

ORDINANCE NO. 15-\_\_\_\_\_

AN ORDINANCE AMENDING SECTION 417 (DISCONNECTION) OF PART 4 (CONNECTION AND INSTALLATION OF SYSTEM) OF ARTICLE 4 (WATER CODE); SECTION 201 (DEFINITIONS) OF PART 2 (DEFINITIONS) OF ARTICLE 5 (WASTEWATER TREATMENT CODE); AND SECTION 413 (DISCONNECTION) OF PART 4 (CONNECTION AND INSTALLATION) OF ARTICLE 5 (WASTEWATER TREATMENT CODE) OF CHAPTER 12 (UTILITIES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE TRANSFER OF CREDITS ASSOCIATED WITH WATER AND WASTEWATER DEVELOPMENT CHARGES

WHEREAS, Colorado Springs Utilities (“Utilities”) assesses water and wastewater development charges for each new connection added to Utilities’ water and wastewater systems; and

WHEREAS, City Council believes that limited flexibility should be added to the ability to transfer water and wastewater development charges as provided in Utilities’ Rules and Regulations and Utilities’ Tariffs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 417 (Disconnection) of Part 4 (Connection and Installation of System) of Article 4 (Water Code) of Chapter 12 (Utilities) of the City Code of Colorado Springs 2001, as amended, is hereby amended to read as follows:

12.4.417: DISCONNECTION:

A. Request For Disconnection: Utilities shall disconnect the service line of ~~p~~Premises from the distribution main of the City upon request of the customer. The disconnection shall be accomplished in a manner which ensures against leakage of water.

B. Disconnection, Customer Responsibility; Transfer Of **Water Development Charge** Taps: In the event that the ~~p~~Premises of a customer is disconnected from the ~~W~~water supply ~~S~~system, the customer shall be responsible for all costs of the disconnection. **Transfer of credit associated with a water development charge is generally prohibited; however, transfers may be permitted in limited circumstances in accordance with Utilities' tariffs.** ~~In no event shall taps serving the premises of any customer be transferred to another premises.~~

C. Installation Of New Service Line: In the event that a customer desires to install a new service line for ~~p~~Premises for which an existing service line is available, the new service line shall not be connected until the existing service line is disconnected from the distribution main.

D. Failure To Use Service Line:

1. In the event that a previously used service line is not used for a continuous period of one year or more, Utilities may, at the customer's expense, shut off the service line at the corporation stopcock; provided, however, the shutoff may be delayed if the customer states in writing that the service line will be in regular use within a specific time agreed to by Utilities. If a customer shall fail or refuse to pay the cost of the shutoff within thirty (30) days after billing, then in addition to any other remedies that may be available to Utilities, the cost may be assessed against the property formerly served in the same manner as **water** development charges may be assessed against the property.

\* \* \*

Section 2. Section 201 (Definitions) of Part 2 (Definitions) of Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the City Code of Colorado Springs 2001, as amended, is hereby amended to read as follows through the deletion of the term "System Development Charge":

12.5.201: Definitions:

\* \* \*

~~SYSTEM DEVELOPMENT CHARGE: That charge assessed against users of the wastewater treatment system to finance capital improvement of the wastewater treatment system.~~

\* \* \*

Section 3. Section 413 (Disconnection) of Part 4 (Connection and Installation) of Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the City Code of Colorado Springs 2001, as amended, is hereby amended to read as follows:

12.5.413: Disconnection:

A. In the event that a user desires to disconnect user's ~~p~~Premises from the wastewater system, the user shall not be permitted to take up that portion of the service line between the collection line and the property line of the ~~p~~Premises, but at user's expense the service line shall be capped at the property line and the service line shall be removed from the property line to the structure except as required by section 12.5.411 of this part. New service lines to replace existing service lines shall not be approved by Utilities until old service lines are dug up and properly capped. The cap shall be sufficiently tight to prevent the escape of wastewater gas or the infiltration of water.

\* \* \*

**D. Transfer of credit associated with a wastewater development charge is generally prohibited; however, transfers may be permitted in limited circumstances in accordance with Utilities' tariffs.**

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this

ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2015.

**Finally passed:** \_\_\_\_\_  
Merv Bennett, Council President

Delivered to Mayor on \_\_\_\_\_.

**Mayor's Action:**

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_, based on the following objections:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
John W. Suthers, Mayor

**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
Merv Bennett, Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk