

ORDINANCE NO. 2498
INTRODUCED BY: Fiedler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLE 15-16 OF THE BRIGHTON MUNICIPAL CODE TO PROHIBIT GRAYWATER TREATMENT WORKS AND DIRECTING CITY STAFF TO NOTIFY THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OF SUCH PROHIBITION

WHEREAS, the State of Colorado enacted House Bill 24-1362 regarding the use of graywater treatment works, which took effect on January 1, 2026; and

WHEREAS, pursuant to HB 24-1362, a person may install graywater treatment works and use graywater in accordance with C.R.S. Section 25-8-205(1)(g) and rules adopted by the Water Quality Control Commission pursuant to C.R.S. Section 25-8-205(1)(g), unless the governing body of a municipality adopts an ordinance prohibiting the installation of graywater treatment works and the use of all graywater; and

WHEREAS, the Water Quality Control Commission promulgated Regulation 86 – Graywater Control Regulation, 5 CCR 1002-86, to describe requirements, prohibitions, and standards for graywater use; and

WHEREAS, the City provides water and wastewater service within the City; and

WHEREAS, the City recognizes that the wise use of water resources is in the best interest of the public health, safety, and welfare of every resident and property owner; and

WHEREAS, permitting graywater treatment works within the City would require the City to develop and implement a local graywater control program with a significant investment in time, resources, and staff to ensure that graywater treatment works are installed in compliance with State regulations and in order to keep the community's water system safe; and

WHEREAS, the City's overall water system accounting depends upon credit for effluent obtained from sewer returns from the wastewater treatment plants, which only occurs when water is used indoors and returned through the sewer system; and

WHEREAS, the City has evaluated graywater treatment works as a potential water conservation tool and determined that at this time its resources are better allocated to other water conservation measures.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Section 15-16-10(a) is hereby amended as follows:

- (a) The latest version of the "International Plumbing Code, 2021 Edition," and any subsequent edition of the International Plumbing Code which may be adopted by reference by the City Council of the City of Brighton, with the exception of Chapter 14 and any appendices thereto, published by the International Code Council, Inc., is hereby adopted as the International Plumbing Code of and for the City.

Section 2. Subsection 15-16-30(g) is hereby enacted as follows:

- (g) Section 317 of the *International Plumbing Code* is hereby enacted as follows:

317 Graywater systems prohibited. The use of graywater, as defined in Colo. Rev. Stat. § 25-8-103(8.3), and graywater systems is hereby prohibited in the City.

Section 3. City staff are directed to notify the Division of Administration within the Colorado Department of Public Health and Environment of this Ordinance.

Section 4. As provided in City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published in full as it was adopted after the initial reading. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 17th DAY OF FEBRUARY 2026.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY ON THIS 3rd DAY OF MARCH 2026.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney