ORDINANCE NO. 29
SERIES 2020

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING SECTION 13-1-120 OF THE CODE TO INCREASE THE MINIMUM MONTHLY SERVICE CHARGE PER METER FOR WATER USED AT A "BASE RATE" TO $31.00 PER MONTH PER EQR; AMENDING SECTION 13-1-150 OF THE CRESTED BUTTE MUNICIPAL CODE TO INCREASE THE MONTHLY SERVICE CHARGE FOR SEWER SERVICE TO $40.50 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 and 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 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 Water Service and Usage Block Rates. Section 13-1-120 paragraphs (a), of the Code are hereby amended by deleting them in their entirety and replacing with the following:

"(a) 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-nine dollars ($31.00) for the first eight thousand (8,000) gallons used per applicable EQR, or additional fraction thereof (base allotment).

Section 2. Increase in Monthly Sewer Service rates. Section 13-1-150 paragraph (a) 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-eight dollars and fifty Cents ($40.50) 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."

Section 3. 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 4. 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 5. Effective Date. The provisions of this Ordinance shall take effect as of January 1, 2021.

INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS SIXTEENTH DAY OF NOVEMBER, 2020.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS SEVENTH DAY OF DECEMBER, 2020.

TOWN OF CRESTED BUTTE, COLORADO

By_____
James A Schmidt, Mayor

(SEAL)

ATTEST:

By_____
Lynelle Stanford, Town Clerk

TOWN OF CRESTED BUTTE CORPORATE SEAL JULY 2, 1880 GUNNISON COUNTY, CO