

**RESOLUTION 2019-5-1**

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

WHEREAS, Three Lakes Water and Sanitation District ("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 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 has determined that it is beneficial to amend the District's Rules and Regulations (the "Rules") to allow the Board to grant temporary suspension of user fees due to an individual catastrophic event; and

WHEREAS, the District has given notice on its website and conducted a public hearing on a proposed changes to the District's Rules; 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.

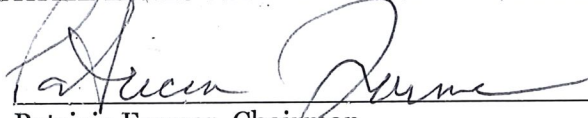
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THREE LAKES WATER AND SANITATION DISTRICT AS FOLLOWS:**

1. The Board hereby amends the District's Rules and Regulations to adopt the changes shown in Exhibit A, attached hereto and incorporated herein.
2. This amendment shall be immediately effective upon adoption.
3. Except as set forth above, the Rules and Regulations shall remain in 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 13th day of May, 2019.

THREE LAKES WATER AND SANITATION DISTRICT

  
\_\_\_\_\_  
Patricia Farmer, Chairman

ATTEST:

  
\_\_\_\_\_  
Les Shankland, Secretary/Treasurer

## EXHIBIT A

### **7.17 Temporary Suspension of Quarterly User Fees**

In the event of an individual catastrophic event, defined as an unexpected event beyond the property owner's reasonable control consisting of fire, flood, earthquake, tornado, explosion or similar natural disaster, which renders a building uninhabitable on property within the District, the property owner may request temporary suspension of quarterly fees. The request shall be made in writing within 90 days of the individual catastrophic event and shall include documentation of the individual catastrophic event, the uninhabitability of the home or other building, and the request for temporary suspension of fees to reduce the financial impact on the property owner. The Board may temporarily suspend quarterly user fees until the earlier to occur of: a) two years from the date of the individual catastrophic event, b) the building is determined by the District, in its reasonable discretion, to be habitable, or c) the property owner resumes discharge of wastewater from the property. Following the temporary suspension of user fees, quarterly user fees shall commence and continue unless and until the owner has voluntarily abandoned its Tap(s) in accordance with Section 4.7. Large scale catastrophic events affecting multiple properties are not considered under this policy.

### **6.2 VOLUNTARY TERMINATION OF SERVICE**

Sewer service may be approved for termination at the request of an owner for reasons of demolition of the building, change in use to a non-sewered structure or for other reasons as may be considered by the District. The owner shall continue to be charged quarterly user fees unless the owner has voluntarily abandoned its Tap(s) in accordance with Section 4.7 **or been granted temporary suspension of quarterly user fees due to an individual catastrophic event pursuant to Section 7.17.**