

ORDINANCE NO. 544

AN ORDINANCE ESTABLISHING INSTALLATION REQUIREMENTS AND REFUND PROCEDURES FOR SEWER AND WATER TAPS.

WHEREAS, the sewer and water departments of the Town of Berthoud are continually experiencing increased water treatment costs; and,

WHEREAS, these increased costs are not only applicable to processing but are also applicable to plant expansion; and,

WHEREAS, it is foreseeable that the Town will continually be required to increase not only its water and sewer rates, but future plant expansion will also necessitate higher tap fees; and,

WHEREAS, at present there is no time limit placed upon the installation of a sewer or water tap once the fee is paid;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 1.

All sewer and water taps purchased after the effective date of this ordinance directly or indirectly from the Town of Berthoud shall be installed, inspected and placed into operation on the specific premises for which they were purchased not later than one hundred twenty (120) days after being purchased from the Town.

Section 2.

For good cause shown, the owner of a tap may request and receive two one hundred twenty (120) day extensions from the Town Administrator if the delay is incurred as a result of acts of God or factors of significance beyond the control of the owner.

Section 3.

If at the end of the second one hundred twenty (120) day period, or the extension thereof the owner has not completed the installation, inspection and placed the tap into operation, the Town may, at its option, refund to the owner ninety percent (90%) of the tap fee, retaining ten percent (10%) to cover administrative expenses. The failure of the Town to make payment to the owner shall not extend the owner's right to make use of the tap provided, however that a refund shall be made within forty-two (42) days after the owner requests the refund.

Section 4.

The immediate passage of this ordinance is necessary to preserve the financial status of the Town; to prevent speculation on the sale and ownership of sewer and water taps; and, to ensure the continued health, safety and welfare of the Town.

This ordinance was introduced, read, passed and ordered published at a special meeting of the Board of Trustees of the Town of Berthoud held this 19th day of July, 1983 and it shall take effect upon adoption.

TOWN OF BERTHOUD:


MAYOR

ATTEST:


TOWN CLERK