



**TOWN OF LARKSPUR
ORDINANCE NO. 5.34**

**AN ORDINANCE TO REPLACE Sec. 13-2-350 OF THE LARKSPUR MUNICIPAL
CODE ADOPTED BY ORDINANCE 3.118 JULY 21, 2016**

WHEREAS the Larkspur Town Council has adopted a Larkspur Municipal Code (a.k.a. the Muni Code) regulating the Town of Larkspur, and

WHEREAS Section 13-2-350 of the Muni Code addresses providing water and wastewater service extensions outside of the Town corporate boundaries, and

WHEREAS the Town Council has determined it is in the Town's best interest to make such services available as long as there is no impact to residents and businesses within the Town corporate boundaries, and

WHEREAS the Town Council wishes to set a standard rate for water and wastewater service extensions outside the Town corporate boundaries; and

WHEREAS Section 13-2-350 needs to be changed to clarify and solidify the approved water and wastewater rates for outside of Town boundary users;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO, SECTION 13-2-350 OF THE MUNI CODE SHALL READ AS FOLLOWS:

Sec.13-2-350 Extensions outside Town boundaries

The Town Council reserves the right to contract for the extension of services outside the Town corporate boundaries; provided, however, that such service shall not impair service to Town resident and business users. Service charges and tap fees for residential users outside of the Town boundaries shall be determined at 1.5 times the rate that is currently on the Town's approved Fee Schedule.

Service charges and tap fees for non-residential users outside of the Town boundaries shall be determined on a case-by-case basis by the Town Council. However, in no instance, shall the monthly service fee or tap fee be less than 1.5 times the rate that is currently on the Town's approved Fee Schedule. Review by the Town's engineer as to the impact to Town users and the water and wastewater systems shall be completed at the expense of the non-residential property owner requesting connection prior to consideration by the Town Council.

All users will be subject to future increases in service charges. The rate will remain at 1.5 times the increased rate for residential users and the decided upon rate for any nonresidential users.

All properties serviced outside of the Town's corporate boundaries are also subject to all regulations set forth in Chapter 13 of the Town's Municipal Code.

- a. The rate for services may be changed by Ordinance from time to time by the Town Council.
- b. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance.
- c. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AND SIGNED THIS 19th DAY OF April 2018

Votes Approving:	<u>6</u>
Votes Opposed:	<u>0</u>
Absent:	<u>1</u>
Abstained:	<u>0</u>

ATTEST:



TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO


Manfred Krimmer: Town Clerk


Gerry L. Been: Mayor