

**ORDINANCE NO. 18  
SERIES 2009**

**AN ORDINANCE AMENDING SECTION 13-1-110 OF THE CRESTED BUTTE  
MUNICIPAL CODE BY INCREASING THE SYSTEM DEVELOPMENT FEES,  
OTHERWISE KNOWN AS "TAP-IN FEES", TO \$8,000 PER EQR FOR WATER  
AND \$8,000 PER EQR FOR SEWER**

**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 of the Town of Crested Butte, Colorado has established and implemented a plan of Tap-In Fees which are designed to reflect the incremental costs of water and sewer system expansion, and the Town staff has found that the current water and sewer Tap-In Fees are inadequate to meet the anticipated future costs of water and sewer system expansions; 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 System Development (Tap-In) Fees. Section 13-1-110, Paragraphs b, c, d(1) and d(2) of the Crested Butte Municipal Code (hereafter "Code") are hereby amended by deleting them in their entirety and replacing them with the following:

"(b) The System Development Fee for a single family residence shall be eight thousand dollars (\$8,000) multiplied by the EQR of that use for the Town System-Water, except as otherwise set forth in Subsection (e) below; and an amount equal to eight thousand dollars (\$8,000) multiplied by the EQR of that use for Town System-Sewer, except as otherwise set forth in Subsection (e) below:

(c) The System Development Fee for every other type of use shall be an amount equal to eight thousand (\$8,000) multiplied by the EQR of that use for Town System-Water, except as otherwise set forth in Subsection (e) below; and an amount equal to eight thousand dollars (\$8,000) multiplied by the EQR of that use for Town System-Sewer, except as otherwise set forth in Subsection (e) below:

(d) (1) Incremental Water System Development Fee = [(EQR) new minus (EQR) old] times (\$8,000), for Town System-Water.

(e) (2) Incremental Sewer System Development Fee = [(EQR) new minus (EQR) old] times (\$8,000), for Town System-Sewer.

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.

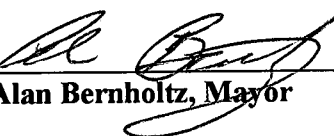
Section 3. Savings Clause. Except as hereby amended, the Crested Butte Municipal Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the town of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date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

Section 4. Effective Date. The provisions of this Ordinance shall take effect as of January 1, 2010.

**INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS  
SECOND DAY OF NOVEMBER 2009.**

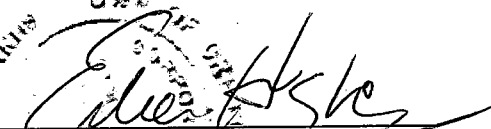
**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC  
HEARING THIS SIXTEENTH DAY OF NOVEMBER 2009.**

**TOWN OF CRESTED BUTTE, COLORADO**

By   
Alan Bernholtz, Mayor

(SEAL)

ATTEST:

By   
Eileen Hughes, Town Clerk

