

ORDINANCE 97-5
TOWN OF OPHIR, COLORADO

AN ORDINANCE APPROVING AN INCREASE IN THE WATER TAP FEE AND PRESCRIBING A MANNER FOR THE COLLECTION AND PAYMENT OF SAID FEE.

WHEREAS, the Town of Ophir imposes a one time fee of \$2500 for each legal residential unit for the right to tie into the Town's central water system;

WHEREAS, the General Assembly finds that the costs of maintaining and operating the Town's central water system have increased, as have costs of capital improvements;

WHEREAS, the General Assembly finds that in order to continue to maintain and operate the central water system the water tap fee must be increased to \$3,750;

WHEREAS, the General Assembly also finds that in order to continue to maintain and operate the central water system, it is in the interest of Town that the water tap fee is paid for at the time of application for a building permit;

WHEREAS, it is in the public interest and in the interest of efficient public administration to increase the water tap fee so that the Town's central water system shall be adequately operated and maintained;

WHEREAS, the General Assembly of the Town of Ophir finds that this Ordinance is necessary for the preservation and protection of the health, safety and welfare of the citizens of Ophir.

NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO:

Section 1. Increase in Water Tap Fee

The water tap fee for one residential unit shall be three thousand, seven hundred and fifty dollars (\$3,750).

Section 2. Payment of Fee

The amount of the water tap fee shall be due and owing at the time of application for a building permit. Payment of a water tap fee shall be a condition of approving and issuing a building permit. In the event that an applicant claims that a water tap fee has been paid for prior to the date of this Ordinance, in order to determine whether such fees has been paid, the building inspector has the authority to rely on a list of paid water tap fees which shall be prepared, dated, and certified by the Town Manager and on file with the Town Clerk.

Section 3. Officers' Authority

Officers and agents of the Town of Ophir are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 4. Conflicts With Other Laws

This Ordinance shall supersede any laws of the Town of Ophir or the State of Colorado that are in conflict with the provisions of this Ordinance. All acts, orders, resolutions, ordinances or parts thereof, taken by the Town and in conflict with this Ordinance, are hereby repealed, except that this repealer shall not be construed so as to revive any act, order, resolution, ordinance or part repealed.

Section 5. Severability

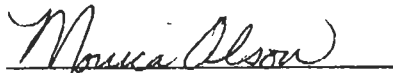
If any one or more sections or parts of this Ordinance shall be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, it being the intention that the various provisions hereof are severable.

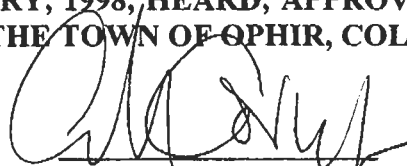
Section 6. Effective Date.

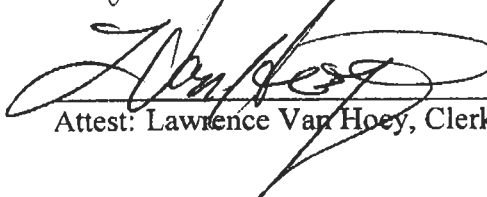
This Ordinance shall take effect upon publication following approval of the second reading.

FIRST READING THIS 16TH DAY OF DECEMBER, 1997, HEARD AND APPROVED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO.

SECOND READING THIS 20TH DAY OF JANUARY, 1998, HEARD, APPROVED AND ADOPTED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO.


By: Monica Olson, Mayor 1/20/98
date


Approved as to Form: 1/20/98
date
Elizabeth M. Covington,
Town Attorney


Attest: Lawrence Van Hoey, Clerk 1/20/98
date