

ORDINANCE NO. 2013 - 2
TOWN OF LA JARA, COLORADO

**AN ORINANCE AMENDING ORDINANCE NO. 2006-2 CONCERNING
A SEWER SYSTEM; A WATER SYSTEM; RATES AND CHARGES THEREFOR;
REGULATIONS AND CONDITIONS, COLLECTION; FINES AND
PENALTIES**

WHEREAS, on Augustt 24, 2006, the Board of Trustees of the Town of La Jara adopted Ordinance No. 2006-2, an Ordinance concerning a Sewer System, a Water System, Rates and Charges therefore, Regulations and Conditions, Collections, Fines and Penalties, and

WHEREAS, in the past, there has been some confusion among the residents and users of the Town's sewer system as to who is ultimately responsible for the payment of repairs to and, maintenance of existing lines, or installation of new lines, and

WHEREAS, the Board of Trustees finds and determines that it is necessary to amend said Ordinance No. 2006-2 in order to clarify whatever confusion may now exist with respect to the allocation of repairs to and maintenance of any portion of the sewer line, or the installation of a new sewer line.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF LA JARA, COLORADO, AS FOLLOWS:**

Section 1: AMENDMENT. Section 3.1 – CONNECTION WITH SYSTEM;
REQUIREED WITHIN THE EXTERIOR BOUNDARIES OF THE TOWN of said Ordinance
No. 2006-2 is amended by the addition of new Section 3.1.2 and new Section 3.1.3 as follows:

SECTION 3.1.2 The owner of any property, whether such property is used for personal, recreational, residential or business purposes shall be solely responsible at all times for all expenses incurred in either the installation, repair, or maintenance of the sewer line from the building or structure located on such person's property to the point of connection with the Town's main sewer line. Any repairs or maintenance from the point of connection with the Town's main sewer line and points downstream therefrom shall be the sole and separate responsibility of the Town. In no event and under no circumstances shall the Town be deemed, expressly or by implication, solely responsible for such repairs, installation or maintenance work on such property owner's property.

SECTION 3.1.3 In the event repair and/or maintenance of an existing sewer line for which the property owner is solely responsible, or in the event of the installation of a new sewer line on such owner's property, such sewer line shall consist of not less than SDR 35 grade pipe or better, and shall be bedded on not less than 12 inches of either three-quarter inch washed gravel or washed pea gravel, such bedding to occur the entire length of the sewer line from the property owner's structure to the point of connection with the Town's main sewer line.

Section 2: RETENTION. All of the terms and provisions of Ordinance No. 2006-2 not otherwise amended by any ordinance of the Board of Trustees of the Town of La Jara with respect thereto subsequent to the initial adoption of said Ordinance 2006-2, or by this Ordinance shall remain in full force and effect without deletion or amendment thereto.

Section 3: SAVINGS CLAUSE. If any part, section, or subsection of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining sections of this Ordinance. The Board of Trustees hereby declares that it would have passed this ordinance in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that anyone or more parts, sections, subsections, sentence clause, or phrases be declared invalid.

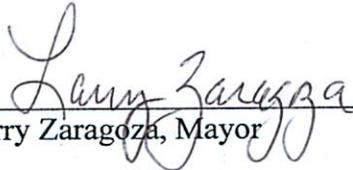
Section 4. PUBLICATION. The Town Clerk shall certify to the passage of this Ordinance, cause notice of its contents and passage to be published as provided by law, and shall cause copies of this Ordinance to be attached to each copy of the previously adopted Ordinance No. 2006-2.

Section 5. EMERGENCY CLAUSE. The Board of Trustees hereby finds, declares, determines, and declares that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety because the existence of confusion as to the allocation of the costs of repairs and maintenance of existing lines or the allocation of the costs with respect to the installation of new sewer lines has the effect disrupting in an unfavorable manner the public peace, health, safety, lessens the confidence of the general public in its elected governing body, has the potential of adversarial confrontations between maintenance personnel and the Town's maintenance employees, and for said reasons, it is the opinion of the Board of Trustees that an emergency exists and this Ordinance shall take effect and be in force upon its adoption and publication as provided by law.

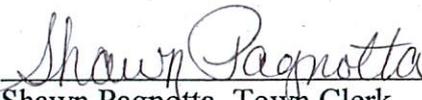
INTRODUCED, READ, ADOPTED, AND ENACTED AND ORDERED PUBLISHED
BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA THE 9th DAY OF
MAY, 2013.



THE BOARD OF TRUSTEES OF THE TOWN OF
LA JARA, COLORADO,



Larry Zaragoza, Mayor



Shawn Pagnotta, Town Clerk

Date of Publication: _____.