

ORDINANCE NO. 946

AN ORDINANCE AMENDING ORDINANCE NO. 933 OF THE MUNICIPAL CODE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

Section 1.

The monthly volume charges of Section 1 of Ordinance No. 933 relative to usage for Multi-Family, Educational, and Commercial are amended to read as follows:

MULTI-FAMILY USAGE

5/8 Inch Tap - (Rate Table 121)

Base 16,000 gallons @ \$1.67 per thousand
17,000 – 24,000 Gallons, \$ 2.51 per thousand.
25,000 – 32,000 Gallons, \$ 3.34 per thousand
33,000 & above, \$ 6.68 per thousand

1 Inch Tap – (Rate Table 122)

Base 40,000 gallons @ 1.67 per thousand
41,000 – 60,000 gallons, \$ 2.51 per thousand.
61,000 – 80,000 gallons, \$ 3.34 per thousand.
81,000 & above, \$ 6.68 per thousand.

1-1/2 Inch Tap – (Rate Table 123)

Base 80,000 gallons @ 1.67 per thousand
81,000-120,000 gallons, \$ 2.51 per thousand
121,000 – 160,000 gallons, \$ 3.34 per thousand
161,000 & above, \$ 6.68 per thousand

4 Inch Tap – (Rate Table 126)

Base 400,000 gallons @ 1.67 per thousand
401,000 – 600,000 gallons, \$ 2.51 per thousand.
601,000 – 800,000 gallons, \$ 3.34 per thousand.
801,000 gallons & above, \$ 6.68 per thousand.

6 Inch Tap – (Rate Table 127)

Base 800,000 gallons @ \$ 1.67 per thousand.

801,000 – 1,200,000 gallons, \$ 2.51 per thousand.

1,201,000 – 1,600,000 gallons, \$ 3.34 per thousand.

1,601,000 gallons & above, \$ 6.68, per thousand

EDUCATIONAL USAGE

128,000 Gallons, Base rate @ \$1.86 per thousand.

129, 000 – 192,000 Gallons, \$ 2.79 per thousand.

193,000 & above, \$3.72 per thousand.

COMMERCIAL USAGE

5/8" Inch Tap – (Rate Table 131)

Base 16,000 gallons @ \$1.65 per thousand

17,000 – 24,000 gallons

25,000 gallons & above \$ 3.30, per thousand

1" Inch Tap – (Rate Table 132)

Base 40,000 gallons @ \$ 1.65 per thousand

41,000 gallons & above, \$3.30 per thousand

1-1/2 Inch Tap – (Rate Table 133)

Base 80,000 gallons @ \$ 1.65 per thousand

81,000 gallons & above, \$ 3.30 per thousand

5/8" Inch Tap – Outside Town – (Rate Table 141)

Base 16,000 gallons @ \$ 2.47, per thousand

17,000 gallons & above, \$ 4.94, per thousand

RESIDENTIAL USAGE ADJUSTMENTS

1 Inch Tap – (Rate Table 102)

Base 40,000 gallons @ \$1.81

41,000 – 60,000 gallons, \$ 2.72, per thousand

61,000 – 80,000 gallons, \$ 3.62, per thousand.

81,000 gallons & above, \$ 7.34, per thousand.

2" Inch Tap – (Rate Table 104)

Base 128,000 gallons @ \$1.81, per thousand.

129,000 – 192,000 gallons, \$ 2.72, per thousand.

193,000 – 256,000 gallons, \$ 3.62, per thousand.

257,000 gallons & above, \$ 7.34, per thousand.

For customers located outside of Berthoud's municipal boundaries, the above fees shall be increased 50%. This 50% surcharge is assessed to reimburse the Town for additional costs it incurs in maintaining, operating and replacing the extended water distribution system in these rural areas.

The rates established in this ordinance shall be reviewed on a quarterly basis to ensure that the purpose for which they are enacted, namely conservation of water, is being achieved.

When establishing the budget for 2003 and all successive years, the Board of Trustees shall evaluate whether any significant revenues were generated by this ordinance. If so, the Board of Trustees shall allocate these additional revenues for water conservation and water acquisition into the water dedication fund.

Section 2. Irrigation Schedule.

The following watering schedule shall be observed for the irrigation of turf grass:

Irrigation will be allowed twice weekly. Properties with addresses ending with the numbers 1, 2, or 3 shall irrigate on Monday and Thursday; addresses ending with the numbers 4, 5, or 6 shall irrigate on Tuesday and Friday; and, addresses ending with the numbers 7, 8, 9 or 0 shall irrigate on Wednesday and Saturday. Irrigation on the designated day may commence at 12:01 A.M. with no irrigation to last longer than four (4) hours. No irrigation shall be permitted between the hours of 10:00 A.M. to 8:00 P.M.

Section 3. Appeal.

Any person or persons owning real property with one or more water taps shall have the right to have the rates established in Ordinance No. 933, as amended, reviewed by the Town Administrator. The basis for review shall be whether the rates set forth in Section 1 are reasonably related to the water usage through that tap or taps and whether the fee being charged for water usage is consistent throughout the applicable rate class. All petitions for appeal hearings shall be made in writing and filed with the Town Clerk. The petition shall specifically state the reasons for the relief requested as applicable to the legal basis set forth above. Upon receipt of the petition for appeal a hearing before the Town Administrator shall take place within twenty-one (21) days. The hearing may be conducted in person, by conference call or may be based solely or in part on the written petition. The Town Administrator is authorized to make equitable adjustments to rates when the appellant shows to the satisfaction of the Town Administrator that the rate being charged is not reasonably related to the water usage and that the rate is not consistent throughout the applicable rate class.

The standard for review for commercial users shall be that if the commercial user can show that all cost effective methods of water conservation will not result in a reduction of more than twenty-five percent (25%) of the customer's usage, then no rate increase will be made.

Section 4. Emergency Clause.

The Board of Trustees has determined that due to the severe drought conditions it is necessary to conserve water and that the implementation of higher usage fees will assist in the conservation of water by the citizens of Berthoud. An emergency therefore exists justifying the passage of this Ordinance to take effect and be in force immediately upon passage. The fees set forth in this Ordinance shall be effective for all October, 2002 billings.

At the special meeting of the Board of Trustees, this Ordinance was read, passed and ordered published this 3rd day of September, 2002 by a vote of 6 in favor and 0 opposed.

TOWN OF BERTHOUD:

Milan Karspeck

Milan Karspeck – Mayor

ATTEST:

Mary K Cowdin

Mary K. Cowdin Town Clerk

Published: 9-12-02