

RESOLUTION 2018-12-5

RESOLUTION OF THE BOARD OF DIRECTORS OF THREE LAKES WATER AND SANITATION DISTRICT REGARDING AMENDMENT OF RULES AND REGULATIONS OF THE DISTRICT

WHEREAS, Three Lakes Water and Sanitation District (the “District”) is a special district and political subdivision of the State of Colorado, subject to certain provisions set forth in the Colorado Special District Act, §§ 32-1-101, *et seq.*, C.R.S., pursuant to § 32-10-180, C.R.S.; and

WHEREAS, § 32-1-1001(1)(m), C.R.S., states that, among other powers of a water and sanitation district, 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 Board finds that it is in the best interests of the public and the District to amend the Rules and Regulations as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THREE LAKES WATER AND SANITATION DISTRICT AS FOLLOWS:

1. The Board hereby amends the District’s Rules and Regulations to adopt the changes shown in **Exhibit A**, attached hereto and incorporated herein by this reference.
2. This amendment shall be effective January 1, 2019.
3. Except as set forth above, the Rules and Regulations shall remain in full force and effect, without amendment.
4. The Board directs the Manager of the District to update the Rules and Regulations posted on the District’s website to incorporate the amendment.

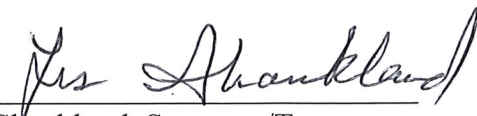
Whereupon, a motion was made and seconded, and, upon a majority vote, this Resolution was approved by the Board.

ADOPTED AND APPROVED this 10th day of December, 2018.

THREE LAKES WATER AND SANITATION
DISTRICT

By:  _____
Matt Reed, Vice Chairman

ATTEST:



Les Shankland, Secretary/Treasurer

Exhibit A to Resolution 2018-12-5

Amendments to Rules and Regulations of Three Lakes Water and Sanitation District

The following changes (as marked) are made to the Rules and Regulations:

2.51 **USER FEE** is that fee charged on a quarterly basis to an owner of property, as set forth in Section 7.2 of these Rules ~~in which a physical tap has been made to the sewer system, and/or for those properties in which a Tap fee was paid on or after February 14, 2003.~~

4.13 EXPIRATION OF CONNECTION AND INSPECTION PERMIT

Connection and Inspection Permits shall expire two (2) years from the date of issuance if the authorized connection has not been made during such time. No fees shall be refunded for an expired Connection and Inspection Permit, unless an application for cancellation is made within such two (2) years, as follows.

An owner may apply in writing to the District for cancellation of a Connection and Inspection Permit and tap within two (2) years from the date of issuance of the Connection and Inspection Permit and within two (2) years from the payment of the tap fee, if the connection has not been made and is not planned to be completed within such two (2) years, whereupon the District shall refund the tap fee, without interest, to the purchaser and cease charging future user fees for the cancelled taps. No fees other than the tap fee will be refunded. If service is requested in the future for same property, the owner must pay full tap fees associated therewith, as due at the time of connection, and all other fees due and owing.

7.2 QUARTERLY USER FEES

In addition to those fees and charges described elsewhere in these Rules and Regulations, the District, in consultation with its Manager, Chief Operator and Engineer, shall determine the total annual costs of administration, operation, maintenance, repair, replacement and upgrading of the sewer system which are necessary to maintain the capacity and performance of such sewer system as designed and constructed and the costs of managing the District. The Board shall then approve a quarterly flat rate user fee per SFE based on these findings. The District will review its fees and charges at least every two (2) years and revise as necessary to ensure that it generates adequate annual revenues.

User fees shall commence ~~from the date the Tap is purchased or, if purchased prior to February 14, 2003,~~ when Building Plans are reviewed and stamped, except as set forth below.

For taps purchased after January 1, 2019 for planned new development, user fees commence upon the earlier of: connection to the District's system or one year from the date of the Connection and Inspection Permit for planned new development.

7.4 DETERMINING SFE RATING

Travel Trailer/~~Mobile Home~~Recreational Vehicle (8'x35' or less) with individual sewer hookups 0.25 SFE