

AN ORDINANCE ESTABLISHING THE RAW WATER CONTRIBUTION REQUIREMENTS FOR THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO

Whereas the Board of Trustees and the Planning Commission have determined that it is necessary to preserve the Town's supply of raw water; and,

Whereas each user of treated water should provide a source of raw water equivalent to their usage; and,

Whereas because the raw water requirements of each property may fluctuate with the usage of the property there should be a method for evaluating the appropriate amount of raw water necessary to ensure an adequate supply to the property;

Now, therefore, be it ordained by the Board of Trustees of the Town of Berthoud, Larimer County, Colorado:

Section 1. Required Contribution of Raw Water

a. A raw water contribution shall be required for each property which is required to have plumbing pursuant to Appendix C of the Uniform Plumbing Code, 1991 Edition.

Section 2. Evaluation of Usage

a. Upon the application for a building permit the Town's administrative staff shall determine whether the modifications proposed will raise or lower the usage of water on the property by at least one (1) acre foot of water per year. The minimum amount of raw water contribution for any property being served with treated water shall be one (1) acre foot.

b. For purposes of assisting the Town's staff in making this determination the applicant shall be required to provide the relevant engineering data requested by the staff.

c. In the case of applications for building permits for construction of or additions to dwelling units it shall be presumed that the raw water usage for each dwelling unit shall be one (1) acre foot. A dwelling unit is defined as any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the 1991 Uniform Zoning Code for not more than one family, or a congregate residence for six or less persons. Thus, it would be presumed that a single family residence would have a raw water compensation requirement of one (1) acre foot while a duplex would have a raw water compensation requirement of two (2) acre feet. Raw water requirements for estate sized lots, apartment complexes,

commercial, industrial and other uses would be evaluated on a case by case basis as required in subsections a and b above.

d. Upon determination of the amount of raw water usage as required by this Section, the requirement shall be rounded off to the nearest acre foot. Calculations which result in a fraction of an acre foot equal to or greater than .500 shall be rounded up to the next higher acre foot and those fractions less than .500 shall be rounded down.

Section 3. Compensation for Raw Water

a. Prior to the issuance of a building permit the applicant shall pay a raw water contribution fee of \$2,132.00 for each acre foot of water established in Section 1.

i. If the property for which the building permit is being requested has been a portion of a subdivision where raw water was dedicated to the Town upon annexation, then an appropriate raw water credit shall be applied to reduce or eliminate the revised raw water dedication requirement.

ii. This fee shall be reviewed by the Board of Trustees not less frequently than annually and revised, if necessary, by resolution during the first quarter of each calendar year.

b. Upon prior approval of the Town, the applicant's raw water requirements may be met through the conveyance of stock in the Handy Ditch Company (Handy) or units of the Northern Colorado Water Conservancy District (Big T) sufficient to satisfy the requirements. Raw water transfer costs and related expenses shall be paid by the transferor.

i. For purposes of this transfer of raw water to the Town, one (1) acre foot shall mean a net acre foot delivered to the raw water reservoir being used by the Town. The quantity of the annual delivery shall be based upon the ten (10) year delivery average of Handy or Big T as applicable. Factors such as delivery charges, storage and shrinkage shall be considered in order that a net acre foot of water will be available in the town's raw water reservoir for treatment.

Section 4. Allocation of Funds

The money generated from these fees shall be separately identified and allocated for purchase of raw water in the Town's accounting and budget processes.


Section 5. Effective Date

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting March 9, 1993, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 23rd day of March, 1993. This Ordinance was ordered to be published at its meeting on March 9, 1993.

ATTEST:

TOWN OF BERTHOUD:


Town Clerk


Mayor

Published: March 11, 1993
Berthoud Recorder