

Ordinance No. 19-04

AN EMERGENCY ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO AMENDING THE RIDGWAY MUNICIPAL CODE SECTION 9-1-17 TEMPORARILY ADJUSTING NON-RESIDENTIAL WATER SERVICE RATES FOR USAGE OVER THE BASE WATER ALLOTMENT FOR A DEFINED PERIOD OF TIME.

WHEREAS, The Town of Ridgway (the “Town”) is a legally created, established, organized and existing Colorado municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado and the home rule charter of the Town (the “Charter”); and

WHEREAS, The Town is governed by its Home Rule Charter (“Charter”) as authorized by Article XX § 6 of the Colorado Constitution; and

WHEREAS, The Town Council has the authority, pursuant to Article III, Section 3-8 of the Charter, to enact emergency ordinances for the preservation of the public peace, safety, or welfare upon the affirmative vote of six members of the Town Council; and

WHEREAS, the water supply for the Town of Ridgway is a precious, valuable and critical resource for the Ridgway community; and

WHEREAS, the Town Council adopted Ordinance 18-06 on October 10th, 2018 amending water rates for all utility users; and

WHEREAS, the Town Council desires to temporarily amend the overage rate structure for non-residential uses; and

WHEREAS, The Town Council has determined it is necessary and appropriate to update the Town’s regulations to provide for a temporary reduction in water rates for uses over the base allocation of water for non-residential properties, in order to preserve the public health, safety and welfare of the Ridgway community; and

WHEREAS, the Town Council understands the need to secure outside funding for many if not all water utility improvements and investments and partner agencies will closely scrutinize the water rate structures and base allocations of water before agreeing to any financial commitment for improvements, and therefore this rate adjustment is only temporary until a final rate structure is adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO as follows:

SECTION 1.

Ridgway Municipal Code Section 9-1-17(E) Water Service Rates, is amended, as follows:

* * *

9-1-17 WATER SERVICE RATES.

- (E) (1) All other customers (including customers with both a residential and a non-residential use on the same premises which are located in commercial, business or industrial zoning districts) shall pay the following charges for each meter serving the customer.

The following temporary, water rate structure is effective for water usage during the months of June, July, August, September and October 2019. The rates as adopted in Ordinance 2018-06 shall be effective for all subsequent water usage after the month of October 2019, unless such rates are superseded by the adoption of an ordinance by the Ridgway Town Council providing a revised rate structure.

Type of Customer	Minimum Monthly Charge	Rate for Use Over 4,000 gal./month and up to 10,000 gal./month	Rate for Use Over 10,000 gal./month and up to 15,000 gal./month	Rate for Use Over 15,000 gal./month
All other Customers (commercial, industrial, multi-use, etc.)	Beginning on 12/1/18: Base gallons: 4,000 Base Cost: \$42.00	\$10.50 / 1,000 gal.	\$10.50/1,000 gal.	\$10.50/1,000 gal.

Provided, however, that accessory dwelling units inside Town shall be subject to a minimum monthly charge per unit calculated to be .72 x the principal unit rate as provided in Subsection (A)(1) above; and further provided, however, that if the non-residential use qualifies as an accessory use to a residence pursuant to the criteria of Subsection 7-3-13(A) of Town Zoning Regulations, such customer shall be subject to the rates in Subsection (A)(1) above.

* * *

SECTION 2.

Effective Date and Duration. Pursuant to Article III, Section 3-8 of the Charter, this Ordinance shall be effective immediately upon adoption, as it is necessary for the immediate preservation of the public health and safety of the citizens of the Town for the reasons recited herein.

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SECTION 3.

Publication of Notice. Pursuant to Article III, Section 3-8 of the Charter, the Town Clerk shall publish this Ordinance by title upon adoption by the Town Council.

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SECTION 4.

Severability. The provisions of this Ordinance are severable, and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

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Section 5.

Public Hearing. A public hearing on this Ordinance was held on the 5th day of June, 2019 in the Town Council Chambers of the Town of Ridgway, 201 N. Railroad Street, Ridgway, CO 81432.

INTRODUCED, HEARD AND FINALLY ADOPTED by the Town Council of the Town of Ridgway, Colorado on the 5th day of June, 2019.

TOWN OF RIDGWAY, COLORADO, A HOME-RULE
MUNICIPALITY

By _____
Eric Johnson, Mayor Pro Tem

ATTEST:

Pam Kraft, MMC, Town Clerk

Approved As to Form:

BO JAMES NERLIN, Town Attorney

CERTIFICATE OF TOWN CLERK

The foregoing Ordinance was published by title and posted thereafter, and adopted by the Ridgway Town Council on _____, 2019.

(SEAL)

Pam Kraft, MMC, Town Clerk