

ORDINANCE NO. 1979-5

AN ORDINANCE AMENDING ORDINANCE NO. 1970-4
OF THE TOWN OF LA JARA; AND DECLARING AN
EMERGENCY.

WHEREAS, the Board of Trustees of the Town has previously determined to erect and construct a municipal water and sewer system and to operate it as a joint utility; and

WHEREAS, the Town has, on or about July 20, 1970, issued and delivered its Joint Water and Sewer Revenue Bonds, Series 1970, (the "1970 Bonds") in the original principal amount of \$309,950, dated July 20, 1970, for the purpose of paying part of the cost of the construction and installation of such system; and

WHEREAS, the 1970 Bonds were authorized pursuant to Ordinance No. 1970-2 adopted and approved on June 25, 1970, as amended, by Ordinance No. 1979-3, adopted and approved on April 20, 1979; and

WHEREAS, the Board of Trustees of the Town have determined to improve the municipal sewer system and has authorized the issuance of Sewer Revenue Bonds, Series 1979, (the "1979 Bonds") in the amount of \$69,000 pursuant to Ordinance No. 1979-2, adopted and approved March 30, 1979, as amended, by Ordinance No. 1979-4, adopted and approved on April 20, 1979; and

WHEREAS, pursuant to Section 2.16 of Ordinance No. 1970-4, as amended, the Town reserved the right to amend the rate provisions currently in force and thereby change the rate to be charged for connection with and use of the Town sewerage and water system; and

WHEREAS, the Board of Trustees has determined that it may be necessary from time to time to revise or amend the rates to be charged for connection with and use of the Town's sewerage and water system in order to raise sufficient funds, after the payment of maintenance and operating expenses,

with which to make the installment payment of principal and interest on the aforesaid Bonds as the same become due; and

WHEREAS, the Board of Trustees has determined that such water and sewer rates can more easily and efficiently be amended or revised at less expense to the Town by Resolution, rather than by Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA, CONEJOS COUNTY, COLORADO:

Section 1. Amendment to Section 2.16. That Section 2.16 of Ordinance No. 1970-4, as amended, be repealed and reenacted as follows:

"Section 2.16. Amending Rates. The Town reserves the right by Resolution duly adopted and approved to amend the rate provisions currently in force and thereby change the rates to be charged for connection with, and use of, the Town's sewerage and water system; PROVIDED, no such change in rates shall be made without notice to such property owners."

Section 2. Repeal of Section 3.1 and 3.2. That Sections 3.1 and 3.2 of Ordinance No. 1970-4, as amended, be repealed in their entirety.

Section 3. Amendment to Section 3.3. That Section 3.3 of Ordinance No. 1970-4, as amended, be repealed and reenacted as follows:

"Section 3.3. Out of Incorporated Town Rates. The rates for users who reside outside the incorporated limits shall be one and three-fourths times the usual and normal rates then in force and shall be based upon the availability of services and facilities available. Those users who do not pay for sewer services, or are not obligated for the payment thereof, or who are without sewer services, shall pay at such rates as determined and set forth in a Resolution duly adopted and approved by the Board

of Trustees."

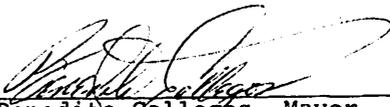
Section 4. Repeal of Sections 3.5 and 3.7. That Sections 3.5 and 3.7 of Ordinance No. 1970-4, as amended, be repealed in their entirety.

Section 5. Emergency Provision. By reason of the fact that the Board of Trustees has determined that it is necessary to revise the rates to be charged for and connection with and use of the Town's sewerage and water system in order to raise sufficient funds, after the payment of maintenance and operating expenses, with which to make the installments payments of principal and interest now due and payable and which will hereafter become due and payable on the aforesaid Bonds, it is hereby declared that an emergency exists, that this Ordinance is necessary for the preservation of the public peace, health, and safety, and that it shall take effect upon publication.

Section 6. Recording and Authentication. This Ordinance shall be recorded in a book kept for that purpose, shall be authenticated by the signatures of the Mayor and Town Clerk, and shall be published in accordance with law.

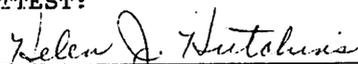
ADOPTED AND APPROVED This 20th day of June, 1979.

TOWN OF LA JARA

By: 
Benedito Gallegos, Mayor

(SEAL)

ATTEST:


Helen J. Hutchins, Town Clerk