in the soil profile or underlying strata that limits the treatment capability of the soil or severely restricts the movement of fluids. This may include soils with

low or high permeability, impervious or fractured bedrock, or a seasonal or current ground water surface.

**Liner** - means an impermeable synthetic or natural material used to prevent or restrict infiltration and/or exfiltration. For the purposes of this Regulation, the minimum thickness of a liner must be thirty (30) ml.

**Linear loading rate** - means the amount of effluent applied per linear foot along the contour (gpd/linear ft.).

**Long-term acceptance rate - (LTAR)** – means a design parameter expressing the rate that effluent enters the infiltrative surface of the soil treatment area at equilibrium, measured in volume per area per time, e.g. gallons per square foot per day (gal/ ft<sup>2</sup>/day).

**Malfunction** - means the condition in which a component is not performing as designed or installed and is in need of repair in order to function as originally intended.

**Manufactured media** - See Media, other manufactured and Media, enhanced manufactured

**Media** - means solid material that can be described by shape, dimensions, surface area, void space, and application.

**Media, enhanced manufactured** - means an accepted proprietary manufactured distribution product, wrapped in a specified fabric, and placed on a specified sand base or media that does not mask the infiltrative surface of the in-situ soil.

**Media, other manufactured** - means an accepted proprietary manufactured distribution product made of synthetic media for distribution of effluent that is placed directly on the in-situ soil.

**Media, treatment** - means non-or slowly-degradable media used for physical, chemical, and/or biological treatment in an On-Site Wastewater Treatment System component.

**Mound** - means a soil treatment area whereby the infiltrative surface is at or above original grade at any point.

**Nitrogen reduction** - means a minimum 50 percent (50%) reduction of influent nitrogen strength which is the minimum objective of NSF/ANSI Standard 245 - Wastewater Treatment Systems - Nitrogen Reduction.

**NDDS** - means a Non-Pressurized Drip Dispersal System.

**On-Site Wastewater Treatment System** - or **OWTS** and, where the context so indicates, the term **System** - means an absorption system of any size or flow or a system or facility for treating, neutralizing, stabilizing, or dispersing sewage generated in the vicinity, which system is not a part of or connected to a sewage treatment works.

**Operating Permit** - means a renewable permit that addresses specific operation and/or maintenance requirements for an existing OWTS that includes mechanical or electrical treatment components, or a system that is designed to meet specific wastewater treatment levels as set forth in these Regulations.

**Percolation test** - means a subsurface soil test at the depth of a proposed absorption system or similar component of an OWTS to determine the water absorption capability of the soil, the results of which are normally expressed as the rate at which one (1) inch of water is absorbed. The rate is expressed in minutes per inch.

**Performance standard** - means minimum performance criteria for water quality and operation and maintenance established by the regulatory authority to ensure compliance with the public health and environmental goals of the state or public health agency.

**Permeability** - means the property of a material which permits movement of water through the material.

**Permit** - means a permit for the construction or alteration, installation, and use or for the repair of an On-Site Wastewater Treatment System.

**Person** - means an individual, partnership, firm, corporation, association, or other legal entity and also the state, any political subdivision thereof, or other governmental entity.

**Pressure distribution** - See Dosing, pressure

**Privy** - means an above grade structure allowing for the disposal of excreta not transported by a sewer and which provides privacy and shelter and prevents access to the excreta by flies, rodents, or other vectors.

- A. **Pit privy** - privy over an unlined excavation.
- B. **Vault privy** - privy over a vault.

**Professional engineer** - means an engineer licensed in accordance with C.R.S. §12-25-114.

**Professional geologist** - means a person who is a graduate of an institution of higher education which is accredited by a regional or national accrediting agency, with a minimum of thirty semester (forty-five quarter) hours of undergraduate or graduate work in a field of geology and whose post-baccalaureate training has been in the field of geology with a specific record of an additional five years of geological experience to include no more than two (2) years of graduate work.  
C.R.S. §23-41-208 and C.R.S. §34-1-201.

**Proprietary product** - means a manufactured component or other product that is produced by a private person. It may be protected by patent, trademark or copyright.

**Public domain technology** - means a system that is assembled on location from readily available components and is based on well-established design criteria and is not protected by patent, trademark or copyright.

**Record drawing** - means construction drawings provided to illustrate the progress or completion of the installation of an OWTS, or components of the OWTS; typically based on field inspections by the designer or the department.

**Redoximorphic** - means a soil property that results from the reduction and oxidation of iron and manganese compounds in the soil after saturation with water and subsequent desaturation.

**Regulations** - means this On-site Wastewater Regulation, adopted by the Board of Health of Arapahoe County.

**Regulation 43** - means the CDPHE Water Quality Control Commission On-Site Wastewater Treatment System Regulation 43, 5 CCR 1002-43, Effective June 30, 2017.

**Remediation system** - means a treatment system, chemical/biological additive or physical process that is proposed to restore the soil treatment area of an OWTS to intended performance.

**Repair** - means restoration of functionality and/or treatment by reconstruction, relocation, or replacement of an On-Site Wastewater Treatment System or any component thereof in order to allow the system to function as intended.

**Replacement system** - See Repair.

**Riser** - means a watertight vertical cylinder and lid allowing access to an OWTS component for inspection, cleaning, maintenance, or sampling.

**Rock-plant filter** - means a designed system which utilizes treatment media and various wetland plants to provide treatment of wastewater through biological, physical, and chemical processes. Also called a constructed wetland.

**Sand filter** - means an engineer designed OWTS that utilizes a layer of specified sand as filter and treatment media and incorporates pressure distribution.

**Sand filter, lined** - means an engineer designed OWTS that has an impervious liner and under-drain below the specified sand media. Lined sand filters may be intermittent / single pass where the effluent is distributed over the sand bed a single time before distribution to a soil treatment area, or re-circulating where part of the effluent is returned to an earlier component for additional treatment before distribution to a soil treatment area.

**Sand filter, unlined** - means an engineer designed OWTS that includes a layer of specified sand used as a treatment media without a liner between the sand and the existing soil on which it is placed.

**Seepage pit** - means an excavation deeper than it is wide that receives septic tank effluent and from which the effluent seeps from a structural internal void into the surrounding soil through the bottom and openings in the side of the pit.

**Septage** - means a liquid or semisolid that includes normal household wastes, human excreta, and animal or vegetable matter in suspension or solution generated from a residential septic tank system. Septage may include such material issued from a commercial establishment if the commercial establishment can demonstrate to the Division that the material meets the definition for septage set forth in this subsection. Septage does not include chemical toilet residuals.

**Septic tank** - means a watertight, accessible, covered receptacle designed and constructed to receive sewage from a building sewer, settle solids from the liquid, digest organic matter, store digested solids through a period of retention, and allow the clarified liquids to discharge to other treatment units for final disposal.

**Sequential distribution** - means a distribution method in which effluent is loaded into one trench and fills it to a predetermined level before passing through a relief pipe or device to the succeeding trench. The effluent does not pass through the distribution media before it enters succeeding trenches.

**Serial distribution** - means a distribution method in which effluent is loaded into one trench and fills it to a predetermined level before passing through a relief pipe or device to the succeeding trench. The effluent passes through the distribution media before entering succeeding trenches which may be connected to provide a single uninterrupted flow path.

**Sewage** - means a combination of liquid wastes that may include chemicals, house wastes, human excreta, animal or vegetable matter in suspension or solution, and other solids in suspension or solution, and that is discharged from a dwelling, building, or other establishment. See also Wastewater.

**Sewage treatment works** - has the same meaning as “domestic wastewater treatment works” under C.R.S. §25-8-103.

**Site evaluation** - means a comprehensive analysis of soil and site conditions for an OWTS.

**Site evaluator** - means a practitioner who conducts preconstruction site evaluations, including visiting a site and performing soil analysis, a site survey, or other activities necessary to determine the suitability of a site for an OWTS.

**Slit trench latrine** - means a temporary shallow trench for use as disposal of non-water-carried human waste.

**Soil** - means: 1) unconsolidated mineral and/or organic material on the immediate surface of the earth that serves as a medium for the growth of plants and can potentially treat wastewater effluent; 2) unconsolidated mineral or organic matter on the surface of the earth that has been subjected to and shows effects of: a) pedogenic and environmental factors of climate (including water and temperature effects) and, b) macro and microorganisms, conditioned by relief, acting on parent material over a period of time.

**Soil evaluation** - means a percolation test, soil profile, or other subsurface soil analysis at the depth of a proposed soil treatment area or similar component or system to determine the water absorption capability of the soil, the results of which are normally expressed as the rate at which one (1) inch of water is absorbed or as an application rate of gallons per square foot per day.

**Soil horizon** - means layers in the soil column differentiated by changes in texture, color, redoximorphic features, bedrock, structure, consistence, and any other characteristic that affects water movement or treatment of effluent.

**Soil morphology** - means: 1) physical constitution of a soil profile as exhibited by the kinds, thickness, and arrangement of the horizons in the profile; and by the texture, structure, consistence, and porosity of each horizon; and 2) visible characteristics of the soil or any of its parts.

**Soil profile test pit excavation** - means a trench or other excavation used for access to evaluate the soil horizons for properties influencing effluent movement, bedrock, evidence of seasonal high ground water, and other information to be used in locating and designing an On-Site Wastewater Treatment System.

**Soil structure** - means the naturally occurring combination or arrangement of primary soil particles into secondary units or peds; secondary units are characterized on the basis of type, size class, and grade (degree of distinctness).

**Soil texture** - means proportion by weight of sand, silt, and clay in a soil.

**Soil treatment area** - means the physical location where final treatment and dispersal of effluent occurs. Soil treatment area includes drainfields, mounds, and drip fields.

**Soil treatment area, alternating** - means final treatment and distribution component that is composed of two soil treatment areas that are independently dosed.

**Soil treatment area, sequencing** - means a soil treatment area having more than two (2) sections that are dosed on a frequent rotating basis.

**State Waters** - has the meaning set forth under C.R.S. §25-8-103.

**Strength, wastewater** - means the concentration of constituents of wastewater or effluent; usually expressed in mg/L.

**Suitable soil** - means a soil which will effectively treat and filter effluent by removal of organisms and suspended solids, which meets long-term acceptance rate requirements as defined in Table 10, and has the required vertical thickness below the infiltrative surface and above a limiting layer.

**System** - See On-Site Wastewater Treatment System

**Systems cleaner** - means a person licensed by the Department and engaged in and who holds himself or herself out as a specialist in the cleaning and pumping of On-Site Wastewater Treatment Systems and removal of the residues deposited in the operation thereof.

**Systems contractor** - means a person licensed by the Department and engaged in and who holds himself or herself out as a specialist in the installation, renovation, and repair of On-Site Wastewater Treatment Systems.

**Total suspended solids** - means measure of all suspended solids in a liquid; typically expressed in mg/L.

**Transfer of Title** - means change of ownership of a property.

**Treatment level** - means defined concentrations of pollutants to be achieved by a component or series of components of an OWTS.

**Treatment media** - See Media, treatment

**Treatment unit** - means a component or series of components where solids or pollutants are removed from wastewater or effluent from a preceding component.

**Trench** - means: 1) below-grade soil treatment area consisting of a shallow excavation with a width of three (3) feet or less containing distribution media and one (1) lateral; and 2) excavation for placement of piping or installation of electrical wire or conduit.

**Uniformity coefficient** - means a value which is the ratio of D60 to D10 where D60 is the soil diameter of which 60 percent (60%) of the soil weight is finer and D10 is the corresponding value at 10 percent (10%) finer. (A soil having a uniformity coefficient smaller than four (4) would be considered "uniform" for purposes of this Regulation.)

**Use Permit** - means a permit authorizing the use of an OWTS as more fully set forth in Section 4 herein.

**Use Permit, Higher Level Treatment** – means a permit authorizing the use of a Higher Level Treatment system as more fully set forth in Section 5 herein.

**Vault** - means a watertight, covered receptacle, which is designed to receive and store excreta or wastes either from a building sewer or from a privy and is accessible for the periodic removal of its contents. If the vault is intended to serve a structure or structures that are projected to generate a domestic wastewater flow of greater than two thousand gallons per day or more at full occupancy, the vault is a domestic wastewater treatment works. Vaults are On-Site Wastewater Treatment Systems.

**Visual and tactile evaluation of soil** - means the determination of the properties of soil by standardized tests of appearance and manipulation in the hand.

**Volume, effective** - means the amount of effluent contained in a tank under normal operating conditions; for a septic tank, effective volume is determined relative to the invert of the outlet. For a dosing tank, the effective volume under normal conditions is determined relative to the invert of the inlet and the control off level.

**Wastewater, domestic** - means combination of liquid wastes (sewage) which may include chemicals, household wastes, human excreta, animal or vegetable matter in suspension or solution, or other solids in suspension or solution which are discharged from a dwelling, building or other structure.

**Wastewater, high strength** - means: 1) wastewater from a structure having BOD<sub>5</sub> greater than 300 mg/L; and/or TSS greater than 200 mg/L; and/or fats, oils, and grease greater than 50 mg/L; or, 2) effluent from a septic tank or other pretreatment component (as defined by NSF/ANSI Standard 40 testing protocol) that has BOD<sub>5</sub> greater than 180 mg/L; and/or TSS greater than 80 mg/L; and/or fats, oils, and grease greater than 25 mg/L and is applied to an infiltrative surface.

**Wastewater pond** - means a designed pond which receives exclusively domestic wastewater from a septic tank and which provides an additional degree of treatment.

**Water Course** - means a natural or artificial channel through which water flows.

**Water Quality Control Commission** - See Commission

**Water Quality Control Division** - See Division

**Wetland, constructed** - See rock-plant filter.

**Wetlands** - means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

## **SECTION 3                      NEW, REPAIR, EXPANSION, AND PRODUCT DEVELOPMENT PERMITS, AND INSPECTIONS**

### **3.1 Permit Required**

No person or persons shall install, alter, repair or use an On-Site Wastewater Treatment System (OWTS) within Arapahoe County, State of Colorado, unless such person holds a valid permit, issued by the Department in the name of the property owner for the specific construction, remodeling, installation, or use, proposed at the location described on the permit. A permit must be required for the expanded use of an existing system beyond the design capacity of said system.

### **3.2 Fees**

- A. A non-refundable fee shall be required of applicants for accepting and processing an application for a permit to construct and install any new system, for the repair or alteration of any existing system, or the use of any system as set forth in Sections 4 and 5, herein. The fee shall be payable to the Department at the time the application is made to the Department.
- B. The Board of Health shall establish the amount of fees for each type of permit by resolution, as amended from time to time, which shall be available upon request. Fees are established pursuant to the provisions of the Act.
- C. The Board of Health may make provision for the waiver of any fee required for an OWTS.
- D. Surcharge

The Department must collect a fee of twenty-three dollars for each permit issued for a new, repaired, or upgraded OWTS. Of that fee, the Department must retain three dollars to cover the Department's administrative costs and twenty dollars must be transmitted to the state treasurer, who must deposit that sum in the water quality control fund created in C.R.S. §25-8-502(1)(c).

### **3.3 Permit Application Requirements and Procedures Information Required**

Minimum Permit Application Requirements:

- A. Owner name and contact information;
- B. Property address;
- C. Property legal description;
- D. Type of permit;
- E. Report from Site and Soil Evaluation (Section 8.1);

- F. System design with a legible, accurate site plan which shows pertinent physical features on subject property, and on adjacent properties, as noted in Table 6 in Appendix A;
- G. Other information, data, plans, specifications and tests as required by the Department;
- H. When specific evidence suggests undesirable soil conditions exist, additional hydrological, geological, engineering or other information provided by a professional engineer or geologist may be required to be submitted by the applicant. This requirement shall not prejudice the right of the Department to develop its own information from its own source at its own expense.

### **3.4 Permit Expiration**

Permits to install and construct an OWTS shall expire at the end of 12 months from date of issue unless the permit is extended to a fixed date upon written request by the applicant and at the discretion of the Department.

### **3.5 Changes in Condition after Permit Issuance**

- A. Any changes or relocation of proposed structures or additions to the site and soil evaluation report without approval by the Department may void the permit.
- B. No change of design of an OWTS after the permit has been issued shall be made unless authorized in writing by the Department.

