

ORDINANCE NO. 47B

**AN ORDINANCE INCREASING WATER AND SEWER RATES AND
REPEALING PREVIOUS WATER AND SEWER FEE ORDINANCES FOR THE
TOWN OF STRATTON, COLORADO**

WHEREAS, the Board of Trustees of the Town finds that in order to preserve the health, safety and welfare of the citizens of the Town, regulations, rates and fees relating to the water and sanitary sewer services are necessary;

WHEREAS, the Town of Stratton has previously adopted Ordinance No. 93A establishing water service regulations and rates;

WHEREAS, the Town of Stratton has previously adopted Ordinance No. 94A establishing sanitary sewer use and service regulations and rates;

WHEREAS, the Town of Stratton has adopted Ordinance No. 10B, which amended Ordinance Nos. 93A and 94A, regarding failure to pay water and sewer charges;

WHEREAS, the Town of Stratton has previously adopted Ordinance 42B, regarding initial fees, unit definitions and water and sewer rate increases;

WHEREAS, the Town of Stratton has previously repealed Ordinance Nos. 15B, 17B and 33B by the adoption of Ordinance No. 42B; and

WHEREAS, the Board of Trustees of the Town of Stratton finds that consolidation and increase of the water and sewer rates and related fees is necessary to maintain and repair the water and sewer systems and for the efficient administration of the Town of Stratton.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
STRATTON, COLORADO:**

Section 1. Purpose. The purpose of this ordinance is to increase water and sewer rates for the Town of Stratton, Colorado and to repeal all previous ordinances concerning water and sewer rates. The increase in water and sewer rates is deemed necessary by the Board of Trustees of the Town of Stratton, Colorado in order to pay for necessary improvements and maintenance of the water and sewer systems, and to obtain grant funds from all available sources.

Section 2. Repeal of Ordinance No. 42B. Ordinance No. 42B, concerning fees, unit definitions and water and sewer rates, is hereby repealed.

Section 3. Continued Repeal of Ordinance Nos. 15B, 17B and 33B. Ordinance Nos. 15B, 17B and 33B shall continue to be repealed, notwithstanding the repeal of Ordinance No. 42B.

Section 4. Amendment to Ordinance Nos. 93A and 94A. Ordinance Nos. 93A and 94A shall be amended to delete the rate schedule attached thereto and to add the following:

Section 4.1. **Fees.** The applicable fees shall be as follows:

Nonrefundable Application Fee:	\$50.00
Nonrefundable Activation Fee (Commercial):	\$50.00
Nonrefundable Activation Fee (Residential):	\$35.00
Water Tap Fee (Resident only):	\$1000.00
Sewer Tap Fee (Resident only):	\$500.00
Re-install meter (to same account after customer requests it be pulled for seasonal use):	\$20.00
Late Payment Fee:	\$15.00
Violation Fee:	\$250.00 to \$500.00 per judicial discretion

Section 4.2 **Unit Definitions**

Single Family dwellings: each home = one Unit
Multi-family dwellings: each apartment = one Unit
Camper sites (temporary camping sites)
 Seasonal: each two sites = one Unit
 Non-seasonal: each four sites = one Unit
Motel: each two rooms = one Unit
Business: each separate location = one Unit
Mobile home park: each home = one Unit

Section 4.3 **Water and sewer rates.** The water and sewer rates shall be as follows:

RESIDENT rate for each Unit:

Residential Water	\$26.09 per month for initial 3000 gallons used \$1.05 for each additional 1000 gallons used per month
Commercial Water	\$39.09 per month for initial 3000 gallons used \$1.05 for each additional 1000 gallons used per month

Residential Sewer	\$24.44 per month
Commercial Sewer	\$34.44 per month

NON-RESIDENT rate for each Unit:

Residential Water	\$39.09 per month for initial 3000 gallons used \$1.25 for each additional 1000 gallons used per month
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Commercial Water \$51.59 per month for initial 3000 gallons used
\$1.25 for each additional 1000 gallons used per month

Residential Sewer \$34.44 per month
Commercial Sewer \$44.44 per month

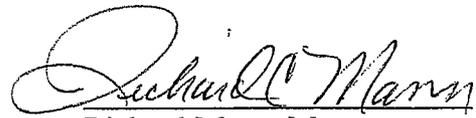
Section 5. Ordinance No. 10B. Ordinance No. 10B shall remain unchanged and shall be read in conjunction with Ordinance Nos. 93A and 94A, as amended herein.

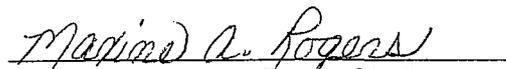
Section 6. Inconsistent Ordinances. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance, are hereby repealed.

Section 7. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance and they shall remain in full force and effect, it being the intent that this Ordinance shall stand, notwithstanding the invalidated or unconstitutionality of any part thereof.

Section 8. Immediate Effect. It is hereby declared that an emergency exists and that this Ordinance is necessary for the immediate preservation of the public health, peace, welfare and safety of the residents of the Town of Stratton, Colorado, and shall be in full force and effect on February 1, 2012.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 26th
day of January, 2012.


Richard Mann, Mayor


Maxine A. Rogers, Town Clerk

[seal]



STATE OF COLORADO)

COUNTY OF KIT CARSON)ss.
TOWN OF STRATTON)

CLERK'S CERTIFICATE

I, Maxine A. Rogers, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 47B was passed and adopted by a three-quarters majority of the Board of Trustees of the Town of Stratton on the 26th day of January, 2012, and that the above-entitled Ordinance is true, correct and fully copy of the Ordinance as show in the records of the Town of Stratton, Colorado.

Dated this 26 day of January, 2012.

Maxine A. Rogers
Maxine A. Rogers, Town Clerk