

**ORDINANCE NO. 15
SERIES 2016**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING
SECTION 13-1-150 OF THE CRESTED BUTTE MUNICIPAL CODE TO INCREASE
THE MONTHLY SERVICE CHARGE FOR SEWER SERVICE TO \$35.50 PER
MONTH PER EQR AND SETTING THE WWTW PRETREATMENT CHARGE TO
\$13.75 PER MONTH PER APPLICABLE EQR**

WHEREAS, the Town of Crested Butte, Colorado is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, the Town Council has established monthly service charges for the provision of sewer services to properties located within the Town, and the Town staff has recommended that adjustments be made in these charges because the present service rates are inadequate to meet the costs of providing these services; and

WHEREAS, the Town Council has established a Wastewater Treatment Works (WWTW) pretreatment program for the discharge of fats, oils and greases into the Town's sewage system and established monthly service charges for the provision of sewer services to properties required to participate in the pretreatment program, and the Town Staff has recommended adjustments be made in these charges to adequately reflect the cost of the provision of sewer services to the properties which have yet to install approved interceptor or separator equipment; and

WHEREAS, the Town Council has found that the amendments contained herein are necessary to protect the health, safety and welfare of the inhabitants of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
THE TOWN OF CRESTED BUTTE, COLORADO, THAT,**

Section 1. Increase in Monthly Sewer Service rates. Section 13-1-150 of the Code is hereby amended by deleting it in its entirety and replacing it with the following:

- (a) "There is hereby levied and charged against all owners as defined in this Article a monthly service charge for the use of Town sewer system. The monthly service charge for use of Town sewer system shall be Thirty-Five Dollars and Fifty Cents (\$35.50) times the respective EQR calculated pursuant to Section 13-1-170 below. Monthly service charges shall commence upon the issuance of a certificate of occupancy, or six (6) months after payment of the system development fee, whichever occurs first. There shall be no abatement or reduction of the monthly service charge, except as otherwise provided in Section 13-1-140 above."

- (b) "There is hereby levied and charged against all owners as defined in this Article a monthly service charge for the use of the WWTW a pretreatment charge for any property that is required to have a grease interceptor or oil/sand separator and that does not have such system installed an operating in accordance with Town requirements. The monthly service charge for use of WWTW shall be Thirteen Dollars and Seventy-Five Cents (\$13.75) times the respective EQR calculated for restaurants pursuant to Section 13-1-170 below. Monthly service charges shall not be abated or reduced until the variance for the installation of a grease interceptor or oil/sand separator effecting the subject property is terminated."

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as hereby amended, the Crested Butte Municipal Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the Town of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

Section 4. Effective Date. The provisions of this Ordinance shall take effect as of January 1, 2017.

INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS TWENTY-FIRST DAY OF NOVEMBER, 2016.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS 5th DAY OF DECEMBER, 2016.



TOWN OF CRESTED BUTTE, COLORADO

By Glenn Michel
Glenn Michel, Mayor

ATTEST:

By Lynelle Stanford
Lynelle Stanford, Town Clerk