### **3.6 Denial of a Permit**

- A. Denials of permits shall be made in writing by the Department stating reasons for the denial and requirements for reconsideration of the application.
- B. The Department may refuse to issue a permit for the construction of an OWTS where a sewage treatment works is available within 400 feet of the nearest property line and connection can be made thereto. In order for the Department to issue a permit, the applicant shall provide a letter from the sewer district, municipality or county having jurisdiction, stating whether it is permissible for the Department to issue a permit for installation, alteration or repair of an OWTS.
- C. Any applicant who is denied a construction permit, or any person who is adversely affected by the denial or issuance of a permit, within 30 days following such denial, may request a hearing before the Board of Health.
- D. Upon a finding, by the Board of Health after the review of a denial of a permit as provided by C.R.S. §25-10-111, that an applicant for OWTS has demonstrated that said system will be constructed and used in such a manner as to comply with the declaration and intent of these Regulations and all applicable state and local rules and regulations and required terms and conditions in any permit issued pursuant thereto, a permit may be issued therefore.

### 3.7 Disclaimer

The issuance of a permit and specifications of terms and conditions therein will not constitute assumption of liability, nor create a presumption that the Department or its employees may be liable for the failure or malfunctioning of any system nor act as a certification of the equipment used in the system (or any component thereof used in its operation); nor act as a certification that the system for which the permit was issued ensures continuous compliance with the provision of the OWTS Act, or rules and the regulations adopted thereunder or any terms and conditions of a permit.

### 3.8 Primary Enforcement Responsibility

- A. The primary responsibility for enforcement of the provisions of the OWTS Act, Regulation 43 and these Regulations will lie with the Board of Health.
- B. In the event that the Board of Health fails to administer and enforce the provisions of said Section and the regulations adopted under the OWTS Act, the Division may assume such functions of the Department or Board of Health as may be necessary to protect the public health and environment. C.R.S. §25-10-110.

### 3.9 Repair Permits

- A. Application to repair and for emergency use of a malfunctioning system shall be made within two (2) business days by any owner or occupant after receiving notice from the Department that the system serving his or her property is not functioning in compliance with these Regulations. The date of expiration for repair permits shall not extend beyond 30 days from the date of issuance and shall not be renewed unless such person can show good cause in writing to the Department and can demonstrate that no hazard or nuisance exists on the property.
- B. Concurrently with the issuance of a repair permit, the Department may issue an emergency use permit authorizing continued use of a malfunctioning system on an emergency basis for a period not to exceed the period stated in the repair permit. Such an emergency use permit may be extended, for good cause shown, in the event repairs may not be completed in the period stated in the repair permit through no fault of the owner or occupant and only if the owner or occupant will continue to make repairs to the system.
- C. A Major Repair Permit shall be required for the following types of repairs or alterations:
  - 1) Replacement of an existing soil treatment area with or without the addition of a lift station.
  - 2) Addition of a soil treatment area with or without the addition of a lift station.
  - 3) Expansion of an existing soil treatment area with or without the addition of a lift station.
  - 4) Implementation of a soil-based remediation system
- D. A Minor Repair Permit shall be required for the following types of repairs or alterations:

- 1) Addition or replacement of a septic tank
- 2) Implementation of a septic tank-based remediation system
- 3) Addition of a lift station or pump and associated piping, where a lift station, pump or piping were not part of the original OWTS system.

### 3.10 Variance Procedure

#### A. Request for Variance

An applicant for a permit to construct a new OWTS or to repair or expand an OWTS may request a variance from any provision of this Regulation, except as prohibited in Section 3.10.C.

#### B. Variance requests must be accompanied by:

- 1) Site-specific request identifying the specific criteria from which a variance is being requested;
- 2) Technical justification by a professional engineer or professional geologist, which indicates the specific conditions which exist and/or the measures which will be taken that support a finding that the variance will result in no greater risk than that associated with compliance with the requirements of the Regulation. Examples of conditions which exist, or measures which might be taken, include but are not limited to the following: evidence of a natural or manmade physical barrier to the movement of effluent to or toward the feature from which the variance is requested; placement of a manmade physical barrier to the movement of effluent to or toward the feature from which the variance is requested; soil replacement with sand filter media to reduce the infiltration rate of the effluent such that the travel time of the effluent from the soil treatment area to the physical feature is no less than the travel time through the native soils at the prescribed setback and Treatment Level (TL) 2;
- 3) A discussion of alternatives considered in lieu of the requested variance;
- 4) Technical documentation for selected alternative, which may include a testing program, which confirms that the variance does not increase the risk to public health and to the environment;
- 5) A statement of the hardship that creates the necessity for the variance; and
- 6) The Department has the authority to impose site-specific requirements and conditions on any variance granted.

#### C. Prohibitions on the Granting of Variance Requests

- 1) No variance shall be issued where the property can accommodate a conforming OWTS.

- 2) No variance shall be issued to mitigate an error in construction involving any element of property improvements.
- 3) No variance shall be allowed solely for economic gain.
- 4) No variance shall be issued, if it will result in a setback reduction to an offsite physical feature that does not conform to the minimum setbacks defined in Table 6 in Appendix A of this Regulation without the Board of Health considering any concerns of the owner of property containing said feature. Property lines are considered offsite features. The owner of the property containing said feature must be notified of the time and date of the hearing.
- 5) No variance shall be issued, if it reduces the separation to ground water or bedrock based on the level of treatment in Table 7 in Appendix A.
- 6) No variance from the horizontal setback from a well shall be issued unless it also meets the variance requirements of the Board of Examiners of Water Well Construction and Pump Installation Contractors.

#### D. Variances for Repair of Failing Systems

- 1) When a proposed variance for a system repair or upgrade would result in encroachment on minimum distances to physical features on neighboring properties required by the Department, the requirements in 3.10.B above must be followed.
- 2) For the repair of or upgrade to an existing system where the existing system does not meet the required separation distances and where conditions other than lot size precludes adherence to the required distances, a variance to the separation distances may be requested. The repairs or upgrade must be no closer to features requiring setbacks than the existing facilities. Variances requesting setbacks no closer than existing setbacks do not have to provide technical justification from a professional engineer or professional geologist.

#### E. Burden of Proof

The applicant has the burden of proof to demonstrate that the variance is justified and will pose no greater risk to public health and the environment than would a system meeting this Regulation.

#### F. Public Hearing

Upon receipt of the request for a variance and the required information in Section 3.10.B, the Department shall schedule a public hearing before the Board of Health. The Department will issue a Public Notice of the Hearing and send notice via certified mail, with a minimum 20-day reply time from the date of mailing, to all adjacent property owners. The applicant and his/her engineer may attend the hearing and present testimony regarding the request for a variance. Applicants may be represented by legal counsel at any public hearing or meeting.

#### G. Outcome of the Variance Proceeding

- 1) Following the Public Hearing, the Board of Health shall vote on the proposed variance. Approval of the variance shall require a majority vote of the Board of Health. The applicant will receive written notification of the decision regarding the request for a variance.
- 2) The Board of Health may impose requirements and conditions on any variance granted, and the notice of an approval of the variance will include any conditions of the approval. The notice of a denial of a variance shall include the basis for the denial.
- 3) Variances and any conditions thereof shall be recorded on the deed to the property and any expenses associated with that recording shall be the responsibility of the party obtaining the variance.

#### H. Findings on Appeal

- 1) A request for review must be made within 60 days after denial of an application by the Department.
- 2) The applicant must bear the burden of supplying the Board of Health with sufficient evidence to document that the denied system will be constructed and used in such a manner that will result in no greater risk than that associated with compliance with the requirements of Regulation 43, comply with the declaration and intent of this Regulation, and comply with all applicable state and local regulations and required terms and conditions in any permit.
- 3) Such review must be conducted pursuant to the requirements of C.R.S. §24-4-105.

### **3.11 Site Inspection Following Permit Application and Prior to Permit Issuance**

After receiving an application as required in Section 3.3 for an OWTS permit, the application shall be reviewed by the Department and an inspection of the premises (site visit), unless previously made, shall be made by the Department. A determination may be made by the Department as to the suitability of the site and of the proposed design based upon observation of a test pit as required in Section 8.5 to verify depth of the ground water table, suitable soil, depth to bedrock, in addition to ground slope and pertinent physical features.

### **3.12 Department Review and Determination**

The Department shall review each application along with test results and other required information. The Department will determine if the proposed system design is in compliance with the Act, and these Regulations adopted thereunder after which a permit may be issued.

### 3.13 Final Inspection-Non-Engineered (Conventional System)

- A. It is the responsibility of the system contractor to notify the Department when construction, installation, alteration, or repair has been sufficiently completed to allow inspection of the conventional system before the system is placed in use.
- B. Inspection of the system by the Department shall be made after being notified that the conventional system is ready for inspection.
- C. Final inspection and approval of conventional OWTS shall be made by the Department before fill is placed to cover any part of the system to confirm that it was installed according to the permit requirements.
- D. The Department will determine if work has been performed in accordance with the permit requirements and will determine if the system complies with the Act, and these Regulations adopted thereunder.
- E. A scaled record drawing showing all components of the OWTS including their location from known and findable points, dimensions, depths, sizes, manufacturers' names and models as available, and other information relative to locating and maintaining the OWTS components, shall be prepared and submitted to the Department.
- F. If the property line is within 15 feet of any system component, the line must be marked before final inspection by the Department.
- G. At the completion of the installation of the OWTS, the designer shall submit to the Department a letter stating that the system has been installed in conformance with the plans and specifications approved by the Department and a scaled record drawing of the system as required in Section 3.13.E. The letter shall include a list of all inspections made and whether those inspections were satisfactory.

### 3.14 Final Inspection-Engineered System

- A. It is the responsibility of the systems contractor to notify the professional engineer and the Department when construction, installation, alteration, or repair has been sufficiently completed to allow inspection of the engineered system before the system is placed in use. The system installer shall notify the professional engineer to make all specified inspections during the course of construction.
- B. Final inspection and approval of all engineered OWTS shall be made by the professional engineer before fill is placed to cover any part of the system.
- C. Final inspection and approval of the engineered OWTS shall be made by the Department before fill is placed to cover any part of the system confirming that it was installed according to the permit requirements.
- D. Engineered systems shall be inspected by or under the supervision of the professional engineer responsible for the design. If the professional engineer is not available, another

- Registered Professional Engineer may provide the inspections and will become the professional engineer of record and be responsible for the system.
- E. A scaled record drawing showing all components of the OWTS including their location from known and findable points, dimensions, depths, sizes, manufacturers' names and models as available, and other information relative to locating and maintaining the OWTS components, shall be prepared and submitted to the Department.
  - F. The Department will determine if work has been performed in accordance with the permit requirements and will determine if the system complies with the Act, and these Regulations adopted thereunder.
  - G. If the property line is within 15 feet of any system component, the line must be marked before final inspection by the Department.
  - H. At the completion of the installation of an engineered system, the engineer shall submit to the Department a letter stating that the system has been installed in conformance with the plans and specifications approved by the Department and the scaled record drawing of the system as required in Section 3.14.E. The engineer's letter shall include a list of all inspections made and whether those inspections were satisfactory.

### **3.15 Authorization to Enter Upon Property**

For the purpose of inspection and enforcing applicable rules and regulations and the terms and conditions of any permit issued in these Regulations, authorized members of the Department may enter upon private property at reasonable times and upon reasonable notice for the purpose of determining whether operating OWTS are functioning in compliance with the Act, Regulation 43, with these Regulations and with the terms and conditions of any permit issued thereunder, as well as to inspect and conduct tests in evaluating any permit application. The owner or occupant of the property having an OWTS shall permit authorized members of the Department access to the property to conduct required tests, take samples, monitor compliance, and make inspections.

### **3.16 Product Development Permit**

- A. For products that have not received Division acceptance under Section 16.4, the manufacturer may apply to the Department for a product development permit. Requirements for proprietary treatment product acceptance are located in Section 16.4 of this regulation.
- B. For products or types of systems which have not been otherwise accepted by the Division pursuant to Section 16.4, the local board of health may approve an application for a product development permit only if the system has been designed by a professional engineer, and only if the application provides proof of the ability to install a replacement OWTS in compliance with all local requirements in a timely manner in the event of a failure or malfunction of the system installed.

- C. Before a product development permit is issued, the Division must determine that the product to be tested qualifies for testing under the product development evaluation based on information submitted to the Division.
  - 1) Applicant must provide evidence of nationally accepted third-party testing of the product to be evaluated, or;
  - 2) Provide test data from multiple single-family homes under normal working conditions that meet the following criteria:
    - a) Test data must be provided from a minimum of four (4) sites.
    - b) Each system must be tested over a period of at least one (1) year.
    - c) Each system must be sampled at least three (3) times during the year with at least one (1) sample obtained during cold weather conditions.
    - d) Laboratory results for all parameters for which acceptance is being requested must be submitted.
    - e) The Board of Health must not arbitrarily deny any person the right to consideration of an application for such a system and must apply reasonable performance standards in determining whether to approve such an application; C.R.S. §25-10-108 (2).
- E. A completed application for a product development permit must be submitted to the Department at least 30 days in advance of installation of the product.
- F. An application for a product development permit must include the following:
  - 1) Proof of the ability to install a replacement OWTS in compliance with all local requirements in a timely manner in the event of a failure or malfunction of the system under testing;
  - 2) A description of the product under development including performance goals;
  - 3) Documentation signed by the owner of the proposed product development site allowing access to the Department and Division for inspection of the site; and
  - 4) Design documents as required in Section 8.10 of this Regulation
- G. The Department may stipulate additional requirements for the product development permit necessary to ensure that the system performs as intended.
- H. A product development permit is a site-specific permit. Product development testing at multiple sites requires a product development permit for each site.
- I. During the term of the product development permit, all data collected is to be submitted to the Division and the Department.

- J. The Department may revoke or amend a product development permit, if the continued operation or presence of the product under development:
  - 1) Presents a risk to the public health or environment;
  - 2) Causes adverse effects on the proper function of the OWTS on the site;
  - 3) Leaks or discharges effluent on the surface of the ground; or
  - 4) If the developer of the product fails to comply with any requirements stipulated on the permit by the Department or the Division.
- K. If the product development permit is revoked, the product developer must install a replacement OWTS in compliance with this Regulation and within the time frame established by the Department.
- L. Once the system is installed and approved, the Department must supply the Division with a copy of the completed OWTS permit.

## **SECTION 4                      USE PERMITS**

### **4.1    Initial Issuance of Use Permit**

As of the effective date of this Regulation, systems that have never completed the permitting or approval process established by the Department shall be deemed to be operating without a valid Use Permit, until a Use Permit has been issued as more fully set forth in this Section 4.

### **4.2    Events Requiring a Use Permit**

- A. The owner or seller of a property served by an OWTS shall obtain an inspection report and the issuance of a Use Permit, as applicable, dated within 12 months prior to the occurrence of one (1) or more of the following events:
  - 1) The sale of the property, as more fully defined in Section 4.3, herein;
  - 2) A remodel that includes the addition of one (1) bedroom;
  - 3) A change in use of the property from residential to commercial;
  - 4) Connection of a modular unit or mobile home to the system; and
  - 5) Other conditions that the Department may deem appropriate.
- B. In the case of a sale, as indicated in Section 4.3, if the property owner does not obtain a use permit prior to a covered transaction, the purchaser of the property shall then be required to obtain a Use Permit.

### 4.3 Sale

For the purposes of these Regulations, the term “sale” shall mean the transfer, sale or conveyance of any real property served by an OWTS, and therefore subject to these Regulations, but shall exclude the following types of transfers:

- A. Change in ownership solely to include or exclude a spouse or child;
- B. Transfer subject to life estate;
- C. Transfer to effect foreclosure or forfeiture of real property, provided, however, the subsequent sale of the foreclosed property by the foreclosing entity shall require the issuance or renewal of a Use Permit;
- D. Transfer by redemption from a tax sale, provided, however, the subsequent sale of the redeemed property by the redeeming entity shall require the issuance or renewal of a Use Permit;
- E. Transfer creating or ending joint ownership if at least one person is an original owner of the property and/or his or her spouse or children;
- F. Transfer of property containing premises that have been demolished or are otherwise uninhabitable;
- G. Transfer for the vacation or granting of a public right of way;
- H. Transfer from a person to a trust or to themselves as trustee(s) of a trust estate; and
- I. New homes that have not yet been occupied.

