

## ORDINANCE NO. 1327

### AN ORDINANCE PROHIBITING THE USE OF GRAYWATER AND THE INSTALLATION OF GRAYWATER TREATMENT WORKS

**WHEREAS**, the City of Fort Morgan (the "City") is a statutory city organized pursuant to the laws of the State of Colorado; and

**WHEREAS**, the City has the authority to adopt ordinances to protect public health, safety, and welfare; and

**WHEREAS**, "graywater" is the portion of wastewater collected from bathroom and laundry room sinks, bathtubs, showers, and laundry machines (but excluding wastewater from toilets, urinals, kitchen sinks, dishwashers, or nonlaundry utility sinks) in residential, commercial or industrial buildings or institutional facilities before treatment or combination with other wastewater to be put to beneficial uses, as defined by Regulation 86 of the Colorado Water Quality Control Commission, Colorado Department of Public Health and Environment (5 CCR 1002-86, June 30, 2015); and

**WHEREAS**, in 2013, House Bill 13-1044 authorized the use of graywater systems in municipalities only when authorized locally by ordinance, but pursuant to House Bill 24-1362, effective January 1, 2026, the collection, treatment, and use of graywater is authorized except where prohibited locally; and

**WHEREAS**, the City does not currently have regulations to govern the use of graywater; and

**WHEREAS**, the City Council has determined that prohibiting the use of graywater is in the best interest of the City and its residents, businesses, and visitors at this time.

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, AS FOLLOWS:

**Section 1.** The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings by the City Council.

**Section 2.** *Findings.* This ordinance is found to be supported and authorized by law and in the best interests of and necessary for the protection of the health, safety, and welfare of the public. This ordinance is enacted pursuant to C.R.S. § 31-15-601(1)(m)(I). The City Clerk will send notice of this ordinance to the Division of Administration, Department of Public Health and Environment pursuant to C.R.S. § 31-15-601(1)(m)(I)(B).

**Section 3.** *Prohibition.* Except for any systems permitted before the effective date of this ordinance, the installation of graywater treatment works and the use of graywater are prohibited within the City of Fort Morgan.

**Section 4.** *Repealer.* All ordinances and resolutions or portions thereof inconsistent or conflicting with this ordinance or any portion hereof, are hereby repealed to the extent of such inconsistency.

**Section 5.** *Severability.* The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

**Section 6.** Effective Date. This ordinance shall be effective January 1, 2026.

INTRODUCED, READ, AND ADOPTED ON FIRST READING AND ORDERED  
PUBLISHED ON THE 2<sup>nd</sup> DAY OF DECEMBER, 2025.

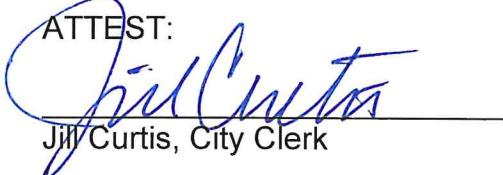


THE CITY COUNCIL OF THE CITY OF FORT  
MORGAN, COLORADO



Kevin Lindell, Mayor

ATTEST:

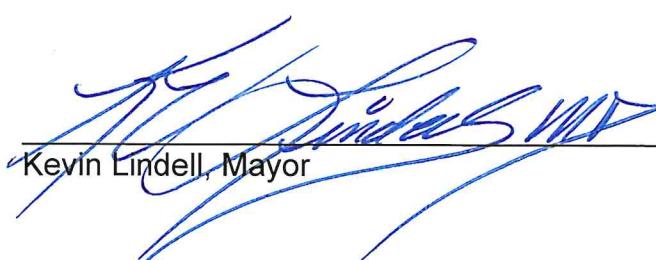


Jill Curtis  
Jill Curtis, City Clerk

PASSED, APPROVED, AND ADOPTED ON THE SECOND AND FINAL READING AND  
ORDERED PUBLISHED THIS 16<sup>th</sup> DAY OF DECEMBER, 2025.



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO



Kevin Lindell, Mayor

ATTEST: