

ORDINANCE NO. 1174

AN ORDINANCE AMENDING SECTION 3. b. of CHAPTER 78 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, TO ALTER THE PROVISIONS IN REGARD TO PAYMENTS TO IRRIGATION DITCH USERS UPON THE CLOSING OF SUCH DITCH WITHIN THE CITY.

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

Section 1. That Subsection b. of Section 3 of Chapter 78 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, be amended to read as follows:

Section 3. DITCHES APPROVED BY COMMISSIONER OF HIGHWAYS.

b. Upon a finding by the City Council that a nuisance exists, the City administration shall proceed to either eliminate the ditch by closing the same or seek the covering of said ditch. As an encouragement to elimination of the ditch entirely, the City administration may offer any one or all of the following inducements to the water users from the ditch:

- (1) The payment of a lump sum equal to the estimated water charges for a five year period for watering the existing planted portion of the ditch water users' premises; provided, however, that the maximum lump sum payment to the owner of any one premises shall not exceed \$150.00.
- (2) The purchase by the City, at the option of the ditch water user, of the shares of ditch water at current value. The ditch water user may elect to retain ownership of said shares or sell them elsewhere.
- (3) Upon the closing of a ditch, or portions thereof, within the City, the former water users from said ditch or such portions shall be relieved of all responsibility in connection with such ditch, or portions thereof.

PASSED AND ADOPTED this 15th day of May, 1963.

/s/ Charles E. McCormick
President of the City Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1174, 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 1st day of May, 1963, 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 16th day of May, 1963.

/s/ Helen C. Tomlinson
City Clerk

Published: May 4, 1963
Published: May 18, 1963