### 4.4 Application Requirements

- A. The applicant must submit the following items to the Department when applying for a Use Permit or Renewal of a Use Permit:
  - 1) Completed application on the forms provided by the Department, including:
  - 2) Owner’s name and contact information;
  - 3) Physical address of property;
  - 4) Legal description of property;
  - 5) Name of Inspector; Inspector’s NAWT or other applicable certification number;
  - 6) Date and time of the inspection(s); and
  - 7) An inspection report completed within the previous 12 months of the event in Section 4.2.A., above, noting the condition of the septic tank and any mechanical components

such as pumps, alarms, or higher level treatment systems, and the condition of the soil treatment area, including a septic tank pumping receipt, when applicable, based on the inspection report.

- B. All components that are found to be in a state of malfunction must be noted and disclosed within the inspection report.
- C. Completed "Inspection Report(s)" on forms provided by the Department, from a Department approved Use Permit Inspector, as hereinafter defined in Section 4.9.
- D. A non-refundable Use Permit fee or Renewal of a Use Permit fee in the amount established by resolution of the Board of Health, as amended from time to time. The fee will be payable to the Department at the time the application is made.

#### **4.5 Minimum Criteria for Renewal of a Use Permit**

- A. In order to obtain a Renewal of a Use Permit, the inspection of the existing OWTS system shall verify that the OWTS system meets, at a minimum, the following criteria and conditions:
  - 1) Submittal of an inspection report on Department approved forms; and
  - 2) Verification that all deficiencies identified during the inspection, as set forth in the "Inspection Report" have been corrected in accordance with these Regulations.
- B. If it is determined that OWTS system meets the foregoing criteria, the Department shall issue a Renewal of a Use Permit, setting forth the terms and conditions of approval.

#### **4.6 Minimum Criteria for Issuance of a Use Permit**

Items noted in the inspection report that do not comply with the following criteria and conditions must be corrected along with necessary permits and inspections prior to the issuance of a Use Permit:

- A. A structurally sound septic tank, in good working order, and provided with safe and secure lids;
- B. All internal devices and appurtenances such as tees, effluent screens and baffles that were originally provided with the tank or added later must be intact and in working order;
- C. All internal devices and appurtenances such as tees, effluent screens and baffles that were originally provided with the tank or added later must be intact and in working order;
- D. Alarms, control devices, and components necessary for the operation of the system are present and in good working order;
- E. Tanks shall be inspected to assure that they are structurally sound and that all components such as lids, baffles, tees, vents, etc. are present and in good condition. The scum and sludge level in the tanks shall be measured and tanks shall be pumped if the scum and

- sludge depth exceeds 25% of the operating volume of the tank. The liquid level in the tank shall not be lower than the outlet invert;
- F. A soil treatment area, or other means of subsurface wastewater treatment, must be present and not in a state of failure;
  - G. There are no unapproved wastewater discharges from the system or structure; and
  - H. Any items meeting the conditions of a "Failure" as defined in this Regulation have been corrected to the acceptance of the Department.

#### **4.7 Issuance of a Use Permit**

- A. The Use Permit shall set forth the terms and conditions of approval, as follows:
  - 1) Statement of the size, type and capacity of the system and a record drawing, either from the Department's records (verified by the inspector) or from the inspection reports;
  - 2) Evidence of past system failures as shown in Department's records;
  - 3) Circumstances or factors that may have affected the ability of the inspector to evaluate the system;
  - 4) Whether the system meets the permitting requirements of the Department; and
  - 5) Other information the Department may deem appropriate
- B. The Use Permit will remain valid until the date of real estate closing or for a maximum period of twelve months, whichever comes first.
- C. Waiver of a Use Permit

If it is determined by the Department that an OWTS does not meet the requirements for issuance of a Use Permit, a conditional Use Permit may be issued, provided that the purchaser of the property agrees to obtain a permit and complete all necessary repairs to the system (or connect to a sanitation district, if appropriate) within 30 days of occupancy of the structure. If a permitted repair is required, the repairs must be completed by the expiration date of the permit.

- D. Revocation of a Use Permit

A Use Permit must be revoked if it is determined that the system is no longer functioning in accordance with this Regulation or that false or misleading material statements were made on the application or inspection reports.

#### E. Penalties

Failure to obtain a Use Permit for a covered transaction as provided by this Regulation will subject the owner who failed to obtain the Use Permit to the penalties as more fully set forth in C.R.S. §25-10-113.

### 4.8 Malfunctioning Systems

Systems found to be malfunctioning during inspection by the Use Permit Inspector shall be repaired in accordance with the terms of these Regulations.

### 4.9 Use Permit Inspectors

A Use Permit Inspector shall be a person currently licensed or certified by a nationally recognized inspector training and certification program such as the National Association of Wastewater Technicians (NAWT), National Sanitation Foundation (NSF), or approved equivalent certification.

## SECTION 5 USE PERMITS – HIGHER LEVEL TREATMENT

### 5.1 Applicability

- A. A Use Permit under this Section shall mean a Use Permit for a higher level treatment system.
- B. A Use Permit shall be required for any system that includes a higher level treatment unit as defined by these Regulations.
- C. A Use Permit shall be maintained and renewed until the system is either abandoned or the Department authorizes the decommissioning or removal of the higher level treatment unit.
- D. The Department shall not authorize the removal of a higher level treatment unit unless the OWTS would conform to the requirements for TL1 systems, including minimum distance setbacks set forth in Table 6 in Appendix A, and vertical separation from the STA infiltrative surface to any limiting layer as set forth in Table 7 in Appendix A.
- E. The Board of Health shall adopt fees for the administration of Use Permits – Higher Level Treatment.

### 5.2 Minimum Application Requirements

Application for a Use Permit shall include:

- A. Owner name and contact information;
- B. Property address and legal description;

## 5.10 Owner Responsibilities

An owner shall, at a minimum:

- A. Ensure OWTS is operating, maintained and performing according to the required standards for the designated treatment level;
- B. Maintain an active service contract with a maintenance provider at all times; and
- C. Each time his/her current contract with a maintenance provider is renewed or replaced, send a copy to the Department within 30 days of signing.

## SECTION 6 OPERATION AND MAINTENANCE

### 6.1 Responsibility

The owner must be responsible for maintenance of an OWTS unless the responsibility has been contractually assigned to a tenant or a third party or a public, quasi-public, or political subdivision.

### 6.2 Rules and Regulations-Board of Health Authority to Adopt

The Board of Health may adopt rules and regulations for:

- A. The scheduling of maintenance and cleaning of systems;
- B. Practices adequate to insure performance of an OWTS; and/or
- C. Submission of proof of maintenance and cleaning to the Department by the owner of the system

### 6.3 Permitting and Oversight of Maintenance for Soil Treatment Area Reductions and Vertical and Horizontal Separation Distance Reductions Based on Use of Higher Level Treatment

- A. Purpose

Reductions in requirements for soil treatment areas, vertical separation distances to limiting layers or reductions in horizontal separation distances by using higher level treatment systems are based on the criteria that these systems are functioning as designed. If these criteria are not met, failure or malfunction is likely, which could result in damage to public health and water quality.

- B. The Board of Health may permit reductions in the size of soil treatment areas and horizontal and vertical separation distances based on higher level treatment of effluent, subject to the requirements for a Use Permit – Higher Level Treatment in Section 5 of this

Regulation. The Department may designate a separate entity to conduct and maintain the oversight of this program. However, enforcement of the requirements of this Regulation will remain with the local board of health. System monitoring may be required.

## 6.4 Service Label

For higher level treatment systems or other components under a service contract, a clearly visible, permanently attached label or plate giving instructions for obtaining service must be placed at a conspicuous location.

## 6.5 Maintenance and Cleaning

In order to ensure good working order, all septic tanks shall be inspected once every four years and pumped when the accumulation of sludge and scum is greater than 25% of the operating volume of the treatment tank; as established in section 5.4.B.1). Dosing tanks shall be inspected and pumped if sludge accumulation is observed.

## 6.6 Monitoring and Sampling

- A. For an OWTS for which monitoring of effluent is required, the Department or delegated third party must collect and test effluent samples to ensure compliance with the provisions of this Regulation.
- B. Sampling may be required by the Department in conjunction with an enforcement action.
- C. Any owner or occupant of property on which an OWTS is located may request the Department to collect and test an effluent sample from the system. The Department may perform such collection and testing services. The owner or occupant must pay for these services.
  - 1) If the Department or a delegated third party collects and tests effluent samples, a fee not to exceed that which is allowed by the OWTS Act may be charged for each sample collected and tested. Payment of such charge must be stated in the permit as a condition for its continued use.
- D. Conditions when the Department can require routine monitoring:
  - 1) Indications of inadequate performance;
  - 2) Location in sensitive areas;
  - 3) Experimental systems; and/or
  - 4) Systems under product development permits.
- E. Sampling and analysis must be performed according to American Public Health Association, American Water Works Association, and Water Environment Federation: Standards Methods for the Examination of Water and Wastewater, 23rd edition.

## 6.7 Disposal of Waste Materials

All material pumped from an OWTS during a cleaning procedure shall be disposed at a site approved by local county officials or the Department in a manner which does not create a hazard to the public health, a nuisance, or an undue risk of pollution and which complies with all applicable state and local rules and regulations.

## 6.8 Termination of Use or Abandonment of an OWTS

- A. The Department shall be notified, in writing, when a tank, vault, seepage pit, or cesspool is abandoned, and a pump receipt provided.
- B. The contents of a septic tank, vault, seepage pit, or cesspool, the use of which has been terminated, shall be removed and properly disposed of.
- C. A tank may be completely removed and the parts disposed of safely.
- D. If the tank will remain in place:
  - 1) The tank must be pumped to remove as much waste as possible;
  - 2) The bottom of the tank must be broken so the tank neither floats nor fills with water;
  - 3) The top must be collapsed and the sides may be broken into the void;
  - 4) The remaining void must be filled with gravel, sand or compacted soil; and
  - 5) The filled excavation will be graded to surroundings, allowing for settling.
- E. The Department may require abandonment of a tank that is deemed to be a hazard.

# SECTION 7 REGULATION OF SYSTEMS CONTRACTORS AND CLEANERS

## 7.1 Systems Contractor License

- A. No person shall install, alter, or repair an OWTS unless he holds a valid Systems Contractor License issued by the Department.
- B. A system contractor license is issued to the individual who provides documentation of completion of the National Association of Wastewater Technicians (NAWT) Installers Course or approved equivalent. Successful completion of the CDPHE Part A Systems Contractor Examination may be substituted until the next NAWT Installer Course is available. The license shall follow the individual if they change employment. Each systems contractor shall have a minimum of one (1) owner or employee with a valid systems contractor license at all times.

Control District designation exists. This restriction shall not apply to the replacement of, or improvements to the operation of, existing OWTS located within the 100-year floodplain.

## **SECTION 18                    GENERAL PROHIBITIONS AND PENALTIES**

### **18.1 General Prohibitions; C.R.S. §25-10-112.**

- A. No city, county, or city and county shall issue to any person:
  - 1) A permit to construct or remodel a building or structure that is not serviced by a sewage treatment works until the Department has issued a permit for an OWTS.
  - 2) An occupancy permit for the use of a building that is not serviced by a sewage treatment works until the Department makes a final inspection of the OWTS, provided for in C.R.S. §25-10-106 (1) (h), and the Department approves the installation.
- B. The construction of new, or the repair of existing cesspools is prohibited. Where an existing cesspool is failing, a conforming OWTS must be installed. Where space is not available for a conforming OWTS, the criteria for repairs established within Section 13.8 must be followed.
- C. A person must not connect more than one (1) dwelling, commercial, business, institutional or industrial unit to the same OWTS unless such multiple connection was specified in the application submitted and in the permit issued for the system.
- D. No person shall construct or maintain any dwelling or other occupied structure which is not equipped with adequate facilities for the sanitary disposal of sewage.
- E. All persons shall dispose of septage removed from systems in the process of maintenance or cleaning at an approved site and in an approved manner.

### **18.2 Prohibition of On-Site Wastewater Treatment Systems in Unsuitable Areas**

- A. The Board of Health may prohibit issuance of OWTS permits in accordance with applicable land use laws and procedures for defined areas in which the Board of Health determines that construction and use of additional OWTS may constitute a hazard to public health or water quality.
- B. Within the Cherry Creek watershed in Arapahoe County, no new OWTS shall be constructed within the 100-year floodplain as designated by the Urban Drainage and Flood Control District, or the Federal Emergency Management Agency if no Urban Drainage and Flood Control District designation exists. This restriction shall not apply to the replacement of, or improvements to the operation of, existing OWTS located within the 100-year floodplain.

### 18.3 Penalties- C.R.S. §25-10-113

Any person who commits any of the following acts or violates any of the provisions of this Section commits a Class 1 petty offense as defined in C.R.S. §18-1.3-503, and as otherwise may be permitted in the OWTS Act:

- A. Constructs, alters, installs, or permits the use of any OWTS without first having applied for and received a permit as provided for in C.R.S. §25-10-106;
- B. Constructs, alters, or installs an OWTS in a manner which involves a knowing and material variation from the terms or specifications contained in the application, permit or variance;
- C. Violates the terms of a cease and desist order that has become final under the terms of C.R.S. §25-10-106 (1) (k);
- D. Conducts a business as a systems contractor without having obtained the license provided for in C.R.S. §25-10-109 (1);
- E. Conducts a business as a systems cleaner without having obtained the license provided for in C.R.S. §25-10-109 (2);
- F. Falsifies or maintains improper records concerning system cleaning activities not performed or performed improperly; or
- G. Willfully fails to submit proof of proper maintenance and cleaning of a system as required by these Regulations.

### 18.4 Civil Penalty

#### A. Assessment

Upon a finding by the Board of Health that a person is in violation of this Regulation, the Board of Health may assess a penalty of up to fifty (\$50.00) dollars for each day of violation, pursuant to C.R.S. §25-10-113 (2). In determining the amount of the penalty to be assessed, the Board of Health shall consider the seriousness of the danger to the health of the public caused by the violation, the duration of the violation, and whether the person has previously been determined to have committed a similar violation.

#### B. Appeal of Civil Penalty Assessment

A person subject to a penalty assessed pursuant to Section 18.3 may appeal the penalty to the Board of Health by requesting a hearing before the Board of Health. The request must be filed within thirty (30) days after the penalty assessment is issued. The Board of Health shall conduct a hearing upon the request in accordance with C.R.S. §24-4-105.

## **SECTION 19                      ENFORCEMENT**

### **19.1 Hearings**

Hearings shall be administered pursuant to the requirements of the OWTS Act.

### **19.2 Notice of Violation**

Whenever the Department determines that there has been a violation of any provision of these Regulations, the Department shall give notice of such violation to the responsible person. Such notice shall be in writing and shall particularize the violation, provide a reasonable time for correction, and be addressed to the owner and/or occupant of the property concerned.

### **19.3 Cease and Desist Orders**

The Department may issue an order to cease and desist from the use of any OWTS or sewage treatment works which is found by the health officer not to be functioning in compliance with the OWTS Act, Regulation 43 or these Regulations, is found to constitute a nuisance or a hazard to public health, or has not otherwise received timely repairs under the provisions of C.R.S. §25-10-106 (1) (j). Such an order may be issued only after a hearing which shall be conducted by the Hearing officer of the Department 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. The order shall require that the owner or occupant bring the system into compliance or eliminate the health hazard within thirty (30) days, or thereafter cease and desist from the use of the system. A cease and desist order issued by the Hearing 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.

## **SECTION 20                      BOARD OF HEALTH ADMINISTRATIVE PROCEDURES**

### **20.1 Revocation of Systems Contractors or Cleaners Licenses**

A systems contractor's 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 of Health. 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.

### **20.2 Prohibition of On-Site Wastewater Treatment Systems in Unsuitable Areas**

A Board of Health may prohibit issuance of OWTS permits in accordance with applicable land use laws and procedures for defined areas in which the Board of Health determines that construction and use of additional OWTS may constitute a hazard to public health or water quality.



