

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 917**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING
SECTION 13-1-210(b) OF THE *MEAD MUNICIPAL CODE* REGARDING
LIABILITY FOR PAYMENT OF SERVICE AND MINIMUM USER FEES**

WHEREAS, Sec. 13-1-210(b) of the *Mead Municipal Code* (“MMC”) currently requires property owners to notify the Town of the name of a tenant and to instruct the Town as to where sewer bills should be sent; and

WHEREAS, many property owners have failed to notify the Town when a tenant leaves or changes, and numerous sewer service accounts have become delinquent as a result; and

WHEREAS, Town Staff is recommending that Sec. 13-1-210(b) of the MMC be amended to delete language obligating the owner of a property or premises to inform the Town of the name of the occupant of the premises and where bills should be sent; and

WHEREAS, Town Staff is of the opinion that this amendment should assist with cutting down on the number of delinquencies; and

WHEREAS, the Board of Trustees desires to amend Sec. 13-1-210(b) of the MMC in accordance with Staff’s recommendation.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Sewer User Fees - Amended. Subsection (b) of Sec. 13-1-210 of the *Mead Municipal Code* is hereby amended to read in full as follows, with additions shown in bold and underlined and deletions shown in strikethrough:

(b) Liability for payment for service and minimum user fees. The owner of the property or premises shall be liable for payment for sewer service to such premises, and the service is furnished to the premises by the Town only upon the condition that the owner of the premises is solely liable therefor to the Town, regardless of any landlord/tenant relationship that may exist. ~~It shall be the duty of the owner of the premises to inquire as to the Town's billing practices and to inform the Town of the name of the occupant of the premises and to where bills should be sent.~~ For the purposes of billing, each premises shall be considered occupied and the sewer tap active from the time of service initiation until the tap is declared abandoned by the Town, regardless of

whether or not any premises are occupied or any wastewater is or is not generated from the premises in any given period.”

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law.

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 part, section, subsection, sentence, clause or phrase is declared invalid.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.


INTRODUCED, READ, PASSED, AND ADOPTED THIS 12TH DAY OF NOVEMBER, 2019.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: 
Colleen G. Whitlow, Mayor