

- [Colorado Revised Statutes](#)
- [TITLE 25. PUBLIC HEALTH AND ENVIRONMENT](#)
- [ENVIRONMENTAL CONTROL](#)
- [ARTICLE 10. ON-SITE WASTEWATER TREATMENT SYSTEMS ACT](#)

## 25-10-113. Penalties

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**(1)** Any person who commits any of the following acts or violates this article commits a class 1 petty offense and shall be punished as provided in section 18-1.3-503, C.R.S.:

- (a)** Constructs, alters, installs, or permits the use of any on-site wastewater treatment system without first applying for and receiving a permit as required under this article;
- (b)** Constructs, alters, or installs an on-site wastewater treatment system in a manner that involves a knowing and material variation from the terms or specifications contained in the application, permit, or variance;
- (c)** Violates the terms of a cease-and-desist order that has become final under section 25-10-106 (1)(k);
- (d)** Conducts a business as a systems contractor without having obtained the license provided for in section 25-10-109 (1) in areas in which the local board of health has adopted licensing regulations pursuant to that section;
- (e)** Conducts a business as a systems cleaner without having obtained the license provided for in section 25-10-109 (2) in areas in which the local board of health has adopted licensing regulations pursuant to that section;
- (f)** Falsifies or maintains improper record keeping concerning system cleaning activities not performed or performed improperly; or
- (g)** Willfully fails to submit proof of proper maintenance and cleaning of a system as required by rules adopted pursuant to section 25-10-106.

**(2)** Upon a finding by the local board of health that a person is in violation of this article or of rules adopted and promulgated pursuant to this article, the local board of health may assess a penalty of up to fifty dollars for each day of violation. In determining the amount of the penalty to be assessed, the local board of health shall consider the seriousness of the danger to the health of the public caused by the violation, the duration of the violation, and whether the person has previously been determined to have committed a similar violation.

**(3)** A person subject to a penalty assessed pursuant to subsection (2) of this section may appeal the penalty to the local board of health by requesting a hearing before the appropriate body. The request must be filed within thirty days after the penalty assessment is issued. The local board of health shall conduct a hearing upon the request in accordance with section 24-4-105, C.R.S.