# Arapahoe County

5334 South Prince Street  
Littleton, CO 80120  
303-795-4630  
Relay Colorado 711

## Board Summary Report

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**File #:** 25-453

**Agenda Date:** 8/20/2025

**Agenda #:**

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# ARAPAHOE COUNTY



# FY2026 Budget Presentation

Breanna Paderewski  
Director of Finance and Administration

August 20, 2025

# Agenda

- Funding Update
- Overview FY2026 Budget
- FY2026 Budget Packages
- FY2026 Budget Review
- Budget Timeline Review
- Budget Adoption

# Funding Update - Reductions

- Nurse Liaison Program – severe program reductions
  - Temporary Assistance for Needy Families (TANF) – program eliminated, \$229,134 annual funding
  - Adult Nurse Liaison Support Program – program eliminated, \$173,796 annual funding
  - Child and Adult Protection Services – program funding significantly reduced by \$783,788 (48%) over FY2025
  - Reduction of 8.5 FTE
- Public Health Emergency Preparedness (PHEP) – reduction of 25%, \$137,208, from FY2025
- Immunizations and Vaccines (IMM)– reduction of \$133,836 from FY2025
- Breast Feeding Peer Counselors (BFPC) – reduction in funding, possibly 2% but currently unknown
- Special Supplemental Nutrition Program for Women, Infants and Children (WIC) – a reduction of approximately \$68,000, on top of \$103,000 reduction from FY2025

# Funding Update - Reductions

- Title X Family Planning - a reduction of approximately \$127,000, on top of \$169,000 reduction from previous FY
- Cancer Prevention and Early Detection, Women's Wellness Connection - reduction of just over 7%, approximately \$3,000 from FY2025
- Office of Public Health Practice, Planning & Local Partnerships (OPHP) – reduction of \$8,000 from FY2025
  - These are funds we receive from the State for being a local public health department
- Syphilis Field-Delivered Therapy (FDT) – reduction of \$4,000 from FY2025
- Indoor Radon – reduction of \$2,000 from FY2025
- Baby and Me Tobacco Free – funding reduced \$15,000 (50%) since FY2024
- Healthy Beverage Partnership – reduction of \$2,000

## Funding Update – Wins

- ELC 2.3 (Epi and Lab Capacity) – short-term funding of \$210,300
- Nurse Home Visitor Program – increase of \$29,000 over FY2025
  - This is primarily due to expanding program coverage to Elbert County
- Ryan White (HIV/Harm Reduction) – received entire award (this was uncertain)
- Telluray Foundation – \$100,000 new grant award for Arapahoe Food Security Coalition
- Boulder Breastfeeding Peer Counselor – \$37,000 new grant award
- Staff continue to apply for new grant funding



# FY2026 Budget Overview

- Boards of Health are required to adopt an annual budget by September 1, per CRS 25-1-511(4)
- The Public Health Department's budget is part of Arapahoe County's overall budget, which must be approved by the Board of County Commissioners each December
- For FY2026, the County directed us to include all 1A possibilities as separate budget packages, prioritized and ranked
- The following slides will cover:
  - FY2026 Budget Package Asks
  - FY2026 Revenue and Expenses - update
  - Timeline review

# FY2026 Budget Asks – High Priorities

Title	Priority	Rank	Package Total	FTE Requested
EPR Manager to GF	High	1	\$ 140,933	-
WIC Educator	High	2	\$ 117,761	1.00
SH Support	High	3	\$ 253,000	-
IZ Support	High	4	\$ 253,000	-
EH IH	High	5	\$ 117,761	-
CHIP Food Access*	High	6	\$ 51,197	0.50
<b>Total High Priority</b>			<b>\$ 933,652</b>	<b>1.50</b>

\*One-time funding

# FY2026 Budget Asks – Medium Priorities

Title	Priority	Rank	Package Total	FTE Requested
EH Specialist	Med	7	\$ 92,905	1.00
Child Fatality	Med	8	\$ 80,398	0.75
Access to Care Specialist	Med	9	\$ 92,905	1.00
HR Educator	Med	10	\$ 92,905	1.00
<b>Total Medium Priority</b>			<b>\$ 359,113</b>	<b>3.75</b>

# FY2026 Budget Asks – Low Priorities

Title	Priority	Rank	Package Total	FTE Requested
LUBE	Low	11	\$ 117,761	1.00
IBCLC	Low	12	\$ 117,761	1.00
Safety Specialist	Low	13	\$ 108,286	1.00
Training*	Low	14	\$ 25,000	-
Comm Eng*	Low	15	\$ 30,000	-
School	Low	16	\$ 108,286	1.00
<b>Total Low Priority</b>			<b>\$ 507,094</b>	<b>4.00</b>

\*One-time funding

# Year over Year Comparison

Revenue	2023 Actuals	2024 Actuals	2025 Budget	FY2026 Budget	\$ Difference: FY25 v FY26	% Difference: FY25 v FY26
Grant	\$ 15,914,439	\$ 15,718,745	\$ 14,411,643	\$ 14,725,371	\$ 313,728	2.2%
Fee for Service	\$ 1,831,200	\$ 2,132,615	\$ 2,323,244	\$ 2,452,990	\$ 129,746	5.6%
Misc Revenue	\$ -	\$ 188,149	\$ 528,474	\$ 444,817	\$ (83,657)	-15.8%
Public Health Funds					\$ -	
On-Going	\$ 6,000,000	\$ 6,364,474	\$ 7,302,863	\$ 7,053,666	\$ (249,197)	-3.4%
One Time	\$ 1,762,000	\$ 717,000	\$ 429,861		\$ (429,861)	-100.0%
Public Health Funds Total	\$ 7,762,000	\$ 7,081,474	\$ 7,732,724	\$ 7,053,666	\$ (679,058)	-8.8%
<b>Totals</b>	<b>\$ 25,507,639</b>	<b>\$ 25,120,983</b>	<b>\$ 24,996,085</b>	<b>\$ 24,676,844</b>	<b>\$ (319,241)</b>	<b>-1.3%</b>
Expense						
Salaries	\$ 15,058,586	\$ 15,183,665	\$ 17,038,035	\$ 17,444,208	\$ 406,173	2.4%
Benefits	\$ 4,128,464	\$ 4,028,354	\$ 4,721,200	\$ 4,714,437	\$ (6,763)	-0.1%
Supplies	\$ 1,364,300	\$ 861,948	\$ 798,843	\$ 621,040	\$ (177,803)	-22.3%
Services	\$ 3,223,384	\$ 3,314,379	\$ 2,033,850	\$ 1,700,742	\$ (333,108)	-16.4%
Community Programs		\$ 56,571	\$ 62,482	\$ 9,290	\$ (53,192)	-85.1%
County Services	\$ 732,905	\$ 353,300	\$ 341,675	\$ 187,127	\$ (154,548)	-45.2%
<b>Totals</b>	<b>\$ 24,507,639</b>	<b>\$ 23,798,217</b>	<b>\$ 24,996,085</b>	<b>\$ 24,676,844</b>	<b>\$ (319,241)</b>	<b>-1.3%</b>

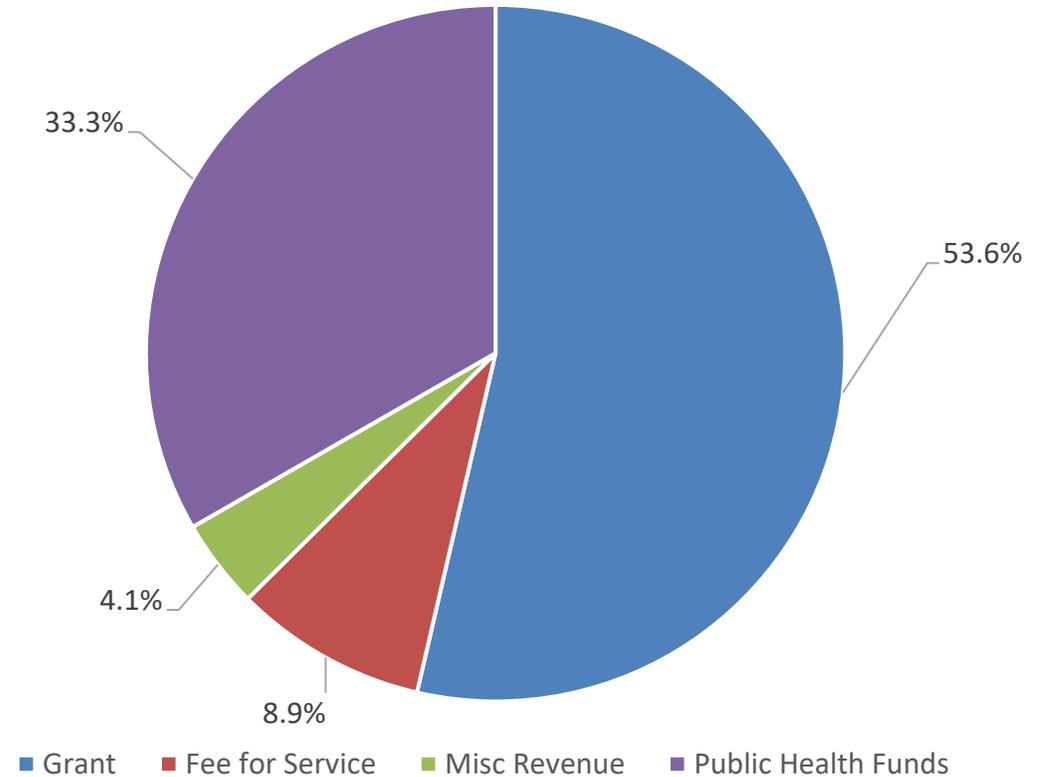


# FY2026 – Financial Impact: Budget Asks

Revenue	FY2026 No Budget Asks, No merit (Baseline)	FY2026 w Budget Asks, Market, Merit, Health increase	\$ Difference
Grant	\$ 14,725,371	\$ 14,725,371	
Fee for Service	\$ 2,452,990	\$ 2,452,990	
Misc Revenue	\$ 444,817	\$ 1,137,503	
Public Health Funds			
On-Going	\$ 7,053,666	\$ 7,053,666	
On-going FY26 comp increase		\$ 296,865	
FY2026 On-going budget asks		\$ 1,693,662	
FY2026 One time budget asks		\$ 106,197	
Public Health Funds Total	\$ 7,053,666	\$ 9,150,390	
<b>Totals</b>	<b>\$ 24,676,844</b>	<b>\$ 27,466,254</b>	<b>\$ 2,789,410</b>
<b>Expense</b>			
Salaries	\$ 17,444,208	\$ 17,444,208	\$ -
4.9% Market/Merit	\$ -	\$ 850,026	
Benefits	\$ 4,714,437	\$ 4,714,437	\$ -
8.5% increase to Healthcare	\$ -	\$ 139,525	
Supplies	\$ 621,040	\$ 621,040	
Services	\$ 1,700,742	\$ 1,700,742	
Community Programs	\$ 9,290	\$ 9,290	
County Services	\$ 187,127	\$ 187,127	
Budget Asks		\$ 1,799,859	
<b>Totals</b>	<b>\$ 24,676,844</b>	<b>\$ 27,466,254</b>	<b>\$ 2,789,410</b>

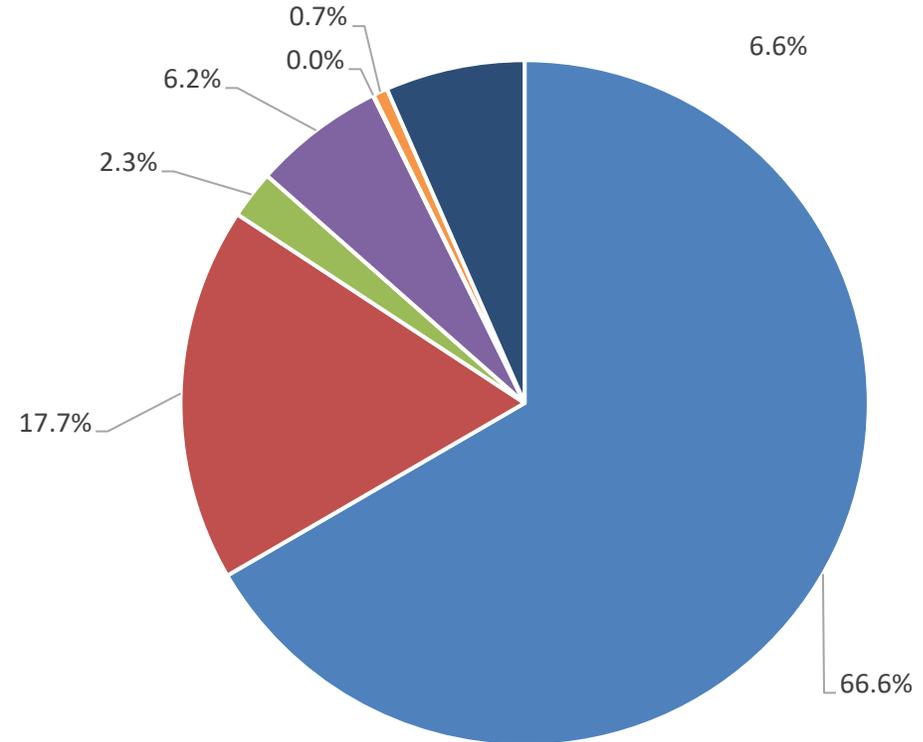
# FY26 Budget – Projected Revenue

Revenue	\$ Totals	Overall Percentage	Grant %
Total Grant Revenue	\$ 14,725,371	53.6%	
Federal	\$ 7,078,630		48.1%
State	\$ 7,301,339		49.6%
Other	\$ 345,402		2.3%
Fee for Service	\$ 2,452,990	8.9%	
Misc Revenue	\$ 1,137,503	4.1%	
Public Health Funds	\$ 9,150,390	33.3%	
<b>Total Revenue</b>	<b>\$ 27,466,254</b>		



# FY26 Budget – Projected Expenses

Expenses	\$ Totals	Overall Percentage
Salaries	\$ 18,294,234	66.6%
Benefits	\$ 4,853,962	17.7%
Supplies	\$ 621,040	2.3%
Services	\$ 1,700,742	6.2%
Community Programs	\$ 9,290	0.0%
County Services	\$ 187,127	0.7%
Budget Asks	\$ 1,799,859	6.6%
<b>Total Expenses</b>	<b>\$ 27,466,254</b>	



■ Salaries ■ Benefits ■ Supplies ■ Services ■ Community Programs ■ County Services ■ Budget Asks



# Timeline Review

- ~~June – BOH meeting: FY26 Budget review, no action needed~~
- ~~July – Budget sub-committee meeting: review draft budget~~
- **Aug – BOH meeting: adoption of FY26 Budget**
- Sept – Sub-committee present budget to Executive Budget Committee
- Oct – BOCC receives proposed budget package
- Dec – BOCC adopts FY26 budget

# Questions



# Arapahoe County

5334 South Prince Street  
Littleton, CO 80120  
303-795-4630  
Relay Colorado 711

## Board Summary Report

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**File #:** 25-454

**Agenda Date:** 8/20/2025

**Agenda #:**

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## Performance Management Snapshot: Quarter 2, 2025

Arapahoe County Public Health is pleased to share takeaways from our agency-wide performance management and continuous quality improvement (PMCQI) system, launched January 2025. Developed by a dedicated internal team known as the RAFT (Realigning Approaches for Future Transformation), this system provides a consistent process for measuring, maximizing, and communicating key performance indicators designed by staff members to ensure accountability and outcomes for the ACPH Strategic Development and Deployment Initiative (aka agency strategic plan).

In this document, you will find a snapshot of PMCQI information for a subset of our overall measures. Please stay tuned for a different subset to be highlighted each quarter. Measures are categorized according to functions identified by the Centers for Disease Control and Prevention as critical to public health's role in advancing health equity. Each measure reflects one of the following key functions:

- Cultivate** health equity practice; embed health equity principles in the design, implementation, and evaluation of programs and services.
- Optimize** interventions to address environmental, place-based, policy, and systemic factors that impact outcomes and address drivers of health inequities.
- Reinforce** and expand robust partnerships to advance health equity.
- Enhance** internal capacity to cultivate more inclusive culture, policies, and practices for broader public health impact.

