

**RESOLUTION 12212023B OF THE  
Larimer County Department of Health and Environment  
BOARD OF HEALTH  
ADOPTION OF 2024 ENVIRONMENTAL HEALTH SERVICES FEE SCHEDULE**

**WHEREAS**, pursuant to Section 25-1-506(3)(b)(XI), C.R.S., the Larimer County Board of Health (“Board of Health”) has the power and the duty to initiate and carry out health programs consistent with state law that are necessary or desirable to protect public health and the environment; and

**WHEREAS**, pursuant to Section 25-1-508(5)(j), and 25-10-107(1), C.R.S. the Board of Health has the power and duty to provide environmental health services, and to adopt fees to offset the cost of environmental health services in Larimer County to carry out its powers and duties; and

**WHEREAS**, Larimer County Department of Health and Environment has recommended that the Board of Health adopt environmental health fees that are fair and reasonable;

**NOW, THEREFORE, BE IT RESOLVED BY THE LARIMER COUNTY BOARD OF HEALTH** that the Larimer County Board of Health adopts the attached proposed 2024 Environmental Health Fee Schedule, to become effective January 1, 2024.

**MOVED, SECONDED AND ADOPTED BY THE LARIMER COUNTY BOARD OF HEALTH AT ITS REGULAR MEETING DECEMBER 21, 2023.**

LARIMER COUNTY BOARD OF HEALTH

BY:   
PRESIDENT

ATTEST:   
SECRETARY

## Attachment A

### Proposed Revisions to the Larimer County On-site Wastewater Treatment System Regulations

#### Summary of Changes

1. 43.4.Q Properties Used as Short Term Rentals
  - a. New section addressing properties applying for a change in use to a short-term rental (STR)
  - b. A change-in-use review will be required when a property owner applies for a building permit for a STR.
  - c. Sizing criteria will change for properties proposing 11 + occupants/guests instead of using the number of bedrooms in the home.
  - d. Audible and visual alarms, and a minimum of a 48-hour design capacity sizing will be required for properties served by a sealed vault proposing a change in use to a STR.
  
2. 43.4.P Transfer of Title
  - a. General clarifications based on feedback received in the first 2 years of the program.
  - b. Clarify that vaulted privies, systems without a dwelling connected to them, and community systems that are regulated by CDPHE-WQCD are exempt from inspection requirements.
  - c. Clarify that an acceptance document is valid for 12 months from the date of the inspection of the system, not the closing date.
  
3. 43.3 Definitions
  - a. Added definitions to clarify intent of the setback to a “dry gulch” and differentiate between a dry gulch and intermittent stream.
  
4. Table 6-2
  - a. Added Accessory Dwelling Units to design wastewater criteria to allow sizing as one bedroom structures.

#### Regulation Language

##### 43.3 Definitions

45. "Gulch, dry" means a deep, narrow ravine marking the course of an ~~intermittent or~~ ephemeral stream.

53. “Ephemeral stream” means a stream with discontinuous, storm influenced flows for a short duration in direct response to a precipitation event. These streams typically do not impact the groundwater table, have a poorly developed channel or streambed, and often have vegetation matching the surrounding area growing in the channel. See also “Gulch, Dry”.

76. “Intermittent stream” means a stream that typically flows at least once per year, exhibits an elevated groundwater table and a defined channel and bed. An intermittent stream may have evidence of

fluctuating high-water marks, such as sediment-stained leaves, blackened or decaying leaf litter, bare ground, or vegetation drift lines. An intermittent stream is treated as surface water in Table 7-1.

43.5

A. Transfer of Title

1. Prior to the sale or transfer of title of the property, the owners of the property shall obtain an Acceptance Document from this Department, unless exempt or waived as noted in 43.4.P.4(a-g) below.
2. In order to obtain an Acceptance Document, property owners of a residence or other building or facility served by an OWTS shall have an inspection performed to demonstrate that the system is functioning according to design prior to the sale or transfer of title of the property. [Nothing in this section prevents a buyer from completing the inspection requirement if agreed upon by the property owner and the buyer.](#)
3. Transfer of Title inspections must be completed by a Certified Inspector who has been certified under the National Sanitation Foundation (NSF) Onsite Wastewater Inspector Accreditation Program, the National Association of Wastewater Transporters (NAWT) Onsite Wastewater Inspector Program, or equivalent level of training and experience as established by the Department.
  - a. [Inspectors meeting the above criteria must obtain a license issued by LCDHE prior to completing inspections of OWTS in Larimer County.](#) A fee not to exceed actual costs may be charged by the Department for the initial license of a Certified Inspector. A fee not to exceed actual costs may be charged by the Department for a renewal of the license. Licenses shall be valid for a period of one year from the date of issuance.
  - b. [The Department shall provide and maintain a list of Certified Inspectors to the general public through the Department's website.](#)
4. The following properties and situations are exempt from the requirement to obtain a Transfer of Title Acceptance Document:
  - g. [Vaulted privies, systems without a dwelling or other permanent structure connected, and systems or components that are part of a community system with a design capacity of >2,000 gallons per day under the jurisdiction of the Water Quality Control Division.](#)
7. If the system meets the minimum criteria set forth above a Transfer of Title Acceptance Document will be issued by the department. The acceptance document will remain valid ~~until the date of real estate closing or for a maximum period of twelve months, whichever comes first~~ twelve months from the date of inspection.

Q. Properties Used as Short Term Rentals

1. Unless the OWTS was originally designed for the use, prior to receiving approval as a short term rental an application for a Change in Use Review must be submitted to this Department. The OWTS serving the dwelling must be adequately sized based on the number of proposed guests.
2. For residential dwellings used as a short term rental with a proposed occupancy of greater than 10, the minimum required design flow will be based on the maximum number of occupants at 75 gallons per person instead of the number of bedrooms.
3. For properties that will be used as a short term rental served by a sealed vault, a signaling device with both an audible and visual alarm is required.
4. Properties without an existing OWTS permit must have an inspection completed prior to applying for a Change in Use Review.
  - a. Inspections must be completed by a Certified Inspector who has been certified under the National Sanitation Foundation (NSF) Onsite Wastewater Inspector Accreditation Program, the National Association of Wastewater

Transporters (NAWT) Onsite Wastewater Inspector Program, or equivalent level of training and experience as established by the Department.

b. If the inspection determines there are discrepancies between the system as installed and the proposed use, upgrades may be required prior to approval as a short term rental by this Department.

**TABLE 6-2 For Design Purposes, the Estimated Daily Wastewater Flow and BOD<sub>5</sub> Load Per Person Unless Otherwise Noted in Section 43.6.A.4**

RESIDENTIAL WASTEWATER	GPPD	BOD <sub>5</sub> IN POUNDS PER DAY
Single-family dwellings	75	.20
Auxiliary buildings, by fixture type		
Bath/Shower	14.7	.014
Dishwasher	1.8	.002
Kitchen sink with garbage grinder	5.8	.052
Laundry washer	19.5	.037
Lavatory	8.4	.021
Water closet (toilet)	24.8	.029
Tiny Homes <sup>3</sup> , per unit	150	.40
One Bedroom Accessory Dwelling Units	150	.40