

ORDINANCE NO. 2017-027

AN ORDINANCE AMENDING TITLES 3, 4 AND 13 OF THE CASTLE ROCK MUNICIPAL CODE BY CHANGING THE WATER AND WASTEWATER SYSTEM DEVELOPMENT FEES AND MAKING CERTAIN EDITORIAL UPDATES TO SUCH TITLES

WHEREAS, in 2010 Town Council directed staff to prepare and present annual updates to Castle Rock Water Rates and fees; and

WHEREAS, the Town Council has considered and accepted staff's analyses and recommendations and the following supporting reports and analyses prepared by a nationally-recognized independent rate and fee consulting firm, Stantec Consulting Services, Inc. for the 2017 update:

- 2017 Castle Rock Water Rates and Fees Study Update – Vol. 1 of 2: 2018 – 2022 Rates Final Report dated September 2017
- 2017 Castle Rock Water Rates and Fees Study Update – Vol. 2 of 2: System Development Fees Final Report dated September 2017; and

WHEREAS, no changes to the monthly billing rates for water, water resources, wastewater, and stormwater are required based on the actual costs of service, the Town's updated growth forecast updated for 2018 to 2022 and updated financial plans for water, water resources, wastewater and stormwater for all customer classes for 2018; and

WHEREAS, increases in the growth in 2017 and growth forecast and long term capital plans to support growth substantiate changes, including expansion of the wastewater treatment plant, to the Water and Wastewater System Development Fees.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Legislative Findings. The recitals to this ordinance are adopted as findings of the Town Council in support of enactment of this Ordinance, and in addition, the Town Council finds that:

- A. The fee structure established by this Ordinance is supported by:
 - 1. 2017 Castle Rock Water Rates and Fees Study Update – Vol. 1 of 2: 2018-2022 Rates Final Report dated September 2017;
 - 2. 2017 Castle Rock Water Rates and Fees Study Update – Vol. 2 of 2: System Development Fees Final Report dated September 2017;
 - 3. The Agenda Memorandum dated September 5, 2017 prepared by the Director of Castle Rock Water and the accompanying PowerPoint presentation offered

at first and second reading of this Ordinance; and

4. Public comment and testimony.

B. The fees and charges imposed by this Ordinance comply with the legislative restrictions on impact fees adopted by local governments in §29-20-104.5, C.R.S.

Section 2. Effective Date. Unless otherwise stated to the contrary, the rates, fees and charges established under this Ordinance shall take effect January 1, 2018.

Section 3. Amendment. Subparagraphs A. and B. of Section 3.16.030 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

3.16.030 Assessment and collection.

Fees shall be assessed and collected according to the following provisions, except as modified by the Town pursuant to this Section 3.16.030:

A. Residential uses. No building permit shall be issued for any dwelling unit prior to the payment of the following applicable fees:

Development Impact Fees for Residential Uses

<i>Unit Type</i>	<i>Square Footage</i>	<i>2017</i>	<i>2018 and thereafter</i>
<i>Parks and Recreation</i>			
Single-Family	< 2,100	\$2,494	\$2,773
	2,100—2,399	\$2,740	\$3,070
	2,400—2,699	\$3,079	\$3,303
	2,700—2,999	\$3,519	\$3,776
	3,000—3,299	\$3,849	\$4,130
	3,300—3,699	\$4,178	\$4,483
	> 3,700	\$4,509	\$4,838
Multi-Family (per unit)	All sizes	\$2,245	\$2,480
<i>Municipal Facilities</i>			
Single-Family	< 2,100	\$274	\$282
	2,100—2,399	\$315	\$324
	2,400—2,699	\$384	\$396
	2,700—2,999	\$439	\$452
	3,000—3,299	\$480	\$494
	3,300—3,699	\$521	\$537
	> 3,700	\$562	\$579
Multi-Family (per unit)	All sizes	\$303	\$312

<i>Fire</i>			
Single-Family	< 2,100	\$440	\$639
	2,100—2,399	\$506	\$735
	2,400—2,699	\$616	\$894
	2,700—2,999	\$704	\$1,022
	3,000—3,299	\$769	\$1,118
	3,300—3,699	\$836	\$1,214
	> 3,700	\$902	\$1,310
Multi-Family (per unit)	All sizes	\$463	\$502
<i>Police</i>			
Single-Family	< 2,100	\$231	\$259
	2,100—2,399	\$266	\$299
	2,400—2,699	\$324	\$362
	2,700—2,999	\$370	\$414
	3,000—3,299	\$405	\$454
	3,300—3,699	\$440	\$492
	> 3,700	\$474	\$531
Multi-Family (per unit)	All sizes	\$241	\$286
<i>Transportation</i>			
Single-Family	< 2,100	\$2,756	\$5,215
	2,100—2,399	\$3,095	\$5,547
	2,400—2,699	\$3,482	\$6,104
	2,700—2,999	\$3,749	\$6,404
	3,000—3,299	\$3,949	\$6,637
	3,300—3,699	\$4,119	\$6,847
	> 3,700	\$4,311	\$7,060
Multi-Family (per unit)	All sizes	\$2,195	\$2,931

Stormwater – Cherry Creek Basin (per dwelling unit)	
Unit Type	2018 and thereafter
Single-Family Detached	\$843
Single-Family Attached	\$563
Multi-Family	\$511

Stormwater – Plum Creek Basin (per dwelling unit)	
Unit Type	2018 and thereafter
Single-