We hope you enjoy reviewing this snapshot of efforts, developed with our guiding PMCQI principles in mind:

- Accessible: Easy to understand and engage with
- Transparent: Open, honest, and clear information sharing, allowing for informed decision making
- Human-centered: Starts with people and their stories; ends with creative solutions tailored to our audience's needs

## MEASURE

### Count of Customer Experience Survey Responses

#### GOALS AND OBJECTIVES

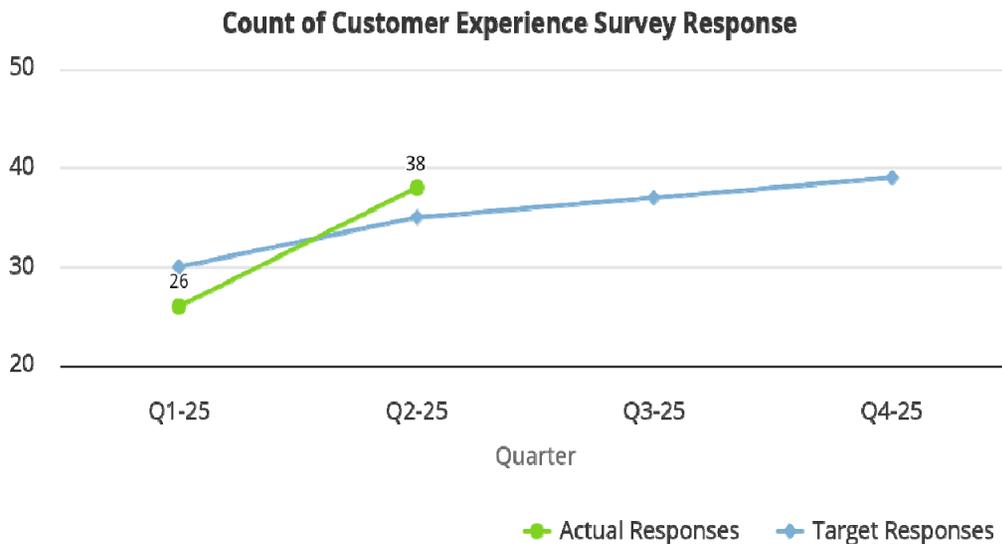
By December 2026, capture and elevate the overall "service" culture practiced by all ACPH staff through the Customer Experience & Trust survey initiative.



**CULTIVATE**  
comprehensive health  
equity practice

#### DIVISION

Partnership Planning Community Health Promotion



#### ANALYSIS

In Q2, the response rate increased by 12 surveys from Q1 (38 surveys in Q2), passing our target of 35. The target is to improve by 8% from the previous quarter's target. The increase in Customer Experience responses quarter over quarter may indicate trends and opportunities for growth. The rise may indicate growing customer and patient engagement, reaching a wider audience for potential feedback. The difficulty now with only two quarters of data is distinguishing whether increases are temporary or seasonal. However, the Q3 outlook looks positive so long as we continue focusing on direct interactions with our communities.

## MEASURE

### Percent of Kindergartners Up-To-Date on MMR Vaccines by Area of Service

#### GOALS AND OBJECTIVES

By the end of 2026, 95% of CIIS-assigned Altura and Englewood ACPH kindergartners will be up-to-date on their MRR vaccine series.



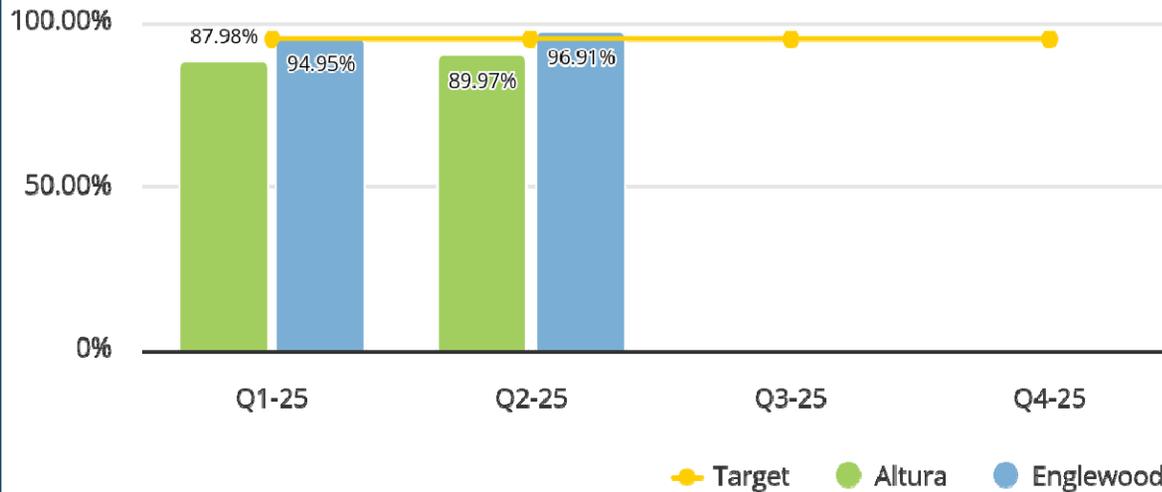
OPTIMIZE  
interventions

DIVISION

Nursing

#### ANALYSIS

Percent of Kindergartners Up-to-Date on MMR Vaccine Series by Area of Service



All mobile clinics run out of Altura so clinic served higher proportion of kids with access to care challenges. Numbers reflect kids assigned to ACPH in CIIS and not community-level trends.

## MEASURE

### Count of Communicable Disease Investigations Completed

#### GOALS AND OBJECTIVES

By December 2026, monitor changes in disease trends over time compared to previous years due to factors such as climate changes, travel, spillover events, and vaccination rates to ensure we have adequate staffing and capacity to respond to communicable disease events in a timely and thorough manner in order to protect the health and safety of Arapahoe County residents and the general public from communicable disease threats.

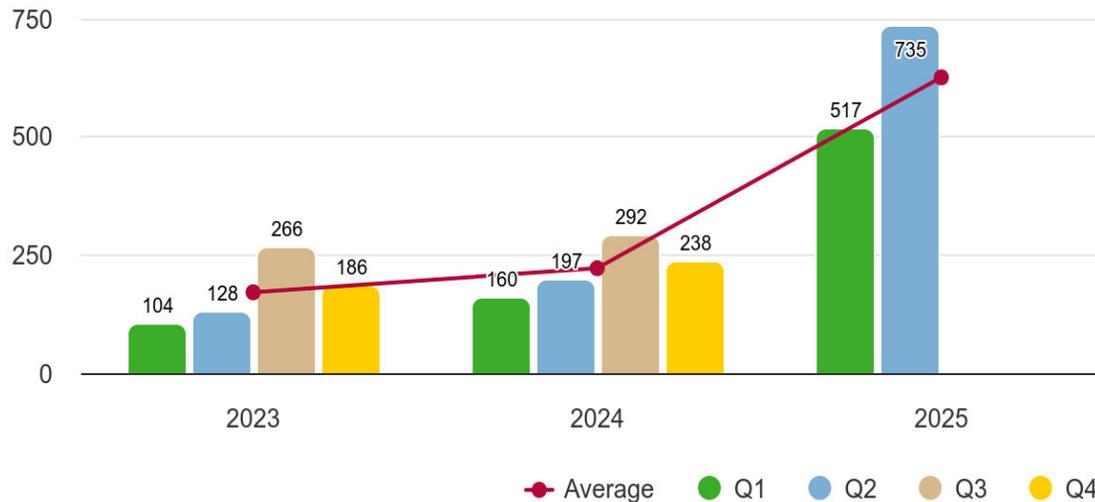


OPTIMIZE  
interventions

#### DIVISION

Health Protection and Response

Count of Total Investigations Completed



#### ANALYSIS

This chart presents quarterly communicable disease investigation data for 2023 - Q2 2025. Data includes the number of Colorado reportable conditions, outbreaks, and rabies reservoir species investigations completed by the CDE Program. Q2 2025 shows a significant increase compared to both 2023 and 2024. This dramatic increase was due to the measles outbreak response including an increased workload from confirmed and suspect cases and contact tracing efforts.

## MEASURE

Percent of Community Engagement Events Focused on Two or More Health Equity Focus Areas



REINFORCE  
and expand robust  
partnerships

## GOALS AND OBJECTIVES

By December 2025, 80% of our community engagement events are focused on two (2) or more Health Equity Focus Areas.

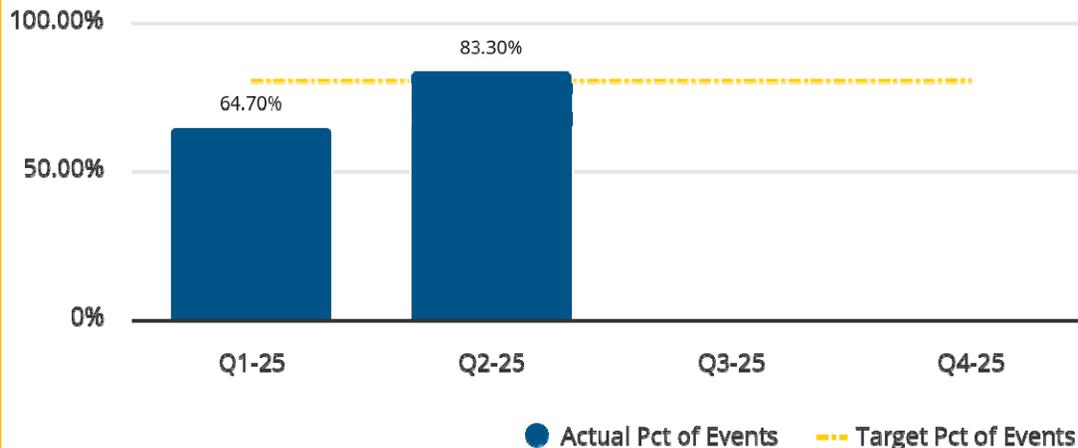
DIVISION

Partnership Planning Community Health Promotion

## ANALYSIS

In Q2 2025, 83% of recorded ACPH community engagement touchpoints focused on two or more Health Equity Areas. Highlighted events include: the Eastern Arapahoe Senior Resource Fair focusing on older adults (Population), for the Byers community (Geographic) with a focus on healthy aging and social connection (CHIP). Also, the Safe Zone events with Compound of Compassion focused on young people (Population) in Aurora (Geographic) provided a safe place for Aurora youth to spend their Friday evening (CHIP).

**Percent of Quarterly Community Engagement Events Focused on Two or More Health Equity Focus Areas**



## MEASURE

Count of ACPH Attendance at Learning Activities Hosted by the Healthy Aging Program



ENHANCE capacity and workplace diversity, inclusion, and engagement.

## GOALS AND OBJECTIVES

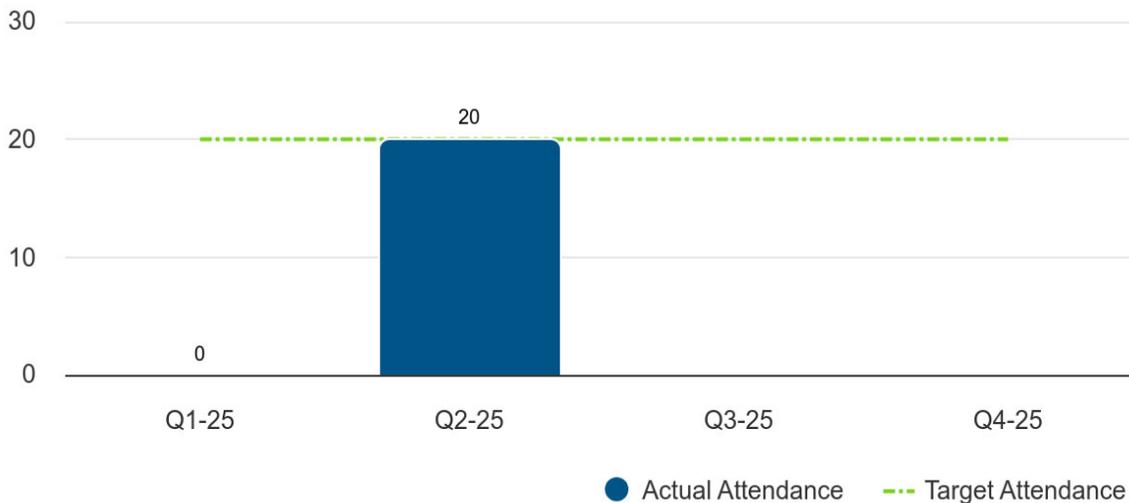
By December 2025, ACPH will pilot at least 2 continued learning opportunities with a minimum attendance of 20 interested staff per opportunity.

## ANALYSIS

DIVISION

Partnership Planning Community Health Promotion

ACPH Healthy Aging Learning Opportunity Attendance



In Q2, 20 participants attended an in-person training on Reframing Aging; eight participants who took the training responded to a follow-up survey and 100% said they would definitely recommend this training.





**ARAPAHOE COUNTY**

# Introduction to Public Health's NEW Performance Management Program



Introduction to

# Performance and You

Presented by **RAFT Culture & Training**

# The Road to Performance

-  Official Kick-off: January 2024 – Executive leadership establishes vision and values as a starting point.
-  March 2024 – The CORE Strategies become our North Star; tailored specifically for us.
-  July 2024 – A 20-person team convenes to build the Performance Management System.
-  This new Team calls themselves **R.A.F.T.**
  - 1- A raft is a group of animals, in our case, the symbolic duck.
  - 2- Realigning Approaches for Future Transformation

RAFT =  
The TEAM  
who oversees  
performance  
for Public  
Health



**Purpose:**

The RAFT (Realigning Approaches for Future Transformation) Team developed and integrated a Performance Management & Continuous Quality Improvement system into Arapahoe County Public Health work and culture in 2024 to be implemented in 2025.

**Guiding Principles:**

Accessible - easy to understand and engage with.

Transparent - open, honest, and clear sharing of information that allows for an informed voice in decision-making.

Human-Centered - starts with people and their stories and ends with creative solutions that are tailored to our audience's needs.

**Motto:**

Performance is movement... in both directions.

# The Preparation Process

## CORE Framework

Adoption of the CORE Commitment to Health Equity: Cultivate, Optimize, Reinforce, and Enhance becomes the starting point.



## CORE Worksheets

Programs complete a CORE worksheet aligning their performance to CORE.

**ACPH STRATEGIC GOALS**  
Version 1: 4.12.24

- C** Cultivate: Comprehensive Health Equity Practice
- O** Optimize: Interventions
- R** Reinforce: and expand robust partnerships
- E** Enhance: Capacity and workplace diversity, inclusion, and engagement

**CONTEXT**

- Access and Functional Needs (AFN)** — refers to individuals who are or have: Physical, developmental, or intellectual disabilities, chronic conditions, or injuries, or limited English proficiency. These people may have additional needs that must be considered in planning for, responding to, and recovering from a disaster or public health emergency.
- Diversity, Equity, and Inclusion (DEI)** — Arapahoe County is committed to embracing the principles of diversity, equity, and inclusivity as it impacts both employees and residents. The county has a DEI Strategic Plan that outlines the positive steps we are taking to increase awareness in all levels, roles, and departments/offices.
- The CMIST Framework** - The **CMIST Framework**, an approach used by emergency managers and public health practitioners, provides a flexible, crosscutting approach for planning to address a broad set of common AFN without having to define a specific diagnosis, status, or label.

**ACPH EMERGENCY PREPAREDNESS AND RESPONSE PURPOSE STATEMENT**

The purpose of the Arapahoe County Public Health (ACPH) Emergency Preparedness and Response (EPR) program is to facilitate the foundation and infrastructure for internal and external partners and the communities we serve to prepare for, respond to, and recover from the public health and medical consequences of an emergency impacting Arapahoe County.

