

**TOWN OF RICO
ORDINANCE NO. 2024-01**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING
THE RICO WATER OPERATIONS RULES AND REGULATIONS TO
PROVIDE FOR PAYMENT OF WATER SYSTEM IMPROVEMENT FEES.**

WHEREAS, the Town of Rico, Colorado (the “Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rico Home Rule Charter (the “Charter”); and

WHEREAS, pursuant to C.R.S. § 29-20-101 *et seq.*, 31-15-101 *et seq.*, and 31-23-101 *et seq.*, the Town has broad authority to ensure the health, safety and welfare of the community and its residents; and

WHEREAS, the Town has the authority to assess water system impact fees, which shall be referred to by the Town as “water system improvement fees,” pursuant to C.R.S. § 29-20-104.5; and

WHEREAS, the Charter, Article III § 3.1 provides that enactments of the Board imposing fees shall be made by ordinance; and

WHEREAS, the Board of Trustees requested that GovRates, Inc. prepare a study of the industry standard rational nexus of classifications for the payment of water system improvement fees and reviewed the recommendations in the Water Impact Fee Study, dated February 9, 2024, and determined a policy change was necessary; and

WHEREAS, the Board adopted Ordinance No. 2019-06 together with the Water Operations Rules and Regulations (the “Water Rules”) attached thereto as Exhibit A on November 20, 2019; and

WHEREAS, the Board desires to amend the Water Rules, Article VIII, by adding Section 8.10 to set the water system improvement fees to better reflect actual costs to the Town in providing water services to new developments in the Town, and to pay for the capital improvements, maintenance, and indebtedness of the Town’s water system; and

WHEREAS, the Board finds and declares that it is necessary to amend the Water Rules as set forth herein and it is proper in light of the needs and desires of the Town and in the promotion of the public health, safety, and welfare of the Town’s residents.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO THAT:

Section 1. The recitals above are hereby adopted as findings and incorporated herein.

Section 2. The Water Rules, Article VIII shall be and are hereby amended as set forth in **Exhibit A** to this Ordinance, which is incorporated by this reference.

Section 3. Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

Section 4. This Ordinance shall take effect immediately on final adoption.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY ON FEBRUARY 28, 2024.

TOWN OF RICO, COLORADO



Nicole Y. Pieterse, Mayor

ATTEST:



Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY ON MARCH 20 2024.

TOWN OF RICO, COLORADO



Nicole Y. Pieterse, Mayor

ATTEST:



Anna Wolf, Town Clerk

Effective Date: March 20, 2024

EXHIBIT A
TOWN OF RICO
ORDINANCE NO. 2024-01

The Town of Rico Water Operations Rules and Regulations, Article VIII, is amended to add Section 8.10 as follows:

8.10 Water System Improvement Fees. In order to help offset the financial impacts of new development on the residents of the Town, all new development shall pay a water system improvement fee as provided for in this section.

8.10.1 Water system improvement fees shall be due and payable to the Town upon the earlier of the Town's approval of any land use application, or any building permit application, that requires a Permit to connect to the Water System. Payment of the water system improvement fee shall be a condition of approval for any such land use or building permit application.

8.10.2 The amount of the water system improvement fee shall be set by resolution of the Board of Trustees.

8.10.3 The water system improvement fee shall be based on meter size and calculated as set forth below. One (1) EQR is the equivalent of one single family dwelling unit.

Meter Size (Inches)	EQR
0.75"	1.00
1.00"	1.67
1.50"	3.33
2.00"	5.33
3.00"	10.67
4.00"	16.67
6.00"	33.33
8.00"	53.33
10.00"	76.67

8.10.4 The Town Manager or their designee has the authority to determine the applicable water system improvement fees based on the amounts adopted by Board resolution, the intent of the fees, and the development's specific configurations or circumstances.

8.10.5 The Town Manager or their designee has the authority to adjust the timing of water system improvement fee collections based on when the meter sizes within the development are known.