

ORDINANCE NO. 619

AN ORDINANCE FIXING AND ESTABLISHING FEES, CHARGES AND RATES FOR THE SERVICES RENDERED BY THE MUNICIPAL SEWER SYSTEM OF THE CITY OF GRAND JUNCTION, COLORADO, ESTABLISHING RULES AND REGULATIONS FOR THE COLLECTION THEREOF AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. SEWER RENTAL CHARGES. That on and after April, 1, 1940, there is hereby levied and assessed upon each lot, parcel of land, building or premises situated within the limits of the City of Grand Junction and having any sewer connection with the sewer system of said City, a sewer service charge or rental amounting to 15% of the water rental charges for each property. Such sewer rental charge shall be computed to the nearest multiple of five cents, provided:

(1) That the minimum sewer rental charge shall be \$3.00 per year.

(2) That such sewer rental charge shall not be computed on that portion of water rental bills making a separate charge for water for irrigation purposes.

(3) That the City Council may grant an adjusted sewer rental rate to manufacturing businesses or industrial plants if in the opinion of the City Manager more than 20% of their metered water is used for purposes whereby such water does not enter the City Sewer System. Such adjusted rate shall be based on the proportion of water entering the City Sewer System. Separate meters may be installed by any water consumer with the approval of the Plumbing Inspector to measure water used for purposes whereby such water does not enter the City Sewer System.

Section 2. METHOD OF COLLECTION. All sewer rental charges shall be added to and made a part of the water rental bill and shall be paid in the same manner and shall be subject to the same rules and regulations as provided for payment of other water bills.

All sewer rental charges shall also constitute a lien upon any lots, land, building or premises served and in the event said charges shall not be paid when due, the said service may be disconnected by the City of Grand Junction without further notice, by shutting off the water supply therefrom, or the City Clerk may certify the charge to the County Treasurer to be by him placed upon the tax list for the current year to be collected in the manner as other taxes are collected with ten per centum added thereto, to defray the cost of collection, and all laws of the State of Colorado for the assessment and collection of general taxes, including the laws for the sale of property for taxes and

redemption of the same shall apply.

Section 3. SEWER FUND. The funds received from the collection of the charges or rentals authorized by this ordinance shall be deposited with the City Treasurer and shall be by him deposited in a separate fund to be known as the "Sewer Fund", and when appropriated by the City Council, shall be available for the payment of the cost and expense of the management, maintenance and repair of the City Sewer System. Any surplus in such fund shall be used for the payment of the interest on bonds issued and outstanding, or which may be issued to provide funds with which to pay the City's portion of the cost of constructing such sewer system, or part thereof, and to retire such bonds when they mature, and for the enlargement or replacement of said sewer system, except that no part thereof shall be used for the extension of such sewer system into unsewered areas.

Section 4. PENALTIES. It shall be unlawful, after sewer service has been disconnected by shutting off the water supply or in any other manner, for any person to reconnect the same without the consent of the City, and any person violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each offense and an additional penalty of not less than ten dollars for each day said violation continues.

Section 5. UNCONSTITUTIONALITY CLAUSE. If any section or part or portion of this ordinance is held invalid by a court of law of competent jurisdiction, the remainder of the ordinance, and the application of its provisions shall not be affected thereby.

Section 6. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed, and all laws of the State of Colorado in conflict herewith are hereby superseded.

Passed and adopted this 3rd day of January, A. D. 1940.

/s/ O. E. Boston
President of the Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY That the foregoing ordinance, being Ordinance No. 619 was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 13th day of December, A. D. 1939, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 3rd day of January, A. D. 1940.

/s/ Helen C. Tomlinson
City Clerk

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