**EPR OPERATIONAL AND TACTICAL OBJECTIVES**

To fulfill this purpose and align with the ACPH Strategic Goals, EPR staff will:

- C**: Incorporate equity and access and functional needs into all facets of EPR routine and response and recovery efforts.
  1. Activate an equity officer for every response and recovery operation.
    - a. Develop a job action sheet for this position.
    - b. Incorporate the equity officer in command-and-control training and exercise activities.

## New Measure Development

The RAFT Team works with programs in developing 1- performance measures.

### RAFT Performance Listening Sessions

Date: 9/17/24  
Program Name: Nutrition  
Participants: Kathleen, Heidi, Jill, Alexa, Grace

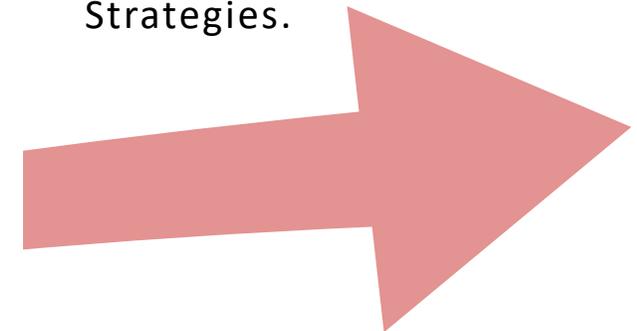
**Background:** In 2023, ACPH adopted the CORE framework as its [Strategic Plan](#). In 2024, ACPH leadership envisioned establishing a set of measures from all programs to showcase significant contributions to the strategic plan's execution. The goal is to have a dynamic Performance Management system in place by the end of 2024, ready for use at the beginning of 2025. The purpose of this meeting is to get as close as possible to identifying the 1-2 measures that will be used in 2025.

#### Important talking points:

- The CORE measure will not replace the current quarterly Public Health Measures or any individual program measures. These measures will live in harmony with these other measures!
- Most teams/programs already report several performance measures quarterly. Some might find that their existing measures are the best way to capture CORE alignment with our strategic plan. Others might decide to design new measures or tweak existing ones. Both approaches are perfectly fine! 🎯 Think about data you already collect.
- When thinking about measures, a helpful starting off point is the Result-Based Accountability framework which categorizes measures in three categories – "what did we do?", "how well did we do it?", and "is anyone better off?". These categories are distinct from each other by the degree of control and impact.
  - o What did we do (i.e., # of clients served, # activities performed)
  - o How well did we do it? (i.e., % of timely actions, client satisfaction, return on investment, staff retention)
  - o Is anyone better off? (% of vaccinated youth, prevalence of disease, hospitalization rates)
- Performance is movement in both directions! Measures can be utilized to show strong services, AND they can also be used to demonstrate need.

## CORE Alignment

All new measures align program day-to-day functions with the CORE Strategies.





# Public Health's Strategic direction is led by

**C**

Cultivate  
comprehensive  
health equity  
practice

**O**

Optimize  
interventions

**R**

Reinforce and  
expand robust  
partnerships

**E**

Enhance capacity  
and workplace  
diversity, inclusion,  
and engagement

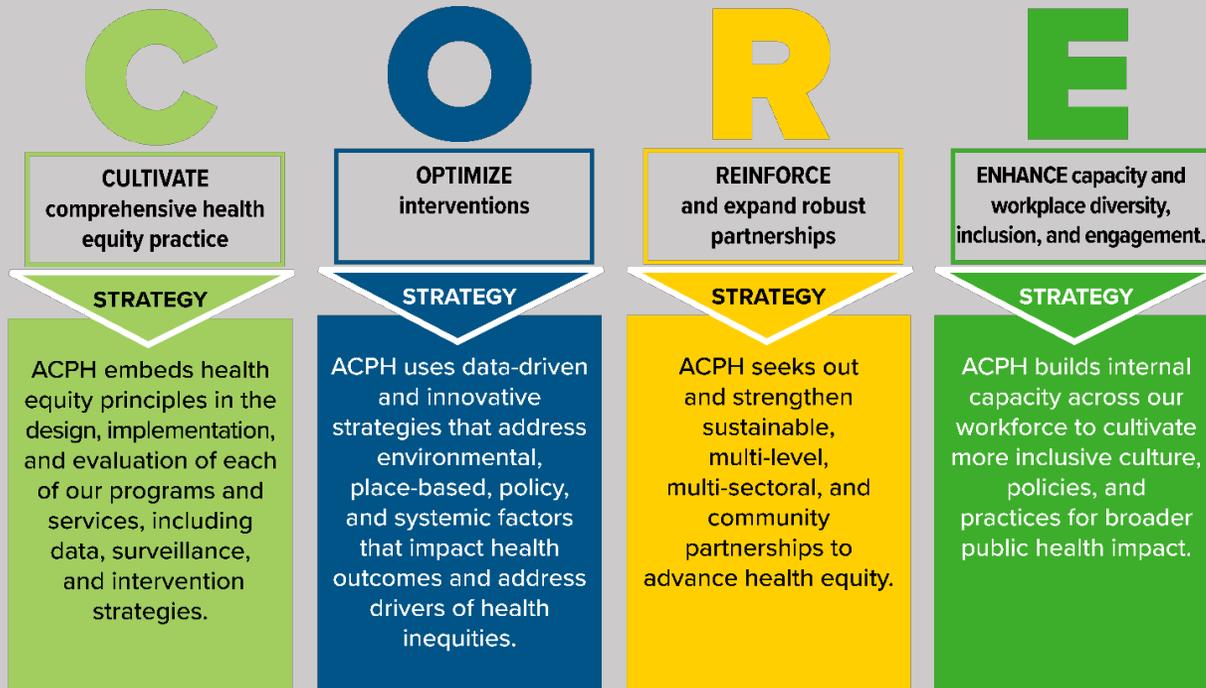
**CORE** *shapes our internal performance.*



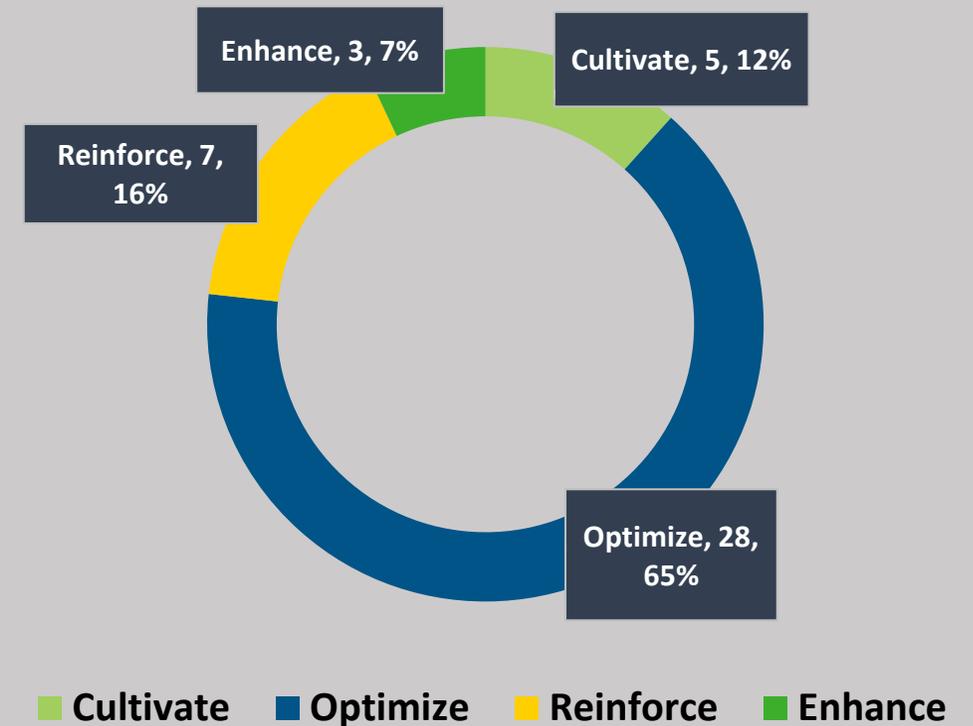
## Arapahoe County Public Health Aligning Strategic Goals

*Emphasizing Accountability, Innovation, Workforce and Community*

CDC's CORE Commitment to Health Equity



## Performance Measure by CORE Strategy





# CORE Showcase: Vital Records

**Measure:** Revenue Increase from Birth and Death Certificates by Location

**Goal and Objectives:** In 2025, ACPH Vital Records will develop and implement increased efforts to be the provider of choice for this critical community role. The total additional revenue for the increase in birth and death certificates issued will be the principal indicator of accessibility of certificate services for customers in each of the communities in which ACPH has a VR office (Willow/Lima, Altura).



# Story Time!

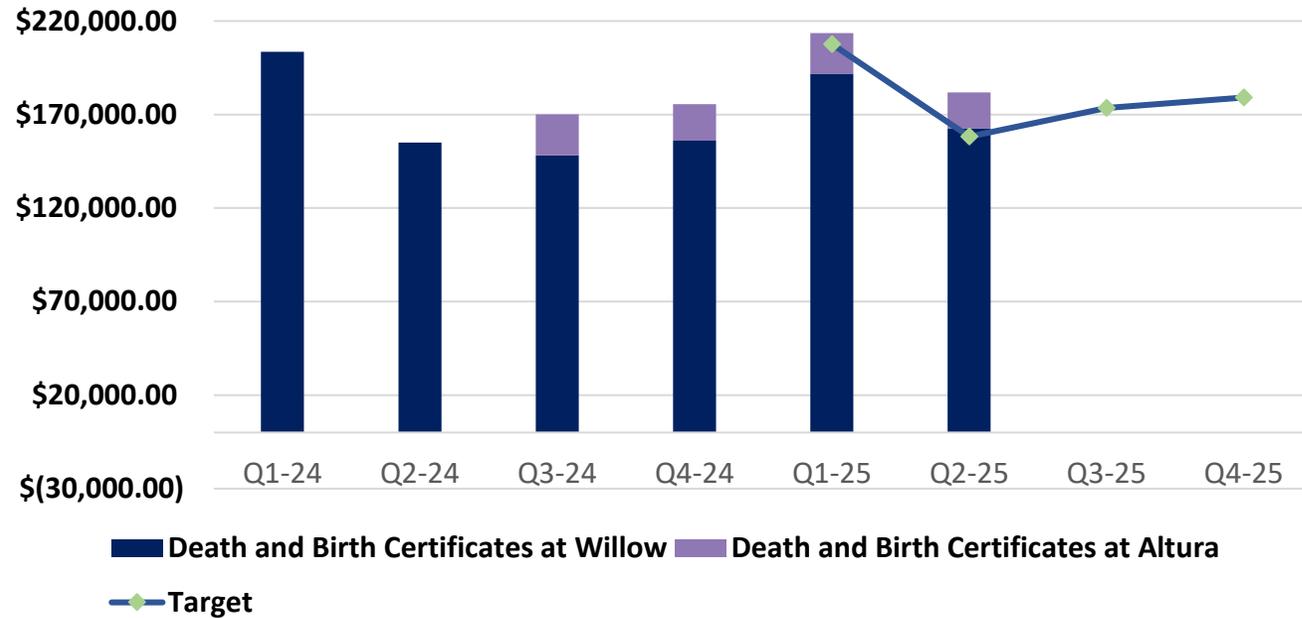
While revenue metrics are a critical measure of the Arapahoe County Vital Records success in issuing Birth and Death certificates, an even more rewarding measure is the incredible relationships we build with our clients every day.

Not directly visible in the revenue metrics is the care and dedication our staff gives to each customer who calls, emails, or comes to our window. We are there for them as they celebrate the birth of a child or grieve the death of a loved one. We're there to carefully review a death certificate for accuracy before issuing a burial or cremation permit. In all these activities, our staff is there providing the highest level of customer service to our stakeholders. And it is through this relationship of trust that we've been able to increase our revenue each year through both customer retention and increased accessibility

As a further metric of our success, both Arapahoe County Vital Records Offices were just awarded 100% scores on the first State Vital Records Audit since 2022.

# Metric Overview

Revenue from Birth and Death Certificated, by Location



Quarter	Death and Birth Certificates at Willow	Death and Birth Certificates at Altura	Target
Q1-24	\$ 203,630.00		
Q2-24	\$ 155,104.00		
Q3-24	\$ 148,171.00	\$ 21,980.00	
Q4-24	\$ 155,994.00	\$ 19,534.00	
Q1-25	\$ 191,879.00	\$ 21,612.00	\$ 207,702.00
Q2-25	\$ 162,590.00	\$ 19,178.00	\$ 158,205.00
Q3-25			\$ 173,554.00
Q4-25			\$ 179,039.00

Note about target: The quarterly target revenue for 2025 represents a 2% increase from the corresponding quarter in 2024.



# Learning Opportunities



## Challenges

- Staffing & Training
- Move to Lima!
- Real ID Deadline = increased order volume for BCs
- Transition to warmer seasons = expected decrease in order volume for DCs
- Electronic records = increased competition
  - Can print birth or death certificates from any county

## Actions Taken

- New Hires
- Go with the flow (of incoming orders)
- Create marketing materials for community outreach



# Path Forward

## Opportunities

- Community outreach and marketing to funeral homes, hospitals, schools, etc.
- Increase number of On-Account customers
- Increase appointment capacity through additional staffing
- Create more accessible ordering options (i.e., digital order forms)

## Wins

- Increased revenue each year
- Now accepting Metro Caring Vouchers = Increased accessibility
- Vital Records Offices were each awarded 100% scores on the first State Vital Records Audit since 2022.
- Altura VR Office is 1 year old!

# State Audit Criteria

Twice per year, the State Vital Records office randomly selects up to 8 Birth and 8 Death applications per location to review (although 2025 is the first year since 2022 due to issues with the implementation of the new COVES system). Offices must pass 100% for each criteria below, in addition to having 100% of all security paper accounted for (tracked by unique Document Control Numbers in COVES) to be eligible for the annual perfection award.

- Application complete (applicant and registrant information, per Issuance Guidance)
- Application matches record (per Issuance Guidance)
- Acceptable proof of relationship or direct and tangible (per Eligibility Guidance)
- Acceptable ID (ID[s] acceptable per ID listing)
- Correct COVES transaction type (transaction type, printing, voiding, resolved request)

# Members



Brooke Wagenseller – Lead

Alexa Escobar Paez – Co-lead

Grace Soulen – Co-lead

Abby Schmidt – Co-lead

Penny Grande – ELT Ambassador

Ann Stager

Melissa Orozco

Todd Mata – Co-lead

Karl Schiemann

Traci Jervis

Kevin Ellis

Becca Miles

Wendy Nading

Makena Slater

Heidi Williams

Kathleen Rebollo

Melissa Smith

Sara Garrington

Kristin Byer

Carrie Knowlton

Devan Lorimer – Co-lead

Kathya Iraheta

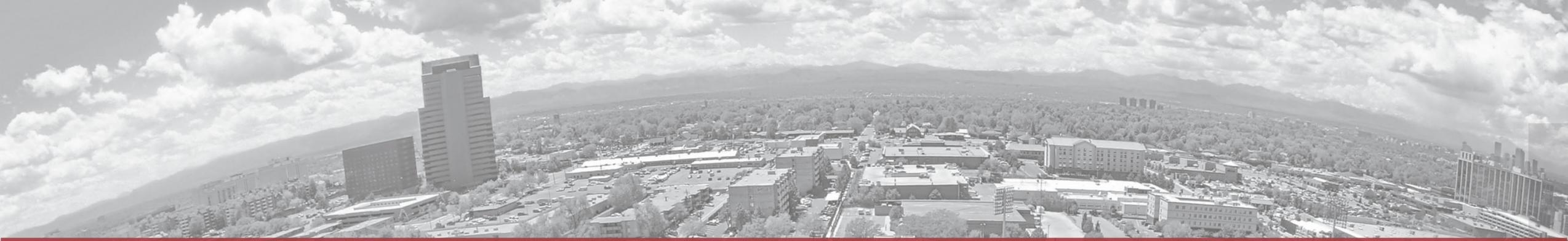
Talitha Appel – Co-lead

Ashley Walsh

Jill Bonczynski

# Questions for the Board

1. How would the Board like to see performance updates in the future?
  - I. Include performance measure updates incorporated into study sessions or other related presentations.
  - II. Establish a set cadence where a determined number of measures are presented.
  - III. Present the C, O, R, and E at different times.
2. Would the Board like to review measures independently in a report-style method or rather in a storytelling method?



