

ORDINANCE NO. 545

AN ORDINANCE RELATING TO THE IMPOSITION OF CURRENT WATER AND SEWER USER FEES FIXING ASSESSMENTS FOR THE USE THEREOF AND PROVIDING FOR THE COLLECTION THEREOF; SUPERSEDING ORDINANCE NO. 470

WHEREAS, under and by virtue of the authority conferred upon the governing body of the Town of Holly, Colorado by Title 31, Article 35, and Section 402 (b) of the Colorado Revised Statutes to operate and maintain water facilities or sewer facilities or both for its own use and for the use of public and private consumers and users within and without the territorial boundaries of the municipality; and

WHEREAS, Title 31, Article 35, and Section 402 (f) of the Colorado Revised Statutes confers upon the governing body of the Town of Holly, Colorado the power to prescribe, revise, and collect in advance or otherwise, from any consumer or any owner or occupant of any real property connected therewith or receiving service therefrom, rates, fees, tolls, and charges or any combination thereof for the services furnished by, or the direct or indirect connection with, or the use of, or any commodity from such water facilities or sewer facilities or both; and,

WHEREAS, the Board of Trustees of the Town of Holly, Colorado has deemed Ordinance No. 470, *An Ordinance Concerning and Relating to the Adoption of Water and Sewer Rates Within the Municipal Water Utility System of Holly, Colorado*, dated February 3, 2010 to be outdated and insufficient to the current needs of the utility; and,

WHEREAS, the Town's water and sewer facilities and infrastructure have not been updated or modernized for many years, and it is necessary to ensure the Town's capability to establish a capital improvements plan through annual increases in the water and sewer rates; and,

WHEREAS, the customers of the Town's sewer facilities are better served by rate classifications which reflect water metered therefore, the sewer rates specific to water captured in the lagoons.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Holly, Colorado that the following Section 1, Section 2, and Section 3, shall pertain to the Town's water utility:

Section 1. The following monthly minimum water rates shall be charged to each water meter served within and without the corporate limits of the Town of Holly, Colorado and are hereby fixed and established, due and payable monthly, for such connections and uses. The monthly minimum shall be based on 3,000 gallons of usage and is reflected as follows:

| Water Rate | Year | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |
|--|-------------|-------|-------|-------|-------|-------|-------|
| Monthly Minimum for 3,000 gallons | In Town | 23.46 | 26.46 | 29.46 | 31.46 | 34.00 | 38.00 |
| | Out of Town | 30.32 | 33.32 | 36.32 | 39.32 | 42.32 | 45.32 |
| Excess of 3,000 gallons - \$3.00 per 1,000 | | | | | | | |

Section 2. A rate in the amount of \$3.00 will be charged for each 1,000 gallons metered in excess of the 3,000-gallon minimum usage.

Section 3. Coin-op water dock bulk purchases will be charged at the rate of \$3.00 per 1,000 gallons.

Section 4. The following utility customer classifications are sewer rates for all customers served within and without the corporate limits of the Town of Holly, Colorado and rates are set for each customer classification through the cost-of-service variables of water consumption and capture in the sewer lagoons.

A. Sewer Classifications

1. **Residential:** private residences, mobile residences and RV camper residences, Lamar Housing Authority (separate meters), and other apartments.

Residential Rate: Monthly rate shall be charged to each residential customer served by the Town of Holly municipal sewer system.

| Sewer | Year | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |
|------------------|-------------|-------|-------|-------|-------|-------|-------|
| Residential Rate | In Town | 9.38 | 12.38 | 15.38 | 16.38 | 17.00 | 17.50 |
| | Out of Town | 12.13 | 15.13 | 18.31 | 19.50 | 21.00 | 21.50 |

2. **Commercial Other than Residential:** beauty shops, grocery stores, commercial offices, small retail and other businesses, churches, banks, medical and veterinary clinics, some school buildings, some municipal buildings, restaurants and other restaurant-type businesses, laundries, car washes, light manufacturing, Holly Housing Authority (one shared meter for all apartments), motels, and hotels.

Commercial Rate: Monthly rate shall be charged to each commercial customer served by the Town of Holly municipal sewer system, and the Exceeding Standard Use, if applicable.

Exceeding Standard Use: A monthly adjustable rate, in addition to the monthly Commercial Rate, each 1,000 gallons over the 3,000 gallons monthly standard, shall be charged at the rate of \$3.00 per 1,000 gallons which is reflected in metered water usage.

| Sewer | Year | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |
|--|-------------|-------|-------|-------|-------|-------|-------|
| Commercial Rate | In Town | 9.38 | 12.38 | 15.38 | 16.38 | 17.00 | 17.50 |
| | Out of Town | 12.13 | 15.13 | 18.31 | 19.50 | 21.00 | 21.50 |
| \$3.00 per 1,000 gallons after 3,000 monthly standard use. | | | | | | | |

Example: 5,000 gallons metered
 $-3,000$ gallons standard @ \$12.38 = \$12.38 Commercial Rate
 2,000 gallons @ \$3.00/1,000 gal = 6.00 Exceed Standard use
 \$18.38

Commercial with Yard Watering: Customers in this classification exhibit water use attributed to yard watering. In addition to the monthly Commercial Rate, each 1,000 gallons over the 3,000 gallons monthly standard, will be charged a Non-Watering Rate for the year by using the highest water consumption month of January or February. The Non-Watering Rate will be \$3.00 per 1,000 fixed for the next ten months of the year.

Example:
 January: 7,000 gallons metered
 February: 5,000 gallons metered

7,000 gallons metered
 $-3,000$ gallons minimum @ \$12.38 = \$12.38 Commercial Rate
 4,000 gallons @ \$3.00 per 1,000 gallons = \$12.00 Non-watering Rate
 \$24.38

This classification includes long term care centers and other 24-hour facilities.

Section 5. Any ordinances, resolutions, or motions heretofore existing and in conflict with the provisions of this ordinance are hereby repealed, except that, in the event the Town of Holly Board of Trustees should permanently suspend the provisions herein adopted, or for any other reason, refuse to permit the changes herein provided for, then the existing ordinances, resolutions, and motions heretofore adopted and governing the water department shall be continued in full force and effect.

Section 6. This Ordinance shall become effective 30 days after publication thereof.

INTRODUCED for first reading this 5TH day of January, 2022.

/s/ Calvin J. Melcher, Mayor

ATTEST:

/s/ Megan Jara, Clerk/Treasurer

INTRODUCED for second reading, approved, and ordered published this 9th day of February, 2022.

/s/ Calvin J. Melcher, Mayor

ATTEST:

/s/ Megan Jara, Clerk/Treasurer