

**Ordinance No. 147**

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 THOSE RESIDENTS AND NONRESIDENTS WHO USE OR 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 assesses 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, due to the costs incurred, and to be incurred, for the imposition of future projects and repairs, and due to costs and factors relating to the efficient functioning of the Town’s sewer system, the Board of Trustees of the Town has determined that a graduated increase in the user rate charges is necessary and in the best interested of all of the citizens of the Town of Arriba;

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

**SECTION 1- Graduated Sewer Rate Increases**

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

**A. Commencing March 1, 2021**

38.00 in-town sewer rate

61.50 out-of-town sewer rate

**B. Commencing March 1, 2022**

39.50 in-town sewer rate

63.00 out-of-town sewer rate

**C. Commencing March 1, 2023**

40.00 in-town sewer rate

64.50 out-of-town sewer rate

**D. Commencing March 1, 2024**

41.50 in-town sewer rate

66.00 out-of-town sewer rate

**E. Commencing March 1, 2025**

43.00 in-town sewer rate

67.50 out-of-town sewer rate

**Commencing March 1, 2026**

44.50 in-town sewer rate

69.00 out-of-town sewer rate

**Commencing March 1, 2027**

46.00 in-town sewer rate

70.50 out-of-town sewer rate

**Commencing March 1, 2028**

47.50 in-town sewer rate

72.00 out-of-town sewer rate

**Commencing March 1, 2029**

49.00 in-town sewer rate

73.50 out-of-town sewer rate

**Commencing March 1, 2030**

51.50 in-town sewer rate

75.00 out-of-town sewer rate

**SECTION 2 – 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 3 – 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 4 - Effective Date**

The Board of Trustees for the Town of Arriba, Colorado determines that this Ordinance is necessary TO PAY FOR THE REPAIRS, MAINTENANCE AND IMPROVEMENTS TO THE Town’s sewer system, 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 \_\_\_ day of \_\_\_\_\_, 2021.

PASSED by a vote of \_\_\_ for and \_\_\_ against AND ORDERED PUBLISHED ONCE IN FULL this \_\_\_ day of \_\_\_\_\_, 2021.

Signed \_\_\_\_\_  
Alex Flores, Mayor

(Seal)

ATTEST:

\_\_\_\_\_  
Josie Hart, Town Clerk