

**RESOLUTION
BOARD OF COUNTY COMMISSIONERS
PARK COUNTY COLORADO**

Resolution No. 2025- 20

A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON PROCESSING APPLICATIONS FOR DOMESTIC WATER AND WASTEWATER TREATMENT SYSTEMS AND MUNICIPAL OR INDUSTRIAL WATER PROJECTS LOCATED WHOLLY OR PARTIALLY WITHIN UNINCORPORATED PARK COUNTY, COLORADO

RECITALS

WHEREAS, domestic water and wastewater treatment systems and municipal or industrial water projects (collectively “water projects”) have had a major impact on the County’s public health, safety, welfare, and environment, and new or expanded water projects, if not regulated properly, could cause or exacerbate adverse impacts; and

WHEREAS, the existing County regulations, some of which are more than 20 years old, require updating to ensure that any future water projects will be developed in a manner that is protective of public health, safety, welfare, and the environment, consistent with current County land use goals and policies; and

WHEREAS, the Park County Board of County Commissioners (“BOCC”) has directed County staff to consider revisions to County regulations to address impacts of water projects; and

WHEREAS, the County staff anticipates the timeframe for such revisions is approximately nine months, during which time the County will not review and process applications for water projects; and

WHEREAS, at its meeting on May 6, 2025, the County Planning Commission recommended that the BOCC institute a moratorium on the processing of applications for water projects located wholly or partially in the County, pending the County revisions to its regulations regarding the same; and

WHEREAS, on May 21, 2025, the BOCC held a duly-noticed public hearing to consider instituting a moratorium on the processing of applications for water projects located wholly or partially in the County, pending the County revisions to its regulations regarding the same; and

WHEREAS, based on evidence presented at the public hearing and matters included in the record, the BOCC desires to adopt a nine-month moratorium; and

WHEREAS, the County has express and implied authority granted by the Colorado Revised Statutes and multiple Colorado and federal appellate decisions upholding temporary moratoria on land use applications while amendments to regulations are being considered.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PARK, COLORADO:

1. **Moratorium Enacted.** The Board of County Commissioners hereby enacts a nine-month temporary moratorium (“Moratorium”) on processing applications for domestic water and wastewater treatment systems and municipal and industrial water projects located wholly or partially within Park County. The Moratorium shall end on February 21, 2026, unless terminated or extended by a resolution of the BOCC.

2. **Exemptions.**

A. This Moratorium shall not apply to processing development applications under existing subdivision and planned unit development regulations that include an integrated domestic water or wastewater treatment system designed to serve those developments.

B. This Moratorium shall not apply to processing development applications for single family residential development proposed to be served by wells and onsite wastewater treatment systems.

3. **Definitions.** For purposes of this Moratorium, the following definitions shall apply.

A. “Domestic water and wastewater treatment system” means the construction and operation of a wastewater treatment plant, water treatment plant, or water supply system including all ancillary structures, facilities, improvements, activities, and all integrated components thereof.

i. “Wastewater treatment plant” means the facility or group of units, including any system of pipes, structures, and facilities through which wastewater is collected for treatment, that is used for the treatment of industrial or domestic wastewater from sewer systems and for the reduction and handling of solids and gases removed from such wastes, whether or not such facility or group of units discharges into state waters.

ii. “Water supply system” means the system of wells, diversions, pipes, structures, and facilities, including impoundments and their associated structures, through which a water supply is obtained, stored, and sold or distributed for domestic uses; or the system of wells, diversions, pipes, structures, and facilities, including impoundments, through which a water supply is obtained which will be used directly or exchanged for water which will be used for human consumption or household use.

iii. "Water treatment plant" means the facilities within the water supply system which regulate the physical, chemical, or bacteriological quality of the water.

B. "Municipal or industrial water project" means the system that provides, or may provide in the future, water supply either directly or by exchange for municipal or industrial uses, including all ancillary structures, facilities, improvements, activities, and all integrated components thereof, and any directly related proposed land uses.

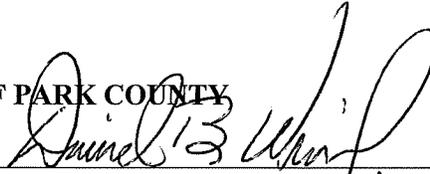
4. **Direction to Revise Regulations.** The BOCC hereby directs County staff to continue to review and undertake revisions to the existing County regulations pertaining to water projects to ensure that the regulations will be sufficient to protect the public health, safety, welfare, and the environment.

5. **Effective Date.** This Resolution shall take effect as of the date of the adoption of this Resolution by the Board.

MOVED, READ, AND ADOPTED this 21st day of May, 2025, in Fairplay, Colorado, by the Board of County Commissioners of Park County, Colorado.

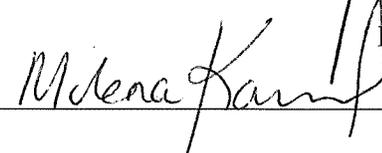
BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY

BY:



David B. Wissel, Chair

ATTEST:



Park County Clerk

