

ORDINANCE NO. 1156

AN ORDINANCE ESTABLISHING THE FEE FOR BULK WATER SALES

Recitals

WHEREAS, the Board of Trustees of the Town of Berthoud (hereafter the "Town") for and on behalf of the Town of Berthoud water enterprise, hereby finds that the bulk sales of water present an inordinate and partially uncompensated burden on the water enterprise because typically the sales are for commercial purposes;

WHEREAS, the commercial customer has not provided raw water to the Town and thus the Town is required to use its own reserves of raw water;

WHEREAS, the commercial customer has not paid a fee to the Town to offset the capital expenditures incurred by the Town to treat and deliver potable water to the commercial customer; and,

WHEREAS, the bulk sales of water typically present an unpredictable demand on the Town's water treatment and distribution facilities.

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

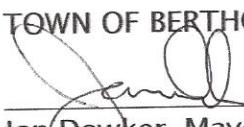
SECTION 1: Fee for Bulk Water Sales

The fee for the sale of bulk water shall be \$11.76 per thousand gallons, as measured through the meters provided by the Town or through such other reasonable and reliable measuring devices.

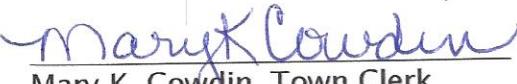
SECTION 2: Emergency Clause

The Board of Trustees has determined that an emergency exists because the bulk sale of treated water by the Town jeopardizes the fiscal condition of the Town, requires the Town to expend its reserves of raw water and places excess burdens on the Town's capacities for potable treatment.

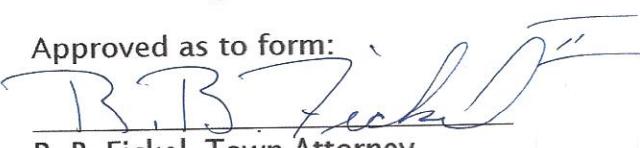
At the regular meeting of the Board of Trustees on February 26, 2013, this ordinance was passed by the Board of Trustees with a vote of
6 in favor and 0 opposed.

TOWN OF BERTHOUD

Jan Dowker, Mayor Pro-Tem

ATTEST:


Mary K. Cowdin, Town Clerk

Approved as to form:


R. B. Fickel, Town Attorney

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