

ORDINANCE NO. 764

**AN ORDINANCE AMENDING DIVISION 5 OF CHAPTER 13 OF THE
MILLIKEN MUNICIPAL CODE REGARDING WATER SERVICE
CHARGES**

WHEREAS, the Town of Milliken is a municipal corporation duly organized and operating pursuant to the laws of the State of Colorado; and

WHEREAS, the Town is authorized pursuant to Section 31-35-402 of the Colorado Revised Statutes to prescribe, revise, and collect in advance or otherwise, from any water utility customer rates, fees, tolls, and charges or any combination thereof for the Town's provision of water service and for the connection to the Town's water facilities; and

WHEREAS, the Board of Trustees has adopted various water rates and charges including water usage fees as codified in the Town's comprehensive fee schedule; and

WHEREAS, the Board of Trustees finds that the water rates have not kept pace with the cost of furnishing water to the Town's customers and that it is in the best interests of the Town to establish an automatic adjustment of usage rates based on annual and recurring changes in the Town's treatment costs imposed by third party providers, inflation, costs of maintenance and operation of the Town's reverse osmosis plant and other water facilities; and

WHEREAS, the Board of Trustees finds it necessary to amend Division 5 of Chapter 13 regarding water service charges to authorize an automatic annual increase in water rates based on increased costs of service.

**NOW, THEREFORE IT IS ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF MILLIKEN, WELD COUNTY, COLORADO, AS FOLLOWS:**

Section 1: The above-stated recitals are hereby restated and incorporated into the Milliken Municipal Code as though fully set forth herein.

Section 2: Section 13-2-630, Usage Charge, of Division 5 of Chapter 13 of the Milliken Municipal Code is hereby repealed and reenacted to read in full as follows:

Sec. 13-2-630. Usage charge.

- (a) In addition to the base standby charge imposed under Section 13-2-610, each customer receiving water service shall be charged and pay a usage fee according to the following schedule, effective on June 1, 2018, subject to automatic annual increases as set forth in subsection (b) of this Section 13-2-630.

Usage Charge for Single Family Residential Units (per dwelling unit)		Usage in gallons	Charge per 1000 gallons
5/8" Meter		0-5,000	\$3.54
		5,000-10,000	\$4.14
		10,000-20,000	\$4.90
		20,000-40,000	\$5.93
		40,000-75,000	\$7.53
		>75,000	\$7.53
3/4" Meter		0-10,000	\$3.54
		10,000-15,000	\$4.14
		15,000-25,000	\$4.90
		25,000-45,000	\$5.93
		45,000-75,000	\$7.53
		>75,000	\$7.53

Usage Charge for Multi-Family Residential Units (per dwelling unit)		Usage in gallons	Charge per 1000 gallons
5/8" Meter		0-5,000	\$3.54
		5,000-10,000	\$4.14
		10,000-20,000	\$4.90
		20,000-40,000	\$5.93
		40,000-75,000	\$7.53
		>75,000	\$7.53
3/4" Meter		0-10,000	\$3.54
		10,000-15,000	\$4.14
		15,000-25,000	\$4.90
		25,000-45,000	\$5.93
		45,000-75,000	\$7.53
		>75,000	\$7.53

Usage Charge for Commercial/Industrial/All Others		Usage in gallons	Charge per 1000 gallons
5/8" Meter		0-5,000	\$3.54
		5,000-10,000	\$4.14
		10,000-20,000	\$4.90
		20,000-40,000	\$5.93
		40,000-75,000	\$7.53
		>75,000	\$7.53
3/4" Meter		0-10,000	\$3.54
		10,000-15,000	\$4.14
		15,000-25,000	\$4.90
		25,000-45,000	\$5.93
		45,000-75,000	\$7.53
		>75,000	\$7.53
1" Meter		0-15,000	\$3.54
		15,000-20,000	\$4.14
		20,000-30,000	\$4.90
		30,000-50,000	\$5.93
		50,000-75,000	\$7.53
		>75,000	\$7.53

<u>Usage Charge for Commercial/ Industrial/All Others</u>		<u>Usage in gallons</u>	<u>Charge per 1000 gallons</u>
1.5" Meter		0-20,000	\$3.54
		20,000-25,000	\$4.14
		25,000-35,000	\$4.90
		35,000-55,000	\$5.93
		55,000-80,000	\$7.53
		>80,000	\$7.53
2" Meter		0-30,000	\$3.54
		30,000-35,000	\$4.14
		35,000-45,000	\$4.90
		45,000-65,000	\$5.93
		65,000-90,000	\$7.53
		>90,000	\$7.53

(b) Effective on June 1, 2019 and each year thereafter, the rates provided in subsection (a) of this Section 16-2-630 shall automatically adjust upward by two percent (2%). The annual automatic rate increases shall be reflected in the Town's Comprehensive Fee Schedule, to be annually updated by the Board of Trustees.

(c) The Town shall evaluate the automatic increase defined in subsection (b) of this section at least every five (5) years to ensure the rate adjustment is commensurate with the rate of inflation, the Town's operating costs and those of third-party water treatment providers, and other related factors. The Town shall make appropriate adjustments to the automatic rate increase by ordinance and an amendment to this section.

Section 3: Codification. The Town Clerk is hereby directed to work with the Town's Municipal Code codifier to ensure that the provisions of this Ordinance are included in the next codification of the Milliken Municipal Code.

Section 4: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 5: Repeal. Existing or parts of ordinances covering the same matters as embraced in this Ordinance of the Milliken Municipal Code are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

Section 6: Effective Date. This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption.

Introduced, read, adopted, signed and ordered published by title only by the Board of Trustees of the Town of Milliken this 25th day of April, 2018.

TOWN OF MILLIKEN


Beau Woodcock, Mayor

ATTEST:


Cheryl Powell, Town Clerk

APPROVED AS TO FORM:


Linda Michow, Town Attorney

Published by title only, together with the statement that “[t]he complete text of all ordinances is available at the Town offices and on the Town’s official website” on May 10, 2018.


Cheryl Powell, Town Clerk