

Ordinance 6, Series 2011

AN ORDINANCE REVISING WATERWORKS ORDINANCE #3, 2010 IN ORDER TO PROVIDE FOR A VARIANCE PROCESS RELATING TO ACCESS TO MUNICIPAL WATER BY RESIDENTS NOT CONNECTED TO THE DISTRIBUTION SYSTEM

WHEREAS, The Town has implemented Ordinance #3, Series 2010, a comprehensive regulation concerning the Town Waterworks in accordance with applicable State statutes and responsibilities delegated to municipalities, and

WHEREAS, The Board of Trustees wishes to provide for a variance to provisions of Ordinance #3 in order to permit access to water by residents of the Town who are not connected to the distribution system, and to provide for standards and requirements related to such access,

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:

Section 1. Ordinance 3, 2010, ARTICLE I, Section 5A is hereby revised as follows:

5A Process for Permitting Temporary Access to Municipal Waterworks by Residents on Wells or Cisterns:

- (a) The Town Board may consider temporary access to the system on an individual hardship basis. A hardship must be caused by an event that interrupts the resident's usual supply of water or renders it unusable. The Board may consider other alternatives open to the residents prior to granting a temporary access permit; including the distance and condition of the nearest water main(s).
- (b) Access shall be granted on a permit basis. Permits shall be for a period of 12 months. Permits shall be granted only for residences within the Town limits and to the owner(s) of such properties.
- (c) The Town shall determine the point of access for the permit holder, such access shall be at a public building or hydrant. The Town reserves the right to alter or change the access point or process as necessary throughout the term of the permit. Permits are not transferrable and shall be used only at the residence indicated on the permit form.
- (d) The permit holder is responsible for loading and transporting the water to the residence. Water shall be considered non-potable after it leaves the Town distribution system. Water shall be transferred in accordance with the Town's Cross Connection Plan and requirements of the State licensed Town Distribution System, Operator in Charge.
- (e) The cost of the Permit shall be \$50 per quarter. In addition, the permit holder shall purchase any equipment including hoses, valves and other fixtures necessary to load the water.
- (f) The permit holder shall pay the quarterly water fee in accordance with schedule 21 of Ordinance #3, 2010 (as amended) for any quarter or portion of quarter during which the permit is active. Permit holder agrees that all remedies available to the Town for collection of fees from Tap Permit holders shall be available to the Town for this type of permit.

- (g) The permit may be canceled by either party upon 30 days notice. The permit holder is liable for any damage to Town facilities and the cost of restoring any modification of Town facilities due to the implementation of this process.

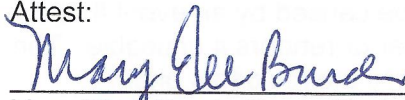
Section 2. Repeal: This ordinance is not intended to repeal any ordinance or part of any ordinance. Any part of it in conflict with any state statute or regulation is null and void.

Section 3. Safety Clause: Ordinance Immediately Effective: The Board of Trustees herewith finds, determines and declares that this ordinance is necessary to the immediate preservation of the public health and safety in order to timely provide for safety of citizens and preservation of property. This ordinance shall be effective upon adoption and signing by the Mayor if approved by three-fourths of the members of the Board of Trustees.

INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED BY
TITLE THIS 11th DAY OF JULY, 2011.

TOWN OF JAMESTOWN, COLORADO

Attest:



Mary Ellen Burch, Town Clerk



Tara Schoedinger, Mayor