

ORDINANCE NO. 1355

AN ORDINANCE AMENDING SECTION 1(c) OF CHAPTER 25 AND SECTIONS 19, 31, 34, 36 AND 42 OF CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION; ALL CONCERNING CHARGES FOR CONNECTION TO THE CITY'S SEWERAGE SYSTEM, ASSESSMENTS IN SEWER DISTRICTS AND PAYMENT OF SUCH ASSESSMENTS.

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

That the following sections of Chapter 25 and Chapter 18 be amended to read as follows:

Sec. 25-1. Service charges; hookup permit; in-city connection charges.

(c) The cost of connection to the city's sewerage system shall be as provided in Section 18-19 of this Code. The cost therein provided for contemplates that the city will perform the installation of the required laterals. The city engineer may determine that the laterals are to be installed by the proposed connector, in which event, the connection charge may be adjusted by the engineer to effect a fairness of charge for the connection.

Sec. 18-19. Assessments in sewer districts.

The assessment in sewer districts shall be as follows:

<u>Water Service Size</u>	<u>Capital Improvement Charge</u>	<u>Plant Investment Fee</u>	<u>Total</u>		
1" or less	\$ 650.	+	\$150.	=	\$ 800.
1 1/2"	1,000.	+	200.	=	1,200.
2"	1,500.	+	300.	=	1,800.
3"	2,250.	+	400.	=	2,650.
4"	3,250.	+	500.	=	3,750.
6"	5,250.	+	700.	=	5,950.

Such assessment shall be made against all of the improved property in the district at the time of the installation of the sewers in the district.

Connection to the city's sewerage system other than in a district shall be as stated in Section 25 1(c) of this Code.

Sec. 18-31 Preparation, form of assessment roll; certification to county treasurer; alternate collection method.

The city treasurer shall, from said statement and assessing ordinance, prepare a local assessment roll, in book form, showing in suitable columns each piece of real estate assessed, the total amount of the assessment, the amount of each installment of principal and interest, as an annual payment or monthly payment designate in the district, if in pursuance of this chapter the same is payable in installments, and the date or manner in which such installments will become due, with suitable columns for use in case of payment of the whole amount, or of any installment or penalty, and, after the lapse of thirty days from the final publication of the assessing ordinance, if collection is to be made by the county treasurer, deliver the same to the county treasurer for collection, and the same shall be certified by the clerk under the seal of the city with his warrant for the collection of the same and the city treasurer charging the amount of the assessment roll to the county treasurer, who shall receipt the city treasurer for the same.

Sec. 18-34. Payment of installments.

In case of such election to pay in installments, the assessments shall be payable in not less than two (2) nor more than fifteen (15) equal annual installments of principal; with interest in all cases on the unpaid principal payable annually at a rate not exceeding eight (8) per centum per annum; provided, however, that nothing herein shall prevent the council from providing that interest may be added onto the principal, the entirety to then be repaid in monthly installments as a part of the sewerage charges on the monthly water bill, as is herein set out. The number of installments, the period of payment and the rate of interest may be determined by the council.

Sec. 18-36. Installments accelerated if not paid; interest; right to pay principal and accrued interest.

When installments are to be paid annually, failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of ten (10) per centum per annum until the day of sale, as hereinafter provided; but at any time prior to the day of sale, the owner may pay the amount of all delinquent installments with interest at ten (10) per centum per annum as aforesaid, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered.

When installments are to be paid as a part of the monthly charge for sewerage treatment, the city treasurer may resort to the remedy described in Section 25-3 of this Code to collect installments, and may declare the entire amount of unpaid principal and interest due and payable immediately

on default, if the interest of the city so requires. In the event of lack of occupancy of a premises on the city sewerage system upon which premises an assessment is made monthly, the city treasurer shall not be required to collect those payments not made during the period of vacancy, but may resume monthly payment collections when an occupancy resumes.

The owner of any piece of real estate not in default as to any installment or payment, may, at any time, pay the whole unpaid principal with interest accrued; provided that, if the payment of such assessment is through a monthly charge as a part of the water bill, the owner shall be entitled to a discount of the unearned interest on the then assessment balance remaining if he pays in full.

Sec. 18-42. Issuance, form of public improvement bonds.

The part of the cost of local improvements to be borne by abutting real estate may be paid for in cash out of the proceeds derived from the sale of the public improvement bonds of the city, of such date and in such form as will be prescribed by the council, the same bearing the name of the district improved, and payable to bearer, in a sufficient period of years to cover the period of payments herein provided for, but subject to call as hereinafter provided for, in convenient denominations of not more than one thousand dollars (\$1,000.00) each. All such bonds shall be issued by the council in sufficient amount to provide funds to pay for the part of local improvements and expenses to be borne by abutting real estate and including necessary interest before the first assessment can be collected, and rights-of-way contemplated by this chapter; and a suitable book kept for the purpose. Said bonds shall be subscribed by the president of the council, attested by the clerk and the seal of the city, and registered by the treasurer, the same to be payable only out of the moneys collected on account of the assessments made for said improvement respectively, and all money collected on account of the assessments for any improvement shall be applied to the total payment of the said bonds, and the council shall, at public or private sale upon such terms and conditions as it may determine, sell sufficient of said bonds to raise the funds required to carry out the provisions of this chapter.

As an alternate method of financing, the council may determine to pay the cost of the improvements in the district from funds in the sewer fund of the city. In such event, the assessment procedures shall be as stated in other sections of this Code. Under this method of financing, if the election is made to pay in installments, the council shall add on interest, in an amount to be determined by it in accordance with the current rate of interest but not exceeding the rate provided herein as an effective rate, shall also add on six (6) per centum for costs of collection and other incidentals, shall determine what portion, if any, of the total charge shall be made at the time of connection with the sewerage system, and then shall provide that the balance remaining may be paid as an additional charge on the sewerage portion of the water bill for the premises, upon a schedule to pay out at approximately the end of the 15-year period.

PASSED AND ADOPTED this 6th day of May, 1970.

R. G. Youngerman\President of the Council

