

ORDINANCE NO. 546

AN ORDINANCE PROVIDING FOR THE COLLECTION OF AN INFRASTRUCTURE FEE RELATING TO THE WATER, SEWER AND ELECTRIC EXPENSES ASSOCIATED WITH CAPITAL IMPROVEMENTS AND MAINTENANCE OF THESE FACILITIES OF THE TOWN OF HOLLY, COLORADO

WHEREAS, it is necessary to ensure the Town's capability to establish a capital improvements plan and an infrastructure maintenance fee through the imposition of an infrastructure fee; and

WHEREAS, the Town's water, sewer and electric facilities and infrastructure require periodic modernization, and it is necessary to ensure the Town's capability to establish a capital improvements plan and an infrastructure maintenance through the infrastructure fee; and

WHEREAS, the customers of the Town's water, sewer and electric facilities are better served by a capital improvement plan and an infrastructure maintenance plan funded by the imposition of a monthly infrastructure fee that is directed to all Users and Non-users of those facilities.

Section 1. Definitions

- a. "User" is a consumer who consumes the utility services on a monthly basis.
- b. "Non-user" is a consumer who does not consume the utility services on a monthly basis, or any customer with availability to utilize the utility services.

Section 2. The Board of Trustees of the Town deems it necessary to assess a water, sewer and electric infrastructure fee on every water, sewer and electric utility served (water and/or sewer tap and/or electric service line) by the Town. This infrastructure fee is established at the rate of \$10.00 for each User and Non-user of the available service of water, sewer and/or electric of the Town.

Section 3. A fee of \$10.00 shall be imposed to any User and Non-user of any utility even if only one utility service is available. Only one fee shall be imposed to any single dwelling and/or address. The fee shall attach to the property address (whether occupied or vacant) or the associated account listing.

Section 4. The Town Clerk may certify the charge or charges to the County Treasurer to be placed upon the tax list for the current year to be collected in the same manner as other taxes are collected with a penalty of ten percent (10%) added thereto to defray the cost of collection; and all laws of the State of Colorado for the assessment and collection of general taxes, including the laws for sale of property for taxes, and redemption of the same shall apply.

Section 5. Thirty days after publication, this Ordinance shall become effective for Non-users, hence to be reflected in the March 2022 billing period. This Ordinance shall become effective for Users on January 1, 2023.

Section 6. Any ordinances 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 heretofore adopted and governing the water, sewer and electric department shall be continued in full force and effect.

Section 7. This Ordinance to collect water, sewer and electric infrastructure fees shall commence for Users and Non-users with the available utilities by way of existing taps, mains, and electric lines or poles on the date of passage of this ordinance and shall expire on March 2, 2032.

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