

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 09R008**

**A RESOLUTION OF THE TOWN OF FREDERICK,
COLORADO,
REGARDING ESTABLISHING STORM WATER UTILITY FEES**

WHEREAS, the Town of Frederick established a Storm Water Utility as an enterprise of the Town, under Ordinance 957 pursuant to the Town's authority under Part 4 of Article 31, Chapter 35, C.R.S.; and

WHEREAS, At the May 13, 2008 Frederick Town Board meeting an IGA with Weld County was approved which authorized the Town to assess fees for storm water services to property owners in Evanston; and

WHEREAS, the proposed Storm Water Utility fees will fund the Storm Water Utility at a level consistent with the information presented at the 2009 budget discussions; and

WHEREAS, in furtherance of these measures, the Town desires to adopt a schedule of storm water utility fees to recover the utility's operation and maintenance costs; and

WHEREAS, the Board of Trustees finds it to be in the best interest of the health, safety, and welfare of the Town and its residents to adopt the attached Storm Water Utility Fee Schedule.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, WELD COUNTY, COLORADO THAT;

Section 1. The Board of Trustees hereby authorizes the Mayor and the Town Clerk to adopt and post the Town of Frederick 2009 Storm Water Utility Fee Schedule, as attached hereto as Exhibit A.

Section 2. The schedule of utility fees adopted hereby shall remain in effect until and unless changed by resolution of the Board stating such intent.

Section 3. An appeal process will be designed and presented to the Board no later than March 24, 2009.

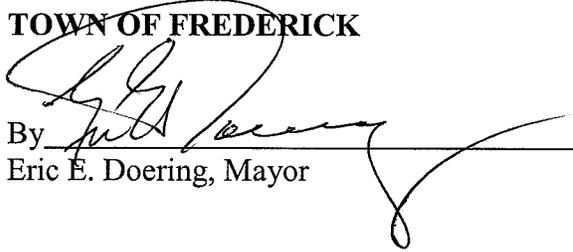
Section 4. Effective Date. This resolution shall become effective immediately upon adoption.

Section 5. Repealer. All resolutions or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 24th DAY OF FEBRUARY, 2009.

TOWN OF FREDERICK

By 
Eric E. Doering, Mayor

ATTEST:

By 
Nanette S. Fornof, Town Clerk



EXHIBIT A

**TOWN OF FREDERICK, COLORADO
2009 STORM WATER UTILITY FEE SCHEDULE**

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**TOWN OF FREDERICK, COLORADO
2009 STORM WATER UTILITY FEE SCHEDULE**

Residential property rates shall be a flat rate of \$6.23 per month per dwelling unit.

The rates for non-residential property shall be:

- Industrial land- \$34 per acre per month
- Commercial land- \$45 per acre per month
- Public land- \$21 per acre per month.

The fees will be assessed to each single family residential unit and to each dwelling unit of a multi-family, condominium, or manufactured home located on a parcel. The intent is to assess the fees to developed properties only. "Developed Properties" shall be defined as any property that:

1. has had either an electric or water service activated at an address, regardless of whether the service is currently active or not, or
2. contains a structure requiring a building permit per Frederick building codes, or
3. has an area of 2,500 square feet, or at least 20% of the lot, whichever is less, covered with asphalt, concrete, packed gravel, or any other type of hard or impervious material.

No monthly fees are proposed for Agricultural zoned properties since these parcels are limited to "ultra-low densities" per the Town's zoning code and would need to be rezoned before being developed in a manner that would cause anything significantly more than historic runoff. The following types of properties are proposed to be exempt from the Storm Water Utility Fee:

- Town, County, and State owned properties
- Property used for treatment, storage or conveyance of potable or non-potable water, by an Irrigation Company or Special District
- Property used for the conveyance or treatment of sanitary sewage by a Special District
- Property used for the supply and distribution of electric power

The Storm Water Utility Fee would be billed in arrears for the previous month's assessment, for the billing period starting on April 1, 2009. This means that the first Storm Water Utility Fee bill will be sent out in May, 2009. Bills will be sent out with and on a schedule corresponding to the Town's water billing for properties served water by the Town of Frederick, and corresponding to the Waste Collection billing schedule for all other properties.