

**GILPIN COUNTY BOARD OF HEALTH  
101 Norton Drive  
Black Hawk CO 80422**

**POLICY FOR DETERMINING THE SUITABILITY OF  
EXISTING INDIVIDUAL SEWAGE DISPOSAL SYSTEMS PRIOR TO THE  
ISSUANCE OF BUILDING PERMITS**

**ADOPTED: May 10, 2011  
EFFECTIVE: June 10, 2011**

**PURPOSE**

To establish criteria for determining when an existing individual sewage disposal system (a "system") is acceptable prior to the issuance of a building permit and to provide guidance to Agency staff in determining the conditions for approval per Section 3.08.H of the individual sewage disposal system regulations.

**RATIONALE**

In order to protect water quality and the environment, one of the Agency's goals is to identify and eliminate cesspools and so-called 'straight pipes' that provide poor wastewater treatment (and are also illegal under the current Regulations). To prevent overloading of an existing system it is also necessary to verify that any remodeling or reconstruction work would not increase potential occupancy beyond the capacity of that system. If a destroyed dwelling is to be reconstructed, it will be necessary to verify that the existing system has been recently inspected and is operable.

**STATEMENT OF POLICY**

IT IS THE POLICY OF THE GILPIN COUNTY BOARD OF HEALTH that the following definitions and standards shall govern the evaluation of the suitability of existing individual sewage disposal systems for the purposes of obtaining a building permit to remodel or reconstruct an existing dwelling or structure.

**DEFINITIONS**

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|-------------------|--|
| "Bedroom"         | a room in a dwelling that contains a closet, at least two forms of ingress and egress and is suitable for occupancy  |
| "Building Permit" | a construction permit issued by any governmental agency in Gilpin County, Colorado   |
| "Remodeling"      | any construction work on an existing, occupied or habitable structure that would require the issuance of a building permit and that would: <ol style="list-style-type: none"><li>1. create additional rooms within the structure such as a den, bathroom, or home office;</li><li>2. increase the interior square footage of the structure; or</li><li>3. add bedrooms</li></ol> |

For the purpose of this policy, structures intended primarily for exterior use, such as porches, patios, decks, unoccupied garages and sunrooms are excluded from this definition.

“Reconstruction” any construction work on an existing dwelling or structure that is currently uninhabitable or destroyed

“System” an individual sewage disposal system

## **APPROVAL STANDARDS**

### Part 1 Remodeling Projects

1. All systems shall meet the minimum requirements set forth in Section 11.03 of the Gilpin County Individual Sewage Disposal System Regulations as demonstrated by any of the following records or documents:
  - A. any approved permit issued by the Agency to install, repair, upgrade or replace the system;
  - B. a Use Permit issued by the Agency;
  - C. an inspection report from a professional engineer; or
  - D. any other report deemed acceptable by the health officer that demonstrates compliance with Section 11.03.
2. To add bedrooms, the system must also have sufficient capacity to treat the increase in wastewater loading based on the requirements in effect at the time of installation or repair of the existing system, as documented by any of the records or documents listed above.
3. A current inspection of the existing system shall not be required unless necessary to meet the requirements of Part 1 of this policy
4. Approval shall not be granted if the system is subject to an Official Notice or Cease and Desist order.

### Part 2 Reconstruction Projects

1. In addition to meeting the criteria in Part 1, the existing system must meet the current regulatory requirements for tank size, configuration, and absorption or evaporation area for the proposed occupancy of the dwelling or structure, based on any records or documents listed above. If not present, an effluent filter must be provided for the septic tank. The addition of a dosing tank or siphon is recommended but not required.
2. The Agency shall perform a site visit for the purpose of determining whether the system has been physically damaged or otherwise impacted since its last inspection.
3. Approval shall not be granted if the system is subject to an Official Notice or Cease and Desist order.

### Part 3 Noncompliant Systems

1. When the Agency determines that a system fails to comply with any of the provisions of this policy, written notice shall be sent to the owner stating the basis for the denial.
2. The owner may then request the Board to review the denial by submitting a written statement setting forth the reasons why they believe approval should be granted. This statement should be received at least one week prior to the hearing to allow staff to evaluate the proposal and prepare their comments
3. The owner (or representative) may then appear at the next regular monthly meeting of the Board of Health to present testimony regarding their request. Copies of documents produced by the owner in support of their request must be left with the Secretary to the Board.

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