

Ordinance No. 18-06

AN ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO AMENDING THE RIDGWAY MUNICIPAL CODE SECTION 9-1-17 TO UPDATE WATER SERVICE RATES AND WATER BASE ALLOCATIONS.

**WHEREAS**, The Town of Ridgway (the “Town”) is a legally created, established, organized and existing Colorado municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado and the home rule charter of the Town (the “Charter”); and

**WHEREAS**, The Town is governed by its Home Rule Charter (“Charter”) as authorized by Article XX § 6 of the Colorado Constitution; and

**WHEREAS**, the water supply for the Town of Ridgway is a precious, valuable and critical resource for the Ridgway community; and

**WHEREAS**, the Town Council desires to have water service rates at least near the cost of securing, treating and delivering water to end customers while promoting water conservation; and

**WHEREAS**, the Town Council understands the need to secure outside funding for many if not all water utility improvements and investments and partner agencies will closely scrutinize the water rate structures and base allocations of water before agreeing to any financial commitment for improvements.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO** as follows:

**SECTION 1.**

Ridgway Municipal Code Section 9-1-17 Water Service Rates, is repealed and replaced, as follows:

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**9-1-17 WATER SERVICE RATES.**

- (A) (1) Single family homes, mobile homes, churches, and non-profit lodges and civic organizations shall be subject to the following charges for each meter serving the customer:

Type of Customer	Minimum Monthly Charge 0 to Base gal./mo	Rate for Use over Base and up to 10,000 gal./month	Rate for Use 10,000 and up to 15,000 gal./month	Rate for Use Over 15,000 gal./month
Customer age 65 & over owning a single family home or mobile home, and enrolled in the Senior Rate prior to 1/1/2009*	Beginning on 12/1/18: Base gallons: 7000 Base Cost: \$32.75;  Beginning on 12/1/19: Base gallons: 6000 Base Cost: \$32.75;  Beginning on 12/1/20: Base gallons: 6000 Base Cost: \$37.75;  Beginning on 12/1/21: Base gallons: 6000 Base Cost: \$42.75;  Beginning on 12/1/22: Base gallons: 6000 Base Cost: \$47.75;  Beginning on 12/1/23: Base gallons: 6000 Base Cost: \$52.75	\$10.50/1,000 gal.	\$15.00/1,000 gal.	\$20.00/1,000 gal.
Vacancy Rate	Beginning on 12/1/18: \$22.75;  Beginning on 12/1/20: \$27.75;  Beginning on 12/1/21: \$32.75;  Beginning on 12/1/22: \$37.75;  Beginning on 12/1/23: \$42.75	N/A	N/A	N/A
All other Residential per dwelling unit (Multi-unit meters over their base allotment will be averaged and charged according to tier) ADUs = 0.72XUnit rate	Beginning on 12/1/18: Base gallons: 7000 Base Cost: \$42.00;  Beginning on 12/1/19: Base gallons: 6000 Base Cost: \$42.00;  Beginning on 12/1/20: Base gallons: 6000 Base Cost: \$47.00;  Beginning on 12/1/21: Base gallons: 6000 Base Cost: \$52.00;  Beginning on 12/1/22: Base gallons: 6000 Base Cost: \$57.00;  Beginning on 12/1/23: Base gallons: 6000 Base Cost: \$62.00	\$10.50/1,000 gal.	\$15.00/1,000 gal.	\$20.00/1,000 gal.

\* Senior rates are no longer offered after 1/1/2009

(2) In order to qualify for the vacancy rate, the customer must notify the Town of the vacancy and pay a shut-off fee of \$30.00. Before the water can then be turned back on, the customer must pay a turn-on fee of \$30.00. No water may be used at that meter during the vacancy period. In the event of failure to meet these requirements, the bill shall be adjusted to the regular rate.

(B) (1) Accessory dwelling units shall be subject to a minimum monthly charge per unit calculated to be 0.72 x the principal residential unit rate as provided in Subsection (A)(1) above.

