

ORDINANCE NO. 949

AN ORDINANCE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO TEMPORARILY AUTHORIZING THE PRE-SALE OF WATER TAPS AND THE CARRY-OVER FROM THE YEAR 2002 OF RESIDENTIAL BUILDING PERMIT ALLOCATIONS

WHEREAS, the Town of Berthoud has incurred bonded indebtedness for the construction of its water treatment plant; and,

WHEREAS, the indebtedness on these bonds must be paid in annual installments; and,

WHEREAS, the financial plan contemplated that the indebtedness would be paid in part by issuance of water taps and monthly water users' fees; and,

WHEREAS, only seven residential building permits have been issued in 2002 and the Town is now approximately \$150,000 deficient in meeting its bond obligations because of the lack of income generated from the sale of residential building permits; and,

WHEREAS, it is incumbent upon the Town to meet its financial obligations in a timely manner;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO, THAT:

Section 1. Authorization for Issuance of Water Taps and Carry-Over of Residential Building Permits

The current restriction prohibiting the sale of water taps, except in conjunction with a building permit, is hereby temporarily removed until November 20, 2002.

The purchase of residential water taps or the guarantee of their purchase by adequate credit guarantee for a 5/8"-3/4" meter by November 20, 2002 shall, for the purposes of Ordinance 874, constitute the issuance of a building permit. The pre-payment entitles the payer the right to complete the payment of the balance of the building permit at the then current rates including any increase in the water tap fee. The right to a building permit for allocations established in 2002 must be set forth by agreement, contract or existing ordinances. Prior to purchasing any building permit for which there is a credit for the water tap, the permit allocation for that year shall be exhausted.

Although the amount of the revenue to be raised to meet the Town's bond compliance covenant through the sale of taps and user fees is limited to approximately \$206,000, the Board of Trustees hereby removes the restriction and raises it to \$300,000 for the year 2002. The maximum revenue generated from the sale of 5/8"-3/4" water taps is limited to approximately \$206,000, less the water tap revenue from building permits purchased between the effective date of this Ordinance and November 20, 2002. In the event that more than \$220,000 is generated, the Town will refund full tap fee payments proportionately so that the building permit allocation being acquired will correspond to the permits allocated by ordinance or agreement. First priority will be given to persons paying the entire building permit fee.

Section 2. Emergency Clause

This Ordinance is necessary to the immediate preservation of the health, safety, and economic welfare of the citizens of the Town of Berthoud. The Board of Trustees of the Town of Berthoud hereby declares that an emergency exists and this Ordinance shall take effect and be in force upon passage.

At its meeting on the 29th day of October, this ordinance was introduced, read and passed by a vote of 6 in favor and 0 against.

ATTEST:

TOWN OF BERTHOUD:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Milan Karspeck
Milan Karspeck - Mayor

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