

TOWN OF RICO

ORDINANCE NO. 2014-3

AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING ORDINANCE NO. 299, SECTION 5, PARAGRAPH D, AND ESTABLISHING SPECIFIC CRITERIA TO ALLOW FOR THE WAIVER OF WATER FEES DUE TO ACCIDENTAL AND UNDISCOVERED WATER LEAKS

WHEREAS, Ordinance No. 299 establishes standards and regulations for the operation of the Town of Rico water system, including fees, rates, maintenance and operation of the system;

WHEREAS, the Rico Board of Trustees finds that Section 5, paragraph D of Ordinance No. 299, which allows the Board to make exceptions to individual water user fees, should be amended to allow for a partial waiver of such fees, but only where such fees exceed five hundred dollars due to accidental and undiscovered water leaks which cause an owner to suffer a hardship due to an unusually high water bill;

WHEREAS, it is in the best interest of Rico citizens to allow for such an amendment, which places responsibility on residents to maintain their own waterlines, but which also establishes criteria for the waiver of excess water fees, following application to the Board of Trustees and a formal public hearing.

NOW THEREFORE, BE IT ORDAINED, BY THE RICO BOARD OF TRUSTEES AS FOLLOWS:

Section I

Ordinance No. 299, Section 5, paragraph D, is hereby amended, as set forth below:

D. The Board of Trustees may waive water fees only where a property owner incurs excessive usage fees of over five hundred dollars due to accidental and undiscovered leaks in his private waterline(s). Such waiver of fees may be made upon application by the property owner to the Board of Trustees showing a substantial hardship and a reasonable failure to detect a leak causing excessive usage. After consideration of the evidence at a public hearing, the Board may, in its discretion, waive such excess water fees. The Board of Trustees shall make adequate findings and conclusions supporting any waiver to include evidence of substantial hardship and a reasonable failure to detect a leak.

This provision does not relieve the property owner of the requirement to adequately maintain his private waterlines from the Town of Rico water meter to his residence. Private water lines are not the responsibility of the Town of Rico.


Where excessive usage fees, due to accidental and undiscovered leaks in a private waterline, do not exceed five hundred dollars, the Town Manager may, in his discretion, allow for the property owner to pay these fees in scheduled increments over a period of not to exceed twelve months. The property owner is solely responsible for all fees which do not exceed the five hundred dollar minimum threshold as set forth herein.

Each incident of excess usage resulting from undiscovered leaks is considered a separate event and several incidents may not be combined to establish the minimum five hundred dollar threshold for application to the Board of Trustees for a waiver of fees.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO ON THIS 21ST DAY OF MAY, 2014.

READ AND APPROVED ON SECOND READING BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO ON THIS 18TH DAY OF JUNE, 2014.


By: Rico Mayor


Attest: Rico Town Clerk