

**TOWN OF MOFFAT, COLORADO
ORDINANCE NO. 2019-13**

AN ORDINANCE CONCERNING SEPTIC REQUIREMENTS AND REQUIRING A SERVICE AGREEMENT FOR ANY SEPTIC VAULT WITHIN THE TOWN OF MOFFAT.

WHEREAS, the Board of Trustees hereby require a service agreement with a certified provider to have any septic vaults within the Town of Moffat pumped frequently and consistently enough to prevent any contamination of ground water, any over flow, and to prevent any danger posed to the health and safety of Town of Moffat residents, and

WHEREAS, septic vaults and septic systems are defined in the Code of Colorado Regulations and Colorado Revised Statutes as follows:

(5 CCR 1002-43) "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 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.

(C.R.S 25-10-103(18)) "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. ;and

WHEREAS, all septic vaults must be reported to the Town of Moffat upon installation in order for the Town of Moffat to track and inspect said vaults. A copy of the Saguache County septic inspection and the service agreement with a licensed provider will be required upon installation, and

WHEREAS, all septic systems, septic vaults, wastewater systems, or otherwise will abide by the On-site Wastewater Treatment Systems Act of the Colorado Revised Statutes (Title 25, Article 10), and 5 CCR 1002-43.

WHEREAS, the Board of Trustees finds and determines that the provisions of this Ordinance and the regulations herein adopted for the procedures and operational requirements for the use of septic vaults are reasonable and necessary to protect and preserve the health, safety and welfare of the citizens of the Town of Moffat, Colorado.

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Moffat, Colorado, as follows:

Section 1. Septic Vault Requirements. Upon installation of any septic vault, owner shall notify the Town of Moffat immediately with proof of Saguache County Septic Inspection and a copy of a signed service agreement with a licensed septic provider showing that the vault will be pumped adequately and consistently to prevent any danger, health hazard, contamination, overflow, or anything posing a threat to the welfare and safety of the residents of the Town of Moffat.

Section 2. Penalty for Violation. This section of the Ordinance contains penalty clauses applicable to violations of this Ordinance, and such section is herewith set forth in full and hereby enacted: It shall be unlawful for any person to violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision in this Ordinance; and where no specific penalty is provided therefor, the violation of any provision of this Ordinance shall be punished by a fine not exceeding three hundred dollars (\$300.00) per occurrence. Each day such violation continues shall be considered a separate offense.

FIRST READ on this 7th day of May 2019.

SECOND READING, REVIEWED, CONSIDERED, APPROVED, AND ADOPTED this 4th day of June, 2019.

TOWN OF MOFFAT, COLORADO

By: Patricia Reigel, Mayor

ATTEST:

Sarah Van Horn, Town Clerk

[SEAL]

CERTIFICATION

I hereby certify that the above Ordinance was introduced, read in full, on May 7, 2019 and then approved and adopted at the regular meeting of the Board of Trustees of the Town of Moffat, Colorado on June 4, 2019, and published by posting at the following locations: Moffat Post Office, Moffat Town Hall and Grammy's Kitchen on April 30th, 2019 and May 30th, 2019.

Sarah Van Horn, Town Clerk