(2) Each unit in multiple residences and dwelling facilities including but not limited to duplexes, multi-family residences, apartments, mobile homes and mobile home parks, providing permanent residences and utilizing a single meter, shall be subject to the applicable rate for the principal residential unit rate as provided in Subsection (A) above. Water used in any month in the amount greater than the base amount e.g. (Base Amount in gallons at \$42.00 for the first unit + Base Amount in gallons at \$42.00 for the second unit, etc. for each unit or space served by the meter) shall be billed at the rates identified in Subsection (A)(1) for the associated base rate changes over time and the additional gallons used per unit.

(C) The following rates shall apply to the Ridgway public schools, but shall not include the provision of non-potable Town water for irrigation purposes:

Type of Customer	Minimum Monthly Charge	Rate for Use Over 10,000 gal./month and up to 50,000 gal./month	Rate for Use Over 50,000 gal./month
Ridgway Schools	Beginning on 12/1/18: Base gallons: 10,000 Base Cost: \$97.00  Beginning on 12/1/19: Base gallons: 10,000 Base Cost: \$105.00	\$10.50/1,000 gal.	\$15.00/1,000 gal.

(D) The sale of bulk water is prohibited.

(E) (1) All other customers (including customers with both a residential and a non-residential use on the same premises which are located in commercial, business or industrial zoning districts) shall pay the following charges for each meter serving the customer.

Type of Customer	Minimum Monthly Charge	Rate for Use Over 4,000 gal./month and up to 10,000 gal./month	Rate for Use Over 10,000 gal./month and up to 15,000 gal./month	Rate for Use Over 15,000 gal./month
All other Customers (commercial, industrial, multi-use, etc.)	Beginning on 12/1/18: Base gallons: 4,000 Base Cost: \$42.00	\$10.50 / 1,000 gal.	\$15.00/1,000 gal.	\$20.00/1,000 gal.

Provided, however, that accessory dwelling units inside Town shall be subject to a minimum monthly charge per unit calculated to be .72 x the principal unit rate as provided in Subsection (A)(1) above; and further provided, however, that if the non-residential use qualifies as an accessory use to a residence pursuant to the criteria of Subsection 7-3-13(A) of Town Zoning Regulations, such customer shall be subject to the rates in Subsection (A)(1) above.

(F) Water service charges shall be charged at the time service is first initiated and continue until the tap is abandoned.

(G) Minimum charges for periods of service less than one month shall be pro-rated.

(H) In the event that any two separate structures are served by Town water from a single meter under circumstances where none of the foregoing rates specifically apply, the rate shall be computed in conformity with the provisions of Subsection (B) with each structure considered a separate "unit" for purposes of the calculation regardless of its use.

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### SECTION 3.

Effective Date and Duration. Pursuant to Article III of the Charter, this Ordinance shall be effective December 1<sup>st</sup>, 2018.

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### SECTION 4.

Posted Notice. Pursuant to Article III, Section 3-7 of the Charter, the Town Clerk shall post copies of this Ordinance as amended or adopted.

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### SECTION 5.

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

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### Section 6.

Public Hearing. A public hearing on this Ordinance was held on the 10<sup>th</sup> day of October, 2018 in the Town Council Chambers of the Town of Ridgway, 201 N. Railroad Street, Ridgway, CO 81432.

**INTRODUCED before the Town Council of the Town of Ridgway, Colorado on the 12<sup>th</sup> day of September, 2018.**

TOWN OF RIDGWAY, COLORADO, A HOME-RULE  
MUNICIPALITY

By \_\_\_\_\_  
John Clark, Mayor

ATTEST:

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Pam Kraft, MMC, Town Clerk

Approved As to Form:

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BO JAMES NERLIN, Town Attorney

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Ridgway, Colorado, this 10<sup>th</sup> day of  
October, 2018.

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## CERTIFICATE OF TOWN CLERK

The foregoing Ordinance was introduced at a meeting of the Ridgway Town Council on September 12<sup>th</sup>, 2018, published by title and posted thereafter, and adopted by the Town Council on October 10<sup>th</sup>, 2018.

(SEAL)

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Pam Kraft, MMC, Town Clerk