**ARAPAHOE COUNTY**

**Thank you!**





# Arapahoe County

5334 South Prince Street  
Littleton, CO 80120  
303-795-4630  
Relay Colorado 711

## Board Summary Report

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**File #:** 25-455

**Agenda Date:** 8/20/2025

**Agenda #:**

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Public Health Director's Report  
Prepared by: Jennifer Ludwig  
Date Prepared: August 15, 2025  
Dates Covered: June 13, 2025 – August 15, 2025

### **Mission Moments**

1. World Breastfeeding Week Celebration: WIC hosted an event at its Baby Cafe on August 5 and over 100 participants joined the celebration. Families explored local resources, participated in crafts, browsed our adorable kids' clothing store, received door prizes, and enjoyed light refreshments.
2. Sexual Health Program: In April 2025, Sexual Health expanded its Field Delivered Treatment for syphilis program to the Arapahoe County Detention Center. On a weekly basis, RNs work with medical staff at the jail and Disease Intervention Specialists at CDPHE to identify people, particularly women of reproductive age, who need syphilis, gonorrhea and chlamydia treatment and offer testing to people who may be at higher risk of exposure. As part of this expansion, our clinical advisor, Jordyn Bode, identified a need and helped to train nurses on neurological assessment to identify neurosyphilis, a serious complication of syphilis that requires hospitalization for IV antibiotic treatment. In July, while testing a patient for syphilis, one of our nurse supervisors, Renee Lenthe used this training to perform a neurological assessment and identified a possible case of neurosyphilis in a patient who also was living with long-term untreated HIV. The medical staff at the jail was unaware of both of these conditions. Renee alerted jail staff and referred the patient to the emergency department to receive a lumbar puncture to make a definitive neurosyphilis diagnosis. One week later, our RN staff had a call with the medical staff at the detention center and learned that this patient had not yet received her workup or initiated HIV care. Our RNs, particularly RN Jess Goldberg, advocated strongly for immediate follow up on this call. Later that day we learned that she was immediately taken to the ED for a workup and later diagnosed with neurosyphilis and admitted to the hospital for treatment. Thanks to the strong nursing assessment skills, tireless advocacy, teamwork and community engagement of our nursing staff, this vulnerable patient who had fallen through the cracks of our medical system received the treatment she has needed for years and prevented further spread of HIV and syphilis.
3. Nurse Liaison Program: Nurse Laura Dechant visited a Spanish-speaking mother of three young children, including a premature infant, who faced homelessness and required Spanish interpretation. The father was incarcerated, and the family had no local support. Laura provided education on child development, nutrition, safe sleep, and accessing benefits. Despite outreach to 25+ shelters and organizations, housing options were limited. While the family stayed in a motel, Laura delivered essential supplies. She secured emergency assistance from Rocky Mountain Children's Health Foundation for bus tickets and supplies, enabling the family to relocate out of state to stable housing with a friend. SNAP benefits arrived just in time, and the family's safe arrival in Washington was confirmed.

### **A. Program Updates**

#### **Administration**

- 1) ACPH has completed the move to Lima from Willow, and everyone is settled in. We hosted a meet & greet at Lima with Retirement and Facilities and Fleet Management, and hosted an Open House attended by all five Commissioners and three Board of Health members. The next phase of our move will be moving Englewood to Arapahoe Plaza (1610 W, Littleton Blvd). This is pending 2026 budget approval.
- 2) Jennifer Ludwig, Breanna Paderewski, and Monica Kovaci attended the National Association of County and City Health Officials (NACCHO) conference in July. The main topics of interest included applications of AI in public health.
- 3) Vital Records received a 100% on its last audit in June for both locations. This is huge achievement considering ACPH has only been open for two years, and the Altura location has only been open for one year.
- 4) Jennifer Ludwig and Heather Baumgartner will host a roundtable with Arapahoe County healthcare executives. The focus will be on shared challenges, emerging opportunities, and collaboration to improve health outcomes in a changing environment. Terrence Walker will represent the Board of Health.

### **Partnerships, Planning, and Community Health Promotion**

#### 1) Community Event Participation

June-July events and opportunities included but were not limited to:

- El Grupo Vida Youth Conference
- City of Englewood Neighborhood Nights
- Doctor's Care Back to School Fair

August events and opportunities include but are not limited to:

- We Are Aurora National Night Out
- Iron Sharp Foundation Back to School Fair
- Housing Resource Fair- Alameda View Apts
- City of Englewood Neighborhood Nights
- Lowry Landfill Superfund Site Community Meeting

Please reach out to [Grace Soulen](#) or visit our [Community Engagement Event Request Form](#) to suggest upcoming outreach opportunities. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) cross-cutting objective to advance community engagement.***

#### 2) Introducing the ACPH Youth Advisory Board

ACPH's first Youth Advisory Board kicked off their efforts with a strategic planning workshop on August 8. The Advisory Board is youth-led, with ACPH staff from the Community Health Promotion Section supporting the advisors as they learn about public health, local government, and the connection between social determinants and the health of young people. The board consists of three Arapahoe County residents, ages 16-22, who were selected through a competitive application and interview process to help inform and contribute to ACPH efforts with a youth perspective. The advisors identified nutrition, mental health, public health policy, and communications as their initial priority areas.

Meet the advisors:

- Hyo-Jae Lee is entering her first year of college, attending the University of Colorado Boulder in the pre-med program with a minor in public health.
- Avalon McDowd also is entering her first year of college, attending Metro State University and studying video production.
- Selah Riehl is a high school senior in Englewood and wants to lift the voices of her peers who do not feel heard and represented. Selah is the first person under the age of 18 to be employed by Arapahoe County.

***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) cross-cutting objective to advance community engagement.***

### 3) Increasing Access to Healthy, Affordable Food in the Tri-Cities

A 2-year grant application prepared by ACPH on behalf of the Arapahoe Food Security Coalition has been awarded funding by the Telluray Foundation. This critical seed funding will enable the Collaborative to increase operational capacity and continue its journey to the creation of a collaborative food hub serving the Tri-Cities of Englewood, Littleton, and Sheridan.

The Coalition also is pleased to share that, through a partnership with Dr. Mark Levine and the Colorado School of Public Health, new communication resources are available highlighting food insecurity in the Tri Cities. The resulting [white paper](#), prepared by practicum student Anupriya Rajendiran, MPH, also discusses ways that the coalition is actively working to address systems-level challenges. Dr. Levine served as technical advisor to the student and ACPH Communications Business Partner, Melia Sandler, assisted in the creation of a [flyer](#) for broad distribution to the community. Project outcomes were presented to members of the Arapahoe Food Security Coalition on August 4 ([presentation slides](#)).

***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of advancing access to healthy, affordable food.***

### 4) Working to Limit Youth Access to Tobacco and Nicotine Products

ACPH Tobacco Control and Prevention Program staff are working with the City of Aurora, Adams County Health Department, and Aurora Partners for Thriving Youth on a local ordinance to limit youth access to tobacco and nicotine products. Nearly 84% of Arapahoe County High School students who tried to buy tobacco or vaping products in a store were not turned away based on age restrictions, according to the Colorado Department of Public Health and Environment's 2023 Healthy Kids Colorado survey.

## **Nutrition Division**

### 1) World Breastfeeding Week

[World Breastfeeding Week](#) (WBW), observed annually from August 1-7, is an annual celebration of breastfeeding to increase breastfeeding awareness to improve the health of mothers and babies. This year's theme, "Prioritize Breastfeeding: Create Sustainable Support Systems," highlights the need for lasting, community-wide support to help families succeed in their breastfeeding journeys. ACPH

celebrated and promoted breastfeeding during WBW and will continue celebrating throughout the month of August, National Breastfeeding Month (NBM). Governor Polis officially [proclaimed](#) August 2025 as Colorado Breastfeeding Month.

Here are some ways we are celebrating:

- Spread the word about WBW/NBM through an all-staff email, weekly WIC staff emails with quiz questions to win a gift card, a town hall presentation, social media posts, breastfeeding peer counselor text messages, and articles in the ACPH and WIC newsletters.
- Hosted a free WBW Celebration on August 5 at our Aurora South office Baby Café. Over 100 people joined us for a morning full of fun and learning.
- Created promotional materials such as bulletin board displays in the WIC offices where families fill in the phrase “I’m glad I know…” on hearts to hang on the boards and adult coloring books with breastfeeding messages.





## 2) Grocery Store Tours for WIC Families

We have been partnering with the Village Exchange Center in Aurora as part of the WIC CIAO grant to increase participation in the WIC Program among underserved areas and populations. We recognize that shopping with WIC can be confusing for some families, particularly when language barriers are involved. To help address this, we began offering guided shopping tours for families recruited from our co-located WIC/VEC enrollment days with bilingual WIC and VEC staff. Tours are offered at the Ahorra Mucho store located right across the street from the Altura Office.

Initially, participation in the shopping tours was low. In April, 11 families were scheduled but only 1 attended. In May, no one signed up, and in June, only 2 families signed up and both did attend. To understand the barriers, we gathered feedback from families about the tour day, location, and reasons they couldn't attend. We learned that families preferred later times and often missed due to work, illness, or unexpected family obligations, not from lack of interest, transportation, day of the week, or the location of the store.

In response, we adjusted the tour times and, in July, offered a \$25 grocery store gift card as an incentive. This led to a significant improvement—17 families signed up, and 10 attended. Many participants shared that they appreciated the tour, and two families specifically joined because they needed help purchasing WIC foods such as canned fish and whole grains. The July tour was a success, and we are excited for our next tour later this month.

### **Community Health Nursing Division**

#### 1) Maternal and Child Health and regional Health Connector Programs

- a. Arapahoe County Public Health staff from the MCH and RHC teams were included as co-authors on an abstract submitted by the Firearm Injury Prevention Initiative at the University of Colorado for their work to coordinate trainings for Human Services caseworkers. The trainings, held in 2024, equipped caseworkers with the knowledge and skills to talk with families about secure storage of firearms and provided lock boxes for guns. The 2025 National Research Conference for the Prevention of Firearm-Related Harms aims to bring attention and focus to the current state of the science and research on firearm related harms across the lifespan. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing community safety.***
- b. The MCH team coordinated the receipt of 182 boxes of diapers from the Builders for Babies Diaper Drive that filled up an entire box truck to the brim! This added up to about 50,000 diapers and 180 packages of wipes. That’s about \$17,000 worth of needed baby supplies for Arapahoe County families. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***

ARAPAHOE COUNTY PUBLIC HEALTH

THANKS TO OUR FRIENDS AT **BUILDERS FOR BABIES** FOR THEIR GENEROUS DONATION OF

50,000 diapers & 180 boxes of wipes

That's \$17,000 worth of diapers for Arapahoe County families!

**DID YOU KNOW?**

More than 1 in 4 (27%) of children in Arapahoe County are living below 200% of the federal poverty level

- Diapers cost about \$100 per child each month
- 25% of parents with diaper need have missed an average of five days of work or school in the past month due to not having enough diapers to drop children off at child care
- The cost of diapers has risen 22% since 2018

- c. The MCH team secured 150 backpacks through A Precious Child for the Immunization (IZ) team to hand out at back-to-school events, helping boost IZ clinic attendance and school

- readiness. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***
- d. The MCH team launched a workforce development partnership with A/D Works! and community-based organizations to strengthen infrastructure for financial support for community-based doula trainings and internships. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***
  - e. The MCH team kicked off a training of 22 community-based doulas, all of whom plan to serve clients in Arapahoe County. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***
  - f. The Tax Preparation Community of Practice kicked off in July with five community-based organizations, three of which primarily serve Spanish-speaking populations and one that serves children and youth with special health care needs. These organizations are learning collaboratively and developing action plans to ensure they are well-prepared for the 2026 tax season starting in January. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***
  - g. ACPH staff from the MCH and RHC teams were invited to join the National and State Child Safety Learning Collaborative, which supports Title V programs (MCH) in states and jurisdictions to collaborate with the aim to advance evidence-based policies, programs, and practices at the state and local levels to reduce fatal and serious injuries among infants, children, and adolescents. The CSLC aims to reduce fatal and serious injuries among infants, children, and adolescents by providing participants access to a national peer network, expert-led trainings, coaching, and technical assistance. ACPH will participate in two CSLC cohorts that aim to reduce injury and fatalities among two leading causes of child deaths in our county: Motor Vehicle Traffic Safety (includes child passenger safety and teen driver/passenger safety) and Sudden Unexpected Infant Death (SUID) Prevention. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing community safety.***
  - h. In partnership with the Firearm Injury Prevention Institute at the University of Colorado, staff from the MCH and RHC teams coordinated a webinar on 8/7 for all-staff on how to talk with clients or community members about secure storage of firearms. This webinar was designed to support staff in the distribution of cable gun locks and lock boxes to clients receiving services at ACPH as well as at community events. ***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing community safety.***

## 2) Immunizations

- a. Immunization Program funding, which is a combination of state and federal funds, has been received for the state fiscal year 2026. A reduction in the award will result in one current nurse vacancy remaining on hold for the time being. Federal appropriations from both the proposed presidential budget and senate appropriations currently show Immunization funding level with federal fiscal year 2025.

- b. The Immunization Program saw more clients during the 2025 back-to-school season in comparison to 2024. Data includes:
  - i. July – 296 clients seen with 857 immunizations administered, an increase of 10% from the same month in 2024
  - ii. August 2 to August 9 – including two Saturday events as part of back-to-school clinics, 221 clients seen with 641 immunizations administered
  - iii. Offsite clinics from July through the first part of August include the Arapahoe County Detention Center, Cherry Creek School District registration events, Aurora Public Schools summer school students and APS Back to School event on 8/2 which is a 10+ year partnership and annually ACPH’s biggest clinic.
  - iv. 150 backpacks filled with grade-appropriate school supplies were donated by A Precious Child and secured by the Maternal and Child Health Team to provide to Immunization clients.  
***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***
- c. CDC [released data in July](#) showing that vaccination coverage among kindergartners has decreased again and exemptions have increased. At the same time, the American Academy of Pediatrics released a [position statement](#) call for an elimination of non-medical exemptions for school immunization requirements.
- d. Four staff completed Cultural Navigation training. These individuals are bilingual and already completed medical interpreter training. This additional training was co-designed by CDPHE to help in outbreak responses and have more people trained to assist public health in bridging connections to various communities.  
***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***
- e. Colorado’s Medicaid program, Health First Colorado, offers retroactive coverage for medical services received up to 90 days before the Medicaid application is approved. To increase Medicaid revenue, Immunizations is reviewing each pediatric client seen in 2025 to see if they became enrolled in Medicaid within 90 days from their date of service with ACPH which is a billable visit. To date, retroactive Medicaid billing for January through March has been completed, resulting in approximately \$1,000 extra revenue for each month reviewed.

### 3) Sexual Health

- a. The Sexual Health team is also conducting retroactive billing like the Immunizations Program to increase Medicaid revenue. Early estimates show that this practice will increase clinic revenue by up to \$3000/month.
- b. In July, Sexual Health had 371 clinical appointments, the highest number ever seen since the inception of Arapahoe County. We saw five patients for syphilis field delivered treatment in the community and completed treatment with two of these. Twenty-four patients were seen for testing in the detention center, and eight were treated for STIs. Follow up with patients after they are released from jail continues to be a challenge, and we are actively working with the Detention Center staff and the Wellness, Opportunity and Resilience Through Health (WORTH) program at University of Colorado to address this.

