

**ORDINANCE NO. 2  
SERIES 2024**

**AN ORDINANCE OF THE TOWN OF CRESTED BUTTE, COLORADO,  
AMENDING SECTION 13-1-280 OF THE CRESTED BUTTE MUNICIPAL  
CODE REGARDING EXTENSION OF TOWN SYSTEMS OUTSIDE  
TOWN BOUNDARIES.**

**WHEREAS**, the Town of Crested Butte (“Crested Butte” or the “Town”) is a home rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Crested Butte Home Rule Charter; and

**WHEREAS**, pursuant to Article XX, Section 6 of the Colorado Constitution, Section 29-20-101, et seq., C. R. S. and other authorities granted to municipal governments, the Town has enacted and enforces regulations governing the use of property within the Town' s jurisdiction; and

**WHEREAS**, the Town adopts this ordinance with the intent to allow for the consideration of future utility connection requests that facilitate affordable housing and emergency services projects; and

**WHEREAS**, Town Council finds and declares that the amendments to Section 13-1-280 as set forth in this Ordinance are in the best interest of the Town.

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

**Section 1.** The foregoing recitals are incorporated herein as if set forth in full.

**Section 2.** Section 13-1-280 of the Crested Butte Municipal Code is hereby amended as set forth below with double underline text added and ~~strikethrough text~~ deleted.

\*\*\*

**Sec. 13-1-280. Extension of Town systems outside Town boundaries.**

\*\*\*\*

- (e) Upon the Town Manager's completion of review of the feasibility study, the Town Manager shall transmit copies of the study to the other Town departments for comment and review. Upon the Town Manager's receipt of comments from the other Town departments, the Town Manager shall prepare a staff report, including the requirements for the provision and receipt of water and/or sewer service beyond Town boundaries applicable to the applicant's request. Requirements for said provision and receipt shall be, at a minimum:

\*\*\*\*

- (2) For all other projects seeking to connect to the Town's sewer system under this Section, the following minimum requirements must be met:
- a. Sewer service shall be extended only to single-family residential units, accessory dwelling units and/or guesthouses and accessory buildings associated with the single-family residential unit, affordable housing developments, and buildings that accommodate emergency service providers.
  - b. ~~Sewer service shall only be extended within the service area and land identified in Appendix "A" attached hereto.~~
  - b.e. Once sewer service is extended, there shall be no further subdivision or change in use of the subject property.
  - c. Town Council may impose additional requirements to ensure that any sewer extension promotes the long-term goals and policies of the Town.

\* \* \*

(5) An agreement for the provision and receipt of water and/or sewer service beyond Town boundaries ~~not otherwise inconsistent with the requirements of this Section~~ shall be prepared by the Town Attorney and approved by the Town Council in its's sole discretion. Such agreement shall incorporate and include, without limitation, terms and conditions that address the requirements of this Section and such other terms as the Town Council deems appropriate and which further the goals and policies of the Town. ~~The Town Manager's staff report regarding the request shall be incorporated in the agreement prepared by the Town Attorney.~~ Upon execution by the applicant and the Town, said agreement shall be recorded on the official land records of Gunnison County and the obligations and requirements contained therein shall be a burden upon and run with the subject property.

\* \*

**Section 3.** If any provision of this Ordinance, or the application of such provision to any person or circumstance, is held to be unconstitutional, then the remainder of this ordinance, and the application of the provisions of such to any person or circumstance, shall not be affected thereby.

**Section 4.** Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

**Section 5.** With the exception of the provisions of the Municipal Code of the Town of Crested Butte which are modified as provided herein, all remaining provisions of the Municipal Code of the Town of Crested Butte shall remain in full force and effect.

**Section 6.** This ordinance shall be effective upon adoption at second reading, pursuant to Sections 4.9 and 4.11 of the Crested Butte Home Rule Charter.

READ AND PASSED ON FIRST READING THIS \_\_ DAY OF FEBRUARY 2024.

ADOPTED ON SECOND AND FINAL READING THIS 20<sup>th</sup> DAY OF February  
2024.

TOWN OF CRESTED BUTTE, COLORADO

By:   
Ian Billick, Mayor

ATTEST:

  
Lynelle Stanford, Town Clerk

