

No-Closer-Than Setback Allowance for Existing Systems Policy

This policy is intended to define requirements for onsite wastewater treatment systems (OWTS) designs and installations using Boulder County Public Health (BCPH) OWTS Regulations Table 7-1 *Minimum Horizontal Distances in Feet Between Components of OWTS Installed After November 15, 1973, and Water, Physical, and Health Impact Features* footnote:

"For repair or upgrading of existing OWTS where the size of the lot precludes adherence to these distances, a repaired OWTS shall not be closer to setback features than the existing OWTS, as reviewed and approved by BCPH. Components that are not watertight should not extend into areas of the root system of nearby trees."

- The existing system must have been installed before 1973 **or** be permitted and approved by BCPH.
- The design must indicate the location of the existing system's components and the distances to features where setbacks will be less than the minimum requirements.
- Components should be exposed and marked on-site before the Boulder County Public Health (BCPH) staff conduct their site inspection.
- The system may be upgraded or replaced to allow more bedrooms and be installed no closer to the setback features than what the existing OWTS was approved for, if the new system utilizes an advanced treatment unit. A variance request with the BCPH Board of Health will be required if an advanced treatment unit is not used.
- BCPH should be contacted immediately if additional setbacks and/or site features are identified during excavation that will result in changes to the location of components. If available, staff will visit the site to visually inspect the components, setbacks, and site features. If unavailable, staff will allow photo documentation with measurements. **All work must cease until BCPH has either given approval to resume work or issued the revised permit.** The engineer's final approval letter must also document the discovered setbacks and/or site features.

For additional information or questions, please contact:

BCPH Water Quality Department

303.441.1564

3450 Broadway

Boulder CO 80304

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