***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***

- c. Due to a nationwide recall of bicillin used to treat syphilis, we have changed our treatment regimen for syphilis from injectable treatment to oral medication, except for pregnant women. Thirty-two patients received the recalled medication in our clinic prior to the notification, so we have sent letters notifying patients of this, encouraging retesting and advising them to report any adverse effects they may have experienced. No adverse events have been reported so far.
- d. Sexual Health also added HIV Pre-exposure Prophylaxis (PrEP) to its repertoire of sexual health services provided in the community. We are starting out slowly by providing oral PrEP to patients covered by Medicaid but will expand in the Fall to provide no-cost PrEP to uninsured individuals through the CDPHE Public Health Intervention Program (PHIP).  
***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***

#### 4) Harm Reduction

- a. The Harm Reduction team continues to see high demand for its services at It Takes a Village, Englewood, and in the community through outreach and on Prevention Point. In July, there were a record breaking 660 syringe access encounters. Of these encounters, 10k syringes and 2,364 pieces of glass were distributed to participants. This also included 807 naloxone kits, and 2,200 fentanyl and xylazine test strips. They are also actively working with our Nurse Informaticist, Makena Slater, to improve and streamline data collection processes to increase efficiency and accuracy. The Harm Reduction team and Sexual Health nurses continue to work closely together to improve STI testing and treatment services offered in the community. Four participants were identified as needing treatment with the RNs, and 1 person was treated. Unfortunately, two were lost to follow-up, although one of them received some form of treatment initiation, and the last person refused treatment.  
***This initiative aligns with the ACPH Community Health Improvement Plan (CHIP) goal of increasing economic security and mobility.***

#### 5) Nurse Liaison Program

- a. The restructured Nurse Liaison program started in July with a new focus of ensuring nurse home visitation services for the most at-risk population within Child Protection Services, defined as children ages 0-1 with an Arapahoe Decision Aide Tool (ADAT) score between 15-20 who are exposed to predictive risk indicators. In the first month of the relaunch of the NLP, the nurse home visitor team achieved a client/family engagement rate of 79%, far exceeding the target performance goal of 40%.

### Health Protection and Response Division

#### 1) Environmental Health (EH) Programs

- a. *Fee Increases and operator / website messaging*

On May 22, 2025, the Colorado General Assembly signed Senate Bill 285 into law with bipartisan support and strong backing from the Colorado Restaurant Association. S.B.285 incrementally increases Retail Food Establishment fees over the next three years, beginning with a 25%

increase in 2026. While both the demand for services and the cost of providing those services have continued to increase year after year, retail food license fees have remained flat. In fact, retail food fees have not increased since 2015. The current increase, established in state statutes, allows local health departments to maintain comprehensive inspection programs, provide services that prevent foodborne illness, and ensure food safety across Colorado. This increase also enables local health departments to recoup more of the costs associated with running a retail food program.

The increase to “Categorial Fees” (which includes Plan Review application fees) went into effect on Aug. 6, 2025. The increase to the Retail Food License Fees is effective on Sept. 1, 2025. This increase applies to all new restaurant owners who need a food license beginning Sept. 1, 2025. Also, all invoices for a 2026 retail food license will reflect this increase (see below for a chart showing the graduated license fee increases over the next three years). Public messaging about the fee increases are posted on the ACPH web page. Additional messaging will be distributed to retail food operators in August and September via both Mailchimp and the ACPH Public Health newsletter to assure advance notice prior to our annual invoicing season.

Licensing Category	Current Fee	1/1/2026 Fee	1/1/2027 Fee	1/1/2028 Fee
Restaurant 0-100 seats	\$385	\$481	\$567	\$682
Restaurant 101-200 seats	\$430	\$538	\$634	\$763
Restaurant over 200 seats	\$465	\$581	\$687	\$826
Grocery Stores with Deli, up to 15,000 sq. ft.	\$375	\$469	\$552	\$664
Grocery Stores with Deli, over 15,000 sq. ft.	\$715	\$894	\$1,062	\$1,276
Grocery Store without Deli, up to 15,000 sq. ft.	\$195	\$244	\$282	\$340
Grocery Store without Deli, over 15,000 sq. ft.	\$353	\$441	\$519	\$624
Limited Retail Food Service	\$270	\$338	\$394	\$475
Mobile Unit, Prepackaged Food	\$270	\$338	\$394	\$475
Mobile Unit, Full Service	\$385	\$481	\$567	\$682

*b. Summer Special Events highlight*

Especially during the summer months, EH Consumer Protection (CP) staff are busy organizing and inspecting short term events and celebrations known as “Special Events”. These events feature entertainment and a wide range of food vendors from mobile food to food tents and booths. To ensure safe food handling and prevent foodborne illness, CP staff work closely with coordinators and food operators. Given its size and scope, the CP program was actively engaged in supporting the Arapahoe County Fair. For the third consecutive year, almost the entire CP field team conducted food safety inspections of all food vendors at the fair and featured in a [CBS Channel 4 news spot](#) about inspections and food safety.

*c. Radon Grant Year 1 highlights*

EH Consumer Protection (CP) staff recently submitted the final report for our first year participating in the CDPHE direct pay radon grant. Highlights from the 9 months of work include an updated [radon web page](#), and “boosted” social media messaging and newsletter outreach during National Radon Action Month (NRAM). CP staff also distributed a total of 83 free radon test kits through community events, walk-in requests, and mail delivery. Staff also contacted 75 in-home day care centers to offer fee radon test kits and in person radon awareness presentations. ACPH was recently awarded the same grant for FY 2025-2026 with the intention of continuing our work to raise radon awareness and encourage radon mitigation throughout Arapahoe County.

*d. Childcare Health Consultants Partnership and Coordination*

EH Early Childhood and Schools Program staff partnered with colleagues from the Communicable Disease Epidemiology (CDE) and Immunization (IZ) programs to organize a recurring partner meeting with local Child Care Health Consultants. Representatives from Adams County Health Department, including program staff from both EH and CDE, were invited and participated alongside ACPH. The goals of this ongoing partnership are to increase reporting of communicable diseases, enhance collaboration on developments in the field, and provide unified support to early childhood educators.

*e. PFAS Grant Project Final Update*

The PFAS grant funded project wrapped up on June 30, 2025. Project accomplishments include:

1. The [English](#) and [Spanish](#) versions of the PFAS project outreach documents are available on our ACPH website.
2. ACPH staff participated in two public outreach events at Cherry Creek State Park.
3. The study results have been shared with Buckley Space Force Base, Cherry Creek Basin Water Quality Authority, Englewood Utilities, and Aurora Water.
4. ACPH staff are presenting the project results at the Lowry Landfill Superfund Site open house, scheduled for August 27, 2025.

*f. Lowry Landfill Superfund Site Community Meeting*

The purpose of the community meeting is for community members to learn more about the Lowry Landfill superfund site, how the remedial components are protective of public health, and to understand the most recent site status report (issued every six months to provide an update on the site). The Environmental Protection Agency (EPA) is the lead for this event with support from Arapahoe County Public Health and the Colorado Department of Public Health and Environment. The meeting is being held on Wednesday, August 27, 2024, 5:30-7:30pm at the Arapahoe County Fairgrounds, Exhibit Hall B.

Broad advertising for the event will be included in posting information on social media, NextDoor, e-list blast, Superfund Web Page Announcement, and direct outreach to HOAs. ACPH and Arapahoe County Communications are amplifying posts from EPA.

Recent updates and background on the site are referenced below:

1. [Executive Summary](#) and the [Most Recent Site Status Report](#) for the [Lowry Landfill Superfund site](#)
2. Webpage for site background: <http://www.epa.gov/superfund/lowry-landfill>

3. The Site Status Report Video to be posted soon on YouTube and prior videos can be viewed via: <https://www.youtube.com/@lowrylandfill4440/videos>

## 2) Emergency Preparedness and Response (EPR)

- a. After a one-month delay, the contracts for federal passthrough grants that fund the EPR program are fully executed. While the Cities Readiness Initiative (CRI) grant for medical countermeasures is funded at 100% of the expected amount, the Public Health Emergency Preparedness (PHEP) grant, related to general emergency preparedness and response, is funded at 75%. The remaining 25% may become available later in the fiscal year, but the state health department is still unclear if this will be passed through by the CDC. ACPH staff are closely monitoring the appropriations legislation now and for next fiscal year to engage in program sustainability planning.
- b. The EPR program funded a Summer Safety Campaign, coordinated by county communications, to address seasonal public health risks specific to Arapahoe County to help keep our communities safer. This campaign was developed as a partnership between Communications, the Communicable Disease Epidemiology Program, the Environmental Health Program, and EPR specifically focusing on food safety, vector born illness, pool safety, and extreme heat. Materials and messaging will be shared through county publications, traditional print media and social media, at community engagement events and other opportunities as identified throughout the summer months. You can find the video developed for this campaign at: <https://vimeo.com/1103526558>.
- c. ACPH EPR staff continued to lead the statewide Equity in EPR workgroup. The workgroup is a partnership with CDPHE, other LPHAs, and community organizations from across the state to prepare materials and resources to support equity in preparedness and response activities, to share examples of equity in action, and to foster connections between LPHAs and leaders in this effort.
- d. EPR Specialist Lauren Johnson has been selected to serve on the [NACCHO Medical Countermeasures \(MCM\) Workgroup](#). This group, made up of participants from around the nation, is used to gather feedback from local and state health departments on MCM planning, coordination, and best practices. This information is shared with federal partners charged with establishing programmatic requirements, guidance, and standards. As we continue to see drastic changes to the emergency preparedness and response landscape at the federal level, this workgroup is key in ensuring better alignment between expectations set by the federal administration and state and local readiness.

## **B. Communicable Disease Epidemiology Report**

### Ongoing Activities of Note:

- a. *Measles*  
Updates related to measles will be shared through a presentation at the Board of Health Study Session.
- b. *Rabies*: Rabies is reported throughout the year in Colorado but is mostly commonly reported in summer months. Reports of human and domestic pet interactions with rabies reservoir species (bats, skunks, raccoons, and foxes) have been increasing both statewide and in

Arapahoe County. As of 8/12/2025, 26 animals (24 bats, 2 unknown) have tested positive for rabies this season in Colorado. Two bats have tested positive in Arapahoe County. In collaboration with Arapahoe County Communications, a News Post was released on [5/29/2025](#) notifying the public of the first positive result for the season and prevention messaging. An end of season rabies update will be provided in the October Board of Health Directors report.

- c. *COVID-19*: Similar to increases being seen nationwide, reports of COVID-19 hospitalizations and outbreaks are increasing both in Colorado and Arapahoe County. Four confirmed and one suspect outbreak has been reported in Arapahoe County since the middle of July 2025. The Communicable Disease Epidemiology (CDE) program continues to monitor this situation in preparation for the start of respiratory season. A full respiratory season update, including COVID-19, influenza, and RSV, will be provided in the October Board of Health Directors report.
- d. *Enteric Updates*: Increases in enteric conditions, such as salmonella, Shiga-toxin producing e.coli, shigella, and cyclospora are reported throughout the year, but increases are commonly seen in the summer months and often associated with international travel. The CDE program investigates each of these cases to determine how a possible exposure may have occurred, monitor for commonalities reported across each interview to signal a possible outbreak, and provide disease education and prevention information. A full update on trends in enteric conditions will be provided in the January Board of Health report to include data from all of 2025.
- e. *West Nile virus*:
  - i. West Nile virus (WNV) season typically runs from May through October. As of 8/12/2025, 24 cases of WNV have been reported in Colorado. Of these 24 cases in Colorado, 5 were hospitalized, 9 people experienced neurologic symptoms, and 2 people have died. Arapahoe County has had one case reported so far this season.
  - ii. This season our Environmental Health (EH) program staff are again conducting mosquito surveillance at 4 designated locations within the county to trap and test mosquitoes for WNV. As of August 4, EH has submitted 30 samples to CDPHE and two samples have tested positive for WNV. The two samples were over consecutive weeks at the same trap location off the Southwest corner of Parker Rd and Arapahoe Rd. The CDE and EH Programs worked closely together to monitor positive pool locations and where individuals test positive to help aid in community public education and outreach to support prevention. In addition, the presence of positive pools often results in additional mitigation efforts as recommended by ACPH, such as signage, spraying and larvicide application.
  - iii. The CDE program conducts in-depth investigations for WNV to determine case classification criteria, identify sources of infection as well as trends, and provide education about the illness and how to prevent illness.
    - 1. Colorado West Nile Data: [CDPHE Web Page](#)

2. Arapahoe County News Post ([7/25/2025](#), [8/7/2025](#))
3. ACPH Social Media: [Facebook](#), [X](#)

*f. Chikungunya*

- i. Chikungunya virus is spread to people through the bite from an infected mosquito. Outbreaks are most common in Africa, the Americas, Asia, Europe, and islands in the Indian and Pacific Oceans. However, the virus can spread to other areas by infected travelers. People most commonly become infected with chikungunya virus when mosquitoes feed on an infected person and then bites another person. Additional spread can occur through blood transfusions, handling infected blood in a laboratory, and drawing blood from an infected patient. Chikungunya virus is not spread from person-to-person and is not spread through coughing, sneezing, or touching someone that is ill. While rare, it is possible for the virus to spread from a pregnant woman to a fetus but has not been found in breast milk. The most common symptoms include fever and joint pain but can include headache, muscle pain, joint swelling, or rash. While chikungunya is generally a mild illness with a low fatality rate, severe disease can occur with some patients experiencing long-term joint pain and disabilities. The best way to prevent chikungunya virus is to prevent mosquito bites by using an EPA-registered insect repellent, wearing long sleeves and pants, treat clothing and gear with 0.5% permethrin, and choose lodging with air conditioning or screens on windows and doors or use a mosquito net if sleeping outdoors. [Two chikungunya vaccines](#) are available in the U.S. and some travelers at higher risk of exposure should consider getting vaccinated before their trip.
- ii. On 7/15/2025, public health authorities in China reported an outbreak of chikungunya of 478 cases in the Guangdong Province. The outbreak is believed to have started with one imported case. Confirmed cases in China have quickly risen to over 8,000, but newly reported cases each week continue to decline. On 7/22/2025, the World Health Organization (WHO) warned of increasing chikungunya cases worldwide and early warning signs that a major outbreak could be possible. As of July 2025, approximately 240,000 cases and 90 deaths have been reported in 16 countries and territories. On 8/1/2025, the CDC issued a Level 2 Travel Health Notice for the outbreak, recommending that any travelers to Guangdong receive a chikungunya vaccine prior to travel. CDC has issued additional travel health notices for additional areas experiencing an [outbreak](#).
- iii. Chikungunya is rarely identified in U.S with majority of cases associated with travel. In 2014, chikungunya was reported among U.S. travelers returning from affected areas in the Americas and local transmission was first identified in Florida, Texas, Puerto Rico, and U.S. Virgin Islands. Locally acquired chikungunya cases have not been reported from U.S. states or territories since 2019. As of 8/5/2025, 46 cases have been reported in the U.S. associated with travel. Cases reported in Colorado are also rare with an average of 3 cases reported annually. Eight cases have been reported in Arapahoe County since 2018, and none have been reported thus far in 2025. The CDE program remains up to date on the current global outbreaks in order to respond to cases that may be reported locally.

**C. Social Media and Communications**

To promote greater communication with County residents, ACPH has developed a series of new videos to share vital health information with the public and to foster a greater understanding of public health's work and value to the community.

This summer ACPH produced a new Health Protection and Response "[Summer Safety](#)" video that aligns with our awareness campaign around rabies, extreme heat, vector illness, water and pool safety, and food safety. Hosted on our new webpage, [www.arapahoeco.gov/summersafety](http://www.arapahoeco.gov/summersafety), the video can be utilized each year. (Each of the five topics also has its own mini-video.) These videos are posted throughout our ACPH website on relevant pages. They will also be featured on social media and links to them can be utilized during community engagement and outreach opportunities at schools, events, community meetings. Additionally, they can be shared with other county departments (Open Spaces, etc.) and partner organizations as needed.

ACPH Communications also just completed a [Welcome to Public Health introduction video](#) outlining our services, explaining the role of public health in the community, and sharing contact information to help residents reach out to us. The video is available in English and in Spanish (subtitled).

All video links:

- Summer Safety at [Top ways to stay safe this summer](#)
- Rabies at <https://youtu.be/A49rf9yXqAM>
- Insects/Vector at <https://youtu.be/xvHRAloctvs>
- Extreme Heat at <https://youtu.be/ZG7SGzAEisU>
- Water and Pool at <https://youtu.be/6kWeJdwPzG4>
- Food at <https://youtu.be/Dqb57BaxaNA>
- Welcome To Public Health at <https://vimeo.com/1109472233>