

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 5-R-2004**

**A RESOLUTION OF THE TOWN OF MEAD COLORADO, CONCERNING THE
EXTENSION OF SANITARY SEWER SERVICE TO PROPERTY LOCATED
OUTSIDE OF THE CORPORATE BOUNDARIES OF THE TOWN.**

WHEREAS, the Town of Mead owns and operates a system for the collection and treatment of sanitary sewage for the Town; and

WHEREAS, the Areawide Water Quality Management Plan (208 Plan) adopted by the North Front Range Water Quality Planning Association designates the Town of Mead as both the “operating agency” and the “management agency” for the area designated within the Town’s 18.2 square mile, 208 Plan boundary, a portion of which is outside of the Town’s current corporate limits; and

WHEREAS, The Town has undertaken on two separate occasions since 1993, a “Wastewater System Feasibility Study” and a “Wastewater Feasibility Study Update,” the purpose of which was to plan for the provision of sanitary sewer collection, treatment, and disposal to service the territory within the Town’s designated 208 planning area; and

WHEREAS, these planning documents have provided estimated costs and revenue projections that will be necessary to provide sanitary sewer service to developing properties within the 208 boundaries; and

WHEREAS, in order for the Town to develop an adequate sanitary sewer collection, treatment and disposal system to provide sanitary sewer service within the Town’s 208 Plan area, it is necessary for developing properties within the 208 Planning area to participate in the cost of constructing the required new facilities, ie. , collection trunk lines, treatment plant(s) and disposal (outfall) facilities; and

WHEREAS, in order to provide for an orderly schedule of development within the Town’s 208 Plan area and to assure that sanitary sewer facilities may be constructed in an orderly fashion to service sanitary sewers to the new development, it has been determined by the Board of Trustees that annexation to the Town of properties desiring sanitary sewer service is appropriate and in the best interest of all residents and future residents within the 208 Plan area; and

WHEREAS, it was recognized by the Board of Trustees in the establishment of the Town’s sanitary sewer system by the adoption of Ordinance 234 (1993) that a requirement for the annexation of territory to the Town of Mead in order for the property to receive sanitary sewer service is a major incentive for developers to annex their property into the corporate limits of the Town of Mead; and

WHEREAS, it is within the Town’s legislative authority to refuse sanitary sewer service to anyone who fails to annex their property to the Town and to abide by the Town’s policies as they relate to the provision of sanitary sewers, including but not limited to, the extension of sanitary sewer trunk lines, the construction of additional sewage treatment capacity, the construction of additional sewage outfall capacity, the payment of connection fees, and the payment of monthly user fees; and

WHEREAS, the Coordinated Planning Agreement between the Town and Weld County also recognized the importance of the provision of centralized sanitary sewer service by the Town within the

Town's Urban Growth Area for urban development to occur; and

WHEREAS, the Coordinated Planning Agreement between the Town and Weld County provides that for urban development within this Urban Growth Area to occur, the Town will require extension of sanitary sewer service to a property, subject to its rules and regulations, including the provisions of Section 13-1-170 of the *Mead Municipal Code* (Ord. 234, 1993) which provides that for any private sewer serving lots or parcels of land outside the corporate limits of the Town to connect to the Town sewer system, specific approval must be granted by the Board of Trustees; and

WHEREAS, it has been the continuous policy of the Town of Mead since the dissolution of the Mead Sanitation District and the assumption of the responsibility for sanitary sewer service by the Town of Mead in 1993, that the Town will not extend sanitary sewer service outside the corporate limits of the Town, nor allow a private sewer serving lots or parcels of land outside the corporate limits to connect to the Town's sanitary sewer system, unless and until said property is annexed to the Town;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, WELD COUNTY, COLORADO, THAT;

Section 1. For the foregoing reasons and as permitted by Section 13-1-170 of the *Mead Municipal Code*, it has been and shall continue to be the policy of the Town of Mead to not allow a private sewer serving lots or parcels of land outside of the town limits to connect to the Town owned sanitary sewer system, except for those lots and parcels which may currently be receiving sanitary sewer service from the Town, unless and until said property is annexed to the Town.

Section 2. For the foregoing reasons, it has been and shall continue to be the policy of the Town of Mead to not extend sanitary sewer service to property outside the corporate limits of the Town, unless and until said property is annexed to the Town.

Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

Section 4. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 9th DAY OF February , 2004.

ATTEST:

By Marcia David
Marcia David, Acting Town Clerk

TOWN OF MEAD

By Richard E. Kraemer
Richard E. Kraemer, Mayor