

ORDINANCE NO. 81

AN ORDINANCE PERTAINING TO AND REGULATING WATER CONNECTION, CAPITAL INVESTMENT AND REPAIR, AND WATER ACQUISITION FEES IN THE TOWN OF MEAD, AND PERTAINING TO AND REGULATING THE TERMS AND CONDITIONS OF ANNEXATION TO THE TOWN OF MEAD.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, WELD COUNTY, COLORADO:

Section 1. Water Connection Charges Established.

A. There is hereby imposed a uniform capital investment, water resource and connection charge, payable upon application for a water tap in the Town of Mead, as follows:

1. Residential:

Meter Size	Connection Charge	Capital Investment & Repair	Water Acquisition	Total
3/4"	\$1,000.00	\$1,000.00	\$2,500.00/ living unit	variable
1"	\$2,200.00	\$2,200.00	\$2,500.00/ living unit	variable

Taps requiring a larger meter shall be subject to negotiation between the applicant and the Town of Mead, and such taps must be approved on an individual basis by the Town Board.

2. Commercial and Industrial:

Meter Size	Connection Charge	Capital Investment & Repair	Water Acquisition	Total
3/4"	\$1,000.00	\$1,000.00	\$3,600.00	\$5,600.00
1"	\$2,200.00	\$2,200.00	\$6,400.00	\$10,800.00

Taps requiring a larger meter shall be subject to negotiations between the applicant and the Town of Mead, and such taps must be approved on an individual basis by the Town Board.

B. There shall be a limit on the number of living units allowed per tap in residential acres as follows:

<u>Meter Size</u>	<u>Number of Units</u>
3/4"	1-3
1"	4-5
1-1/2"	6-12
2"	13-23

C. No water tap or connection shall be made to the Town of Mead water system unless a permit is first obtained from the Town Clerk for such tap or connection and all applicable charges set forth in this Ordinance have been paid.

D. All connections or taps shall be made by a licensed plumber and shall be at the sole expense of the applicant. The applicant shall furnish at its sole expense all materials and

labor necessary for the tap or connection, except that the Town shall furnish the necessary water meter, the price of which is included in the fee set forth herein.

E. All connections or taps shall be made in conformance with specifications as may be promulgated by the Board of Trustees and shall be made under the supervision of the Building Inspector.

F. After such tap or connection is made and accepted, the Town of Mead shall be the owner and shall maintain the line from the water main to the meter and the applicant shall own and maintain the line from the meter to the premises.

Section 2. Time Limitation on Tapping.

1. Each water tap permit issued by the Town of Mead pursuant to this Code shall expire 180 days after the issuance of the permit unless the tap applied for has been physically made during the 180 day time period and unless the construction of the premises for which the tap has been issued has been commenced.

2. The holder of any water tap permit may apply for an extension of the 180 day time period. Extensions may be granted only by the Board of Trustees of the Town of Mead for good cause established by the permit holder. Any extension shall be limited in time to an additional 180 day period and only one extension shall be granted for any particular tap.

3. If a water tap permit expires, all charges paid to the Town to serve the permit to the applicant shall be forfeited and are non-refundable.

Section 3. Terms and Conditions of Annexation.

1. The owner, as a condition to annexation, must agree to furnish to the Town of Mead the following minimum water rights in connection with his annexation:

A. Residential. There shall be one acre foot of water required of the owner or his assignee or successor in interest for every living unit in areas zoned residential in the annexation. Title to the requisite water shares shall be deliverable to the Town at the time of final platting of any residential area in the annexation. No plat shall receive final approval until the Town is possessed of all shares required for the platted area. An owner, his assignee or successor in interest having furnished to the Town the requisite water shares pursuant to this requirement shall receive full credit therefor against any water acquisition fee required by the Town upon application for building permit.

B. Commercial and Industrial. The owner shall furnish three acre feet of water for every gross acre of the annexation zoned commercial or industrial. This requirement shall be met at the time of annexation. At the time a building permit is applied for on any subdivided lot in an industrial or commercial area, the applicant for the building permit shall be required to pay the water acquisition fee then in force by the Town of Mead but shall receive credit against that water acquisition fee according to the following formula. Area of the parcel for which the building permit is applied for divided by the net developable area, zoned commercial or industrial, in the initial annexation times \$2,500.00 times the number of shares contributed for the commercial and industrial land annexed.

2. In addition, the owner shall offer to sell all remaining water rights appurtenant to his property to the Town at the fair market value to be determined by a competent appraiser chosen jointly by the owner and the Town. Furthermore, the land owner shall petition for inclusion of the property in the Northern Colorado Water Conservancy District if the property sought to be annexed is not already in that District.

3. All water shares required under this Section shall be Northern Colorado Water Conservancy District water shares or such other shares as the Town may agree to accept in lieu thereof.

Section 4. All Ordinances, Resolutions, and Motions of the Board of Trustees of the Town of Mead or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict hereby superseded and repealed.

Section 5. The sections of this Ordinance are hereby declared to be severable, and if any section, provision, or part thereof shall be held unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance would have been adopted even if such unconstitutional or invalid matter had not been included therein. It is further declared that if any provision or part of this section, or the application thereof to any person, or circumstances, is held invalid, the remainder of this Ordinance and the application thereof to other persons shall not be effected thereby.

Approved, adopted, and ordered published by the Board of Trustees of the Town of Mead on the 7 day of April, 1980.

Robert A. Clark
Mayor

ATTEST:

Debra A. McDaniel
Town Clerk