

**RESOLUTION 2020-12-4**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
COLUMBINE LAKE WATER DISTRICT  
REGARDING AMENDMENT OF RULES REGARDING SERVICE CHARGES AND  
ABANDONMENT OF TAPS**

WHEREAS, Columbine Lake Water District (the “District”) is a special district and political subdivision of the State of Colorado; and

WHEREAS, C.R.S. § 32-1-1001(1)(m) states that, among other powers, the Board of Directors (the “Board”) has the power “[t]o adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and of the special district”; and

WHEREAS, the District imposes annual service charges on properties within the District for the costs to administer, operate, maintain, repair, replace and upgrade the District facilities and the costs to manage the District; and

WHEREAS, pursuant to Rules 8.5 of the Rules and Regulations of the District (the “Rules”), annual service charges commence at connection of a property into the District’s main line; however, owners may enter into a Dry Tap Agreement with the District if fixtures are not installed at the time of the connection, agreeing to pay only the base fee plus one fixture unit during the term of the Dry Tap Agreement; and

WHEREAS, the Board wishes to streamline administration of taps which are not connected to a home by removing the requirement for a Dry Tap Agreement with each property owner; and

WHEREAS, the Board wishes to add a procedure for abandonment of a tap for property owners whose structures have been destroyed and have no intent to rebuild in the near term; and

WHEREAS, the Board finds that this Resolution is in the best interest of the District and its residents and property owners.


**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
COLUMBINE LAKE WATER DISTRICT AS FOLLOWS:**

1. The Board hereby amends Section 8.5(B) of the Rules and Regulations as set forth in **Exhibit A**, attached hereto and incorporated herein.
2. The Board hereby amends the District’s Rules and Regulations to adopt new Section 4.6, as shown on **Exhibit A**.
3. These Rule amendments shall be effective immediately upon adoption of this Resolution.
4. The District Manager is directed to update the Rules and post an updated version on the District’s website.


Whereupon, a motion was made and seconded, and, upon a majority vote, this Resolution was approved by the Board.

**ADOPTED AND APPROVED** this 14<sup>th</sup> day of December, 2020.

COLUMBINE LAKE WATER DISTRICT

  
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By: James Kroepfl, President  
Board of Directors

ATTEST:

  
\_\_\_\_\_  
By: Charlene Penson, Director  
Board of Directors

## Exhibit A

### Rules Amendments

Rule 8.5(B) is amended to read as follows:

B) It is the policy of the District to bill all service charges for new connects in advance for the calendar year. Billings will be prorated from the date of connection of a service line or stub out into the District's main line in the road, and make a completed connection into the home. If fixtures are not installed at the time of hookup connection, a service charge of the base rate plus one fixture unit will be charged until the building is constructed with fixtures installed. Owners are required to notify the District within five business days of installing fixtures which are connected to the District's water system, at which time a Dry Tap Agreement shall be signed with the District allowing for up to six (6) months to complete installation of the fixtures. At the end of the six (6) months period the District shall reassess the number of fixtures and commence full assessment service charges. An extension of the Dry Tap Agreement shall be only by approval of the Board. The Board will only allow three (3) extensions per property. If the District believes that an owner failed to notify the District within the five business days of installing fixtures, the District can proceed as set forth in Section 5.5(C) of these Rules and Regulations and bill the owner in arrears back to the date that the new fixtures were installed. Any prorated statements are due by the end of the following month.

A new Section 4.6 is added to the Rules to read as follows:

#### 4.6 Abandonment of Tap

Any owner of property within the District may apply to the District in writing requesting abandonment of a tap. A request for abandonment shall be accompanied by proof that all buildings previous served by the tap has been demolished and/or that a connection was never completed and connected into a building. The District may require the service line to be capped or disconnected at the owner's cost. If the District approves a request for abandonment of a tap, the District shall cease billing the service charge upon abandonment. The District will not be obligated to buy back said tap or refund any fees or charges and an abandoned tap may not be transferred to another property. If service is requested in the future for same property, the owner must pay all fees associated with a new connection and new tap, including without limitation the water facilities fee and water connection permit fee.