

ORDINANCE NO. 710

AN ORDINANCE AMENDING CHAPTER, 13.60 WATER AND SEWER RATES OF THE HAYDEN MUNICIPAL CODE

RECITALS

Whereas, The Town of Hayden, Colorado (the "Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town of Hayden Home Rule Charter (the "Charter"); and

Whereas, The Town is the owner of a municipal water and wastewater system (the "System"), which System historically has been operated on a self-supporting basis with its financial operations accounted for in a water and sewer enterprise fund of the Town; and

Whereas, The Hayden Town Council has determined that future fee adjustments necessary for fiscal year 2022 and future years shall be based on historical usage in the calculation of water base rates and sewer base rates, water usage and sewer usage and to fund and properly repair, maintain and operate the water and sanitary sewer utility systems and will be adjusted and adopted by resolution and therefore it is necessary to amend 13.60 Water and Sewer Rates of the Hayden Municipal Code as reflected below..

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO:

Section 1. Adoption.

Chapter 13.60 of the Hayden Town Code is hereby amended as follows:

1. Section 13.60.010 Water User Fee Computation and Schedule, is hereby changed to reflect the following:
 - A. Definitions. This Chapter is subject to the following definitions:

"Base rate fee" is defined as a portion of the water user fee established in accordance with a Resolution adopted by the Town Council multiplied times the applicable SFE for each water user.

"Metered rate fee" is defined as a portion of the water user fee computed in accordance with a Resolution adopted by the Town Council.
 - B. The base rate for water usage is defined by a Resolution adopted by the Town Council for specific applications.
 - C. The metered rate for water usage is defined and set by a Resolution adopted by the Town Council for the specific applications.
 - D. Senior Citizen and Disabled User. The metered rate for senior citizens and disabled users is equal to sixty (60) percent of the water base rate and metered rates reflected by a Resolution adopted by the Town Council.
 - E. Out-of-Town Users. The water base rate and metered rate for all out-of-Town users is equal to two hundred (200) percent of the water base rate metered rates set by a Resolution adopted by the Town Council.
2. Section 13.60.030 Sewer Rate, is hereby changed to reflect the following:

A. Definitions. As used in this section:

"Metered rate" means a rate set by Resolution adopted by the Town Council and at least sufficient to generate those revenues necessary to cover all annual O&M costs in the sewer fund, less any incidental revenues such as interest income.

B. The amount of water consumed on which the metered rate amount is charged shall be estimated prospectively each January through December period based on the average monthly amount of water consumed during the following (7) months of the prior year:

January through April and October through December of the prior year.

C. The monthly base rate for sewage usage shall be defined by a Resolution adopted by the Town Council for the specific application.

3. Section 13.60.040 User Fees for Larger Than One SFE Users

Users with a water tap or sewer tap in excess of one (1) SFE shall pay an increased base water and base sewer fee in accordance with 13.08.010 Plant Investment Fees and 13.60.040 A. Definitions "Water User Classifications".

4. Section 13.60.050 Multiple Users on One Water or Sewer Tap

In those cases where more than one user is using the same water and/or sewer tap, an additional user base fee shall be assessed to the principal service tap in proportion to the increased SFEs as determined by 13.60.040 A. Definitions "Water User Classifications".

5. Section 13.60.060 Rate Adjustment Power

The Town Council shall review water rates annually during budget time and may change the water user fees by changing the base rate and/or the metered rate established by Resolution adopted by the Town Council or the classifications in 13.60.040 A. Definitions "Water User Classifications". At any time. The Town Council may change a user classification in any case where the Council determines that the water user fees are unfair, inequitable or improper.

Section 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective Date. This Ordinance shall be in full force and effective immediately on December 16th, 2021.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 2nd DAY OF DECEMBER, 2021 AND A PUBLIC HEARING SET FOR DECEMBER 16th, 2021.


Zachary Wuestewald, Mayor

ATTEST


Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3 (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 16th DAY OF DECEMBER, 2021.



Zachary Wuestewald, Mayor

ATTEST



Sharon Johnson, Town Clerk

