

**Town of Arriba
Ordinance No. 153**

AN ORDINANCE BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, LINCOLN COUNTY, COLORADO, TO AMEND TOWN ORDINANCES RELATIVE TO USER RATES TO BE ASSESSED TO RESIDENTS, AND COMMERCIAL PROPERTIES WHO ARE CONNECTED TO THE TOWN SEWER SYSTEM.

Whereas, Colorado Revised Statutes 31-15-709 empowers and authorizes municipalities to create and regulate municipal sewer systems, including the imposition of user rates designed to maintain the sewer systems as well as to provide for future growth; and

Whereas, the Town has through the state statutes and past ordinances developed a billing system which accesses the cost of use of the sewer system, to the individual users, based on the annual cost of operation and maintenance of the system; and

Whereas, The Town of Arriba Board of Trustees want to correct the graduated residential user rates as stated in Town of Arriba Ordinance 147, and to establish a commercial, multi housing, and non-residential sewer rate;

NOW THEREFOR BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA LINCOLN COUNTY COLORADO:

SECTION 1- Graduated Rate Increase for the In-town Residential Sewer Rate

Upon the adoption of this Ordinance, the rates for the use of sewer shall be imposed as follows:

Commencing March 1, 2023

41.00 in-town sewer rate

Commencing March 1, 2024

42.50 in-town sewer rate

Commencing March 1, 2025

44.00 in-town sewer rate

Commencing March 1, 2026

45.50 in-town sewer rate

Commencing March 1, 2027

47.00 in-town sewer rate

Commencing March 1, 2028

48.50 in-town sewer rate

Commencing March 1, 2029

50.00 in-town sewer rate

Commencing March 1, 2030

51.50 in-town sewer rate

SECTION 2- Establishing a commercial, Multi housing, and non-residential sewer rate

That the sewer rate for commercial, multi-housing and non- residential properties with up to 2 bathrooms in the facility will be \$61.50. Commercial properties that have more than 2 bathrooms, multi-housing properties, and apartment complexes will be charged \$22 per bathroom. Commercial and non-residential properties that have only 2 bathrooms but have higher public traffic and higher water usage will be charged sewer according to their water usage as determined at a regular meeting by the Town of Arriba Board of Trustees.

SECTION 3- Graduated Rate Increase for Multi-Housing, Commercial and Non-Residential Sewer Rate

Upon the adoption of this Ordinance, the rates for the use of sewer shall be imposed as follows:

Commencing March 1, 2023

63.00 commercial, multi-housing and non- residential sewer rate

Commencing March 1, 2024

64.50 commercial, multi-housing and non- residential sewer rate

Commencing March 1, 2025

66.00 commercial, multi-housing and non- residential sewer rate

Commencing March 1, 2026

67.50 commercial, multi-housing and non- residential sewer rate

Commencing March 1, 2027

69.00 commercial, multi-housing and non- residential sewer rate

Commencing March 1, 2028

70.50 commercial, multi-housing and non- residential sewer rate

Commencing March 1, 2029

72.00 commercial, multi-housing and non- residential sewer rate

Commencing March 1, 2030

73.50 commercial, multi-housing and non- residential sewer rate

SECTION 4- Amending Ordinance 151, Section 3 that pertains to fees for sewer hookups on RV Lots

Vacant RV sewer hookups will not be charged a monthly fee. RV Hookups will only be charged if there has been activity at the RV sewer hookup. The facility owner is responsible for reporting RV Hookup activity on a monthly basis to the Town of Arriba.

SECTION 5 – Validity

If any part or parts of this Ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any part or parts be declared invalid.

SECTION 6 – Repeal

Existing or parts of previous ordinance, resolutions, or motions covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

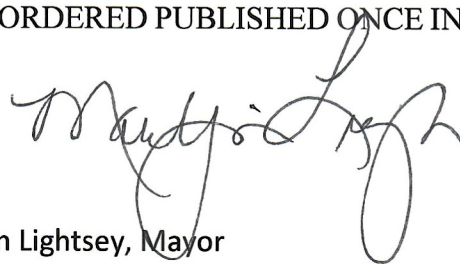
SECTION 7 - Effective Date

The Board of Trustees for the Town of Arriba, Colorado determines that this Ordinance is necessary, and that the increase in rate charges does serve an immediate and beneficial use for the citizens of the Town of Arriba, and it is enacted for that purpose and shall be in full force and effect after final passage and publication.

INTRODUCED, READ IN FULL AND ADOPTED this 9 day of January 2023.

PASSED by a vote of 5 for and 0 against AND ORDERED PUBLISHED ONCE IN FULL this 9 day of January 2023.

Signed



Marilyn Lightsey, Mayor

ATTEST:


Josie Hart, Town Clerk

SEAL