

**ORDINANCE NO. 17  
SERIES 2011**

**AN ORDINANCE AMENDING SECTION 13-1-120 OF THE CRESTED BUTTE MUNICIPAL CODE TO INCREASE THE MINIMUM MONTHLY SERVICE CHARGE PER METER FOR WATER USED AT A "BASE RATE" TO \$27.00 PER MONTH PER 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 water 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 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 Minimum Water Service Rate. Section 13-1-120 paragraph (a) of the "Crested Butte Municipal Code" is amended to read as follows:

"There is hereby levied and charged against all owners, as defined in this Article, a minimum monthly service charge per installed meter for water used at a base rate of twenty-seven dollars (\$27.00) for the first eight thousand (8,000) gallons used per applicable EQR, or additional fraction thereof (base allotment)."

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of any ordinance previously adopted by the Town of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.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, 2012.

**INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS THIRD DAY OF OCTOBER 2011.**

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS SEVENTEENTH DAY OF OCTOBER 2011.

TOWN OF CRESTED BUTTE, COLORADO

By *Leah B. Williams*  
Leah B. Williams, Mayor

(SEAL)

ATTEST:

By *Eileen Hughes*  
Eileen Hughes, Town Clerk

