

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 01-2026

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AMENDING TITLE 13 OF THE EAGLE TOWN CODE TO PROHIBIT THE INSTALLATION
AND USE OF GRAYWATER TREATMENT WORKS**

WHEREAS, pursuant to C.R.S. § 31-15-103, municipalities shall have power to make and publish ordinances which are necessary and proper to provide for the safety, to preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town of Eagle (the "Town") is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Eagle Home Rule Charter (the "Charter"); and

WHEREAS, pursuant to Section 1.01.080 of the Eagle Town Code (the "Code"), the Town Council may amend the Code; and

WHEREAS, pursuant to C.R.S. § 25-8-205.3, C.R.S. § 31-15-601(1)(m), and C.R.S. § 25-8-205 effective through December 31, 2025, the installation and use of graywater is only allowed in areas where the local governing body has adopted an ordinance or resolution approving the use of graywater; and

WHEREAS, the Town has not adopted an ordinance or resolution approving the installation and use of graywater; and

WHEREAS, the State legislature enacted House Bill 24-1362, Concerning Measures to Promote the Use of Graywater, codified at C.R.S. § 25-8-205.4, C.R.S. § 31-15-601(1)(m), and C.R.S. § 25-8-205 and effective January 1, 2026, which mandates that graywater installation and use in new construction be automatically allowed beginning January 1, 2026, unless the local governing body adopts an ordinance or resolution opting out;

WHEREAS, the Town wants to ensure that graywater installation and use continues to be prohibited for the protection of the public health, safety, and welfare; and

WHEREAS, it is in the interest of the public health, safety, and welfare of the Town to amend the Code as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Amendment to Code – Addition of Chapter 13.25. Title 13 of the Code is hereby amended with the addition of Chapter 13.25 – Prohibition on the Installation and Use of Graywater Treatment Works, as follows:

CHAPTER 13.25 – Prohibition on the Installation and Use of Graywater Treatment Works

Section 13.25.010 – Purpose

The purpose of this ordinance is to prohibit the installation of graywater treatment works and use of graywater to ensure the protection of the public health, safety, and welfare.

Section 13.25.020 – Definitions

For purposes of this Chapter, the following terms shall have the following meanings:

Graywater means that portion of wastewater that, before being treated or combined with other wastewater, is collected from fixtures within residential, commercial, or industrial buildings or institutional facilities for the purpose of being put to beneficial uses.

Graywater treatment works means an arrangement of devices and structures used to (a) collect graywater from within a building or a facility; and (b) treat, neutralize, or stabilize graywater within the same building or facility to the level necessary for its authorized uses.

Section 13.25.030 –Prohibition

No person served with water from the water utility shall install graywater treatment works or use graywater.

Section 13.25.040 – Enforcement

1. The Town of Eagle Police and Code Enforcement shall, in connection with their duties imposed by law or ordinance, enforce the provisions of this Chapter.
2. As set forth in Section 13.01.050, violations of this Chapter shall be a Class A offense and shall be subject to penalties set forth in Chapter 1.12 of this Code. Each day of violation shall be a separate offense.

Section 2. Safety Clause. This Ordinance is deemed necessary for the protection of the public health, safety, and welfare.

Section 3. Severability. If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

Section 4. Conflicts. All prior ordinances , resolutions, or other acts, or parts thereof, by the Town of Eagle in conflict with this Ordinance are hereby repealed, except that this repeal shall not be construed to revive any previously repealed or expired act, ordinance or resolution, or part thereof.

Section 5. Effective Date. This Ordinance shall become effective pursuant to the Town Charter upon adoption as an Ordinance.

INTRODUCED AS AN ORDINANCE, READ, MOVED, AND ORDERED PUBLISHED ON

Town of Eagle, Colorado
Ordinance No. 1. Series of 2025

January 13, 2026.

TOWN OF EAGLE, COLORADO



Bryan Woods, Mayor

ATTEST:



Melissa Daruna, Acting Town Clerk



Camille Deering, Town Clerk



PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Camille Deering, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of ORDINANCE 01, SERIES 2026 "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING TITLE 13 OF THE EAGLE TOWN CODE TO PROHIBIT THE INSTALLATION AND USE OF GRAYWATER TREATMENT WORKS" on the Town of Eagle's web site, www.townofeagle.org, on the 29th day of January 2026.

Witness my hand and seal this 29th day of January 2026.

Camille Deering,
Town Clerk



Ordinance Effective Date:

February 8, 2026