

**ORDINANCE NO. 8
SERIES OF 2019**

**AN ORDINANCE OF THE TOWN OF CARBONDALE, COLORADO AMENDING
CHAPTER 13, ARTICLE 3 OF THE MUNICIPAL CODE OF THE TOWN OF
CARBONDALE REGARDING PAYMENT OF CHARGES FOR MUNICIPAL
UTILITIES**

WHEREAS, pursuant to the Town of Carbondale's police powers and the Carbondale Home Rule Charter, the Board of Trustees is authorized to regulate payment of charges for municipal utilities; and

WHEREAS, Chapter 13, Article 3 of the Municipal Code sets forth regulations regarding when charges for water and waste water must be paid before the charge is considered delinquent; and

WHEREAS, the current code requires payment of charges by 12:00 p.m. on the last business day of a given month in order to avoid delinquency; and

WHEREAS, the current code language results in inefficiencies for Town staff; and

WHEREAS, the current code language was adopted before it became commonplace to pay municipal utility bills online and does not account for the ability of Town residents to pay their municipal utility bills through the Town's electronic payment system, which includes an automatic payment option; and

WHEREAS, on March 19, 2019, the Board of Trustees approved an ordinance amending Chapter 7, Article 3 of the Municipal Code related to the award of a residential curbside trash and recyclables collection services contract to a waste hauler; and

WHEREAS, pursuant to the forthcoming residential curbside trash and recyclables collection services program, all Town residents receiving Town water service will be billed for the residential trash and recyclables collection services in conjunction with the charge for Town water and waste water service; and

WHEREAS, Town staff anticipate that, as part of the rollout of the residential curbside trash and recyclables collection services program, many Town residents may elect to enroll in the Town's electronic payment system for municipal utility bills; and

WHEREAS, the Board of Trustees desires to update Chapter 13, Article 3 of the Town Municipal Code to address necessary changes related to when payment must be made for charges for municipal utilities.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO that the Town of Carbondale Municipal Code shall be amended as follows:

1. The foregoing recitals are hereby adopted as findings and determinations of the Board of Trustees.

2. Chapter 13, Article 3 of the Town of Carbondale Municipal Code shall be amended by deleting the language stricken and adding the language underlined to read as follows:


Sec. 13-3-120. – Delinquent fees.

(a) All current water and waste water charges are due and payable monthly at Town Hall on the last day of each month. In the event the owner of the premises on which the water and waste water are used fails to pay the charges for any one month by midnight ~~12:00 p.m.~~ on the last business day of said month, the charge shall be held to be delinquent.

3. This Ordinance shall become effective thirty (30) days after posting publication in accordance with the Town's Home Rule Charter.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this 9th day of April, 2019.

TOWN OF CARBONDALE



Dan Richardson, Mayor

ATTEST:



Cathy Derby, Town Clerk

Posted: 4/10/19
Published: _____
Effective: _____

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