

**ORDINANCE NO. 51B**

**AN ORDINANCE AMENDING ORDINANCE NO. 93A FOR WATER SERVICE REGULATIONS FOR THE TOWN OF STRATTON, COLORADO**

WHEREAS, the Board of Trustees of the Town finds that in order to preserve the health, safety and welfare of the citizens of the Town, regulations, rates and fees relating to the water system are necessary;

WHEREAS, the Town of Stratton has adopted Ordinance No. 93A, establishing water service regulations and rates; and

WHEREAS, the Town of Stratton has adopted Ordinance No. 10B, which amended Ordinance No. 93A, regarding failure to pay water charges;

WHEREAS, the Board of Trustees of the Town of Stratton finds that the changes to the regulations related to payment of water accounts is necessary to ensure timely payment in order to maintain and repair the water system, comply with existing loan requirements, plan for future upgrades to the Town's water system, obtain grant funds from all available sources and for the efficient administration of the Town of Stratton.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, COLORADO:**

**Section 1. Purpose.** The purpose of this ordinance is update and change the regulations related to payment of water accounts as set forth in Section 8 of Ordinance No. 93A for the Town of Stratton, Colorado. The is deemed necessary by the Board of Trustees of the Town of Stratton, Colorado to ensure timely payment in order to maintain and repair the water system, comply with existing loan requirements, plan for future upgrades to the Town's water system, obtain grant funds from all available sources and for the efficient administration of the Town of Stratton.

**Section 2. Amendment to Ordinance No. 93A.** Ordinance No. 93A shall be amended to delete Section 8 as forth therein and be replaced with the following:

Section 8. All consumer accounts, whether resident or non-resident, shall be due and payable, without notice on the 10<sup>th</sup> day of each calendar month for water used by the consumer. An assessed penalty shall be added to all accounts not paid by the 10<sup>th</sup> of the month. If the consumer fails to pay the same by the 20<sup>th</sup> day of the month, written notice of the past due status of the account shall be sent to the consumer from the Town clerk of the Town of Stratton and if the account is not paid in full, including any arrears, by the last day of the month in which the payment is due the Town shall turn off the water and remove the water meter. In the event that the water be turned off and meter removed, either at the request of the consumer or for violation of any provisions of the terms and conditions of this

Ordinance, the consumer, whether resident or non-resident, shall be required to make application for further use of water in accordance with Section 3 as heretofore set forth and all fees, including any delinquent or past due balances, required thereunder shall be due and payable. In the case of a rental unit, the delinquent or past due amounts will revert back to the property owner.

**Section 3. Ordinance No. 10B.** Ordinance No. 10B shall remain unchanged and shall be read in conjunction with Ordinance No. 93A as amended herein.

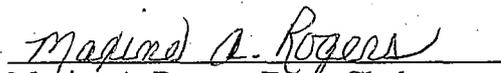
**Section 4. Inconsistent Ordinances.** All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 5. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance and they shall remain in full force and effect, it being the intent that this Ordinance shall stand, notwithstanding the invalidated or unconstitutionality of any part thereof.

**Section 7. Immediate Effect.** It is hereby declared that an emergency exists and that this Ordinance is necessary for the immediate preservation of the public health, peace, welfare and safety of the residents of the Town of Stratton, Colorado, and shall be in full force and effect on January 1, 2013.

**INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 13th day of December, 2012.**

  
Richard Mann, Mayor

  
Maxine A. Rogers, Town Clerk

[seal]



STATE OF COLORADO )  
COUNTY OF KIT CARSON )ss.  
TOWN OF STRATTON )

CLERK'S CERTIFICATE

I, Maxine A. Rogers, the official Town Clerk of the Town of Stratton, does by these presents say that the foregoing Ordinance No. 51B was passed and adopted by a three-quarters majority of the Board of Trustees of the Town of Stratton on the 13th day of December, 2012, and that the above-entitled Ordinance is true, correct and fully copy of the Ordinance as show in the records of the Town of Stratton, Colorado.

Dated this 14<sup>th</sup> day of December, 2012.

Maxine A. Rogers  
Maxine A. Rogers, Town Clerk

