

ORDINANCE NO. 764

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, REPEALING SECTION 8, CHAPTER 6, TITLE III, OF THE OFFICIAL CODE OF THE CITY OF MONTROSE, COLORADO, AND RE-ENACTING SAID SECTION, CHAPTER AND TITLE TO PROVIDE THAT ON ANY APPLICATION FOR A TAP TO THE CITY WATER SYSTEM THAT THE APPLICANT AGREES TO GIVE THE NECESSARY EASEMENTS AND AGREES TO TAP TO THE CITY SEWER SERVICE WHENEVER THE IMPROVEMENTS ON THE LAND ARE WITHIN 150 FEET OF AN ESTABLISHED SEWER LINE, AND FURTHER, TO PROVIDE THAT ALL TAPS TO THE CITY WATER SYSTEM SHALL BE MADE BY CITY EMPLOYEES.


NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, that Section 8, Chapter 6, Title III, of the Official Code of the City of Montrose, Colorado, is hereby repealed and re-enacted to read as follows:

3-6-8: PERMIT TO TAP:

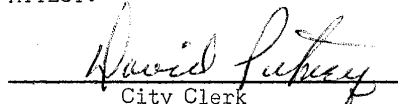
- (A) No connection or tap to the City water system or any extension or continuation thereof, for use outside the City limits, shall be made until the applicant for water service shall file with the Clerk an application for a permit to tap said water system and until such permit has been granted and approved by the Council. Application for such water service outside the City limits shall be made by the landowner or person purchasing under a Contract of Sale which has been placed of record, and such application shall contain:
1. The full name or names of the owners or contract purchasers of the land for which such permit is requested.
 2. The legal description of the land to be so served, together with the street address, if any.
 3. A description of the service desired or requested.
 4. A statement that the applicant acknowledges the use of such service to be a privilege which may be terminated at any time without notice or hearing, at any time the Council shall deem it within the best interests of the City and its inhabitants so to do.
 5. A statement of the intended use to be made of the property to be served, whether it be residential, commercial or industrial.
 6. A statement that the applicant agrees to execute and to pay the expense of placing on record in the office of the Clerk and Recorder of Montrose County, Colorado, an agreement which shall be binding upon and shall run with the land to be served with such service, to the effect that within ninety (90) days from and after the date that the land belonging to them as above described, becomes eligible for annexation to the City under the provisions of the present or future laws of the State of Colorado, they will cause to be filed with the City a valid annexation petition, proposing such lands for annexation to the City. The costs and expenses of any such annexation proceeding shall be paid by the owners of the property to be annexed, on a pro rata basis.

7. A statement that applicant agrees to grant the City of Montrose all of the necessary easements for construction and maintenance of the water lines, and agrees to execute the necessary documents to establish said easements.
 8. A statement that applicant agrees that whenever there is an established sewer line within 150 feet of the improvements on the premises of the applicant that the applicant will tap on to said sewer line in accordance with the ordinances of this Code providing for sewer taps.
 9. A statement to the effect that the applicant agrees that any structure or improvement to be served by such municipal water service shall be constructed within compliance of all City Building Codes (if construction has not begun) or that any existing structure will be modified to conform to existing City Building Codes in the event of substantial alteration or modification, and that all alterations or modifications thereafter made in such structure of a total value, including labor and materials, of fifty dollars (\$50.00) or more shall be made only after applying for and obtaining a City building permit therefor and shall be made in compliance with all City Building Codes then in existence. Any cost of alteration or modification, except as above limited, in excess of twenty-five per cent (25%) of the assessed value shall be conclusively deemed a substantial alteration. All plumbing fixtures and individual plumbing systems shall comply with the City Plumbing Codes before connection to the City water system shall be permitted.
 10. The signature of the applicant or applicants, and if the applicant is a corporation, the application shall be signed by its duly authorized officer and attested by the secretary of the corporation.
- (B) The requirements and standards, as set forth in Subsection (A) hereof, and hereby incorporated herein by reference, shall be a part of this Chapter and enforceable as such.
- (C) A privately owned water line serving several individual water users may file an application for a permit on behalf of all of the individual water users to be served by such line; provided, that the names and total number of such individual water users shall be included in the application. No privately owned water line shall serve individual water users in excess of the number authorized by the permit issued therefor, until there shall be filed with the Clerk an application for amendment of the permit, listing the names and total number of the additional water users which such privately owned water line desires to serve and until such amendment to the permit has been granted by the Council.
- (D) Special water and sewer taps for industrial or commercial users outside the City Limits may be granted by ordinance.
- (E) Specifications for taps to the City sewer system shall be subject to approval of the Manager prior to the issuance of a permit therefor. No tap or connection to the City water system shall be made except by an employee of the City of Montrose acting in his official capacity as such employee.

Passed on first reading this 19 day of July, 1973, at
Montrose, Colorado.


Mayor, Donald DaLee

ATTEST:

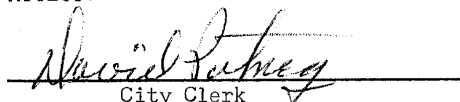

City Clerk

You will please take notice that the Montrose City Council will
hold a hearing upon the foregoing Ordinance and on the question of its
passage on second reading on Thursday, the 2 day of Aug.,
1973, at the hour of 7:30 p.m. at the Montrose City Hall in Montrose,
Colorado.

Passed upon final reading this 2 day of Aug., 1973.


Mayor, Donald DaLee

ATTEST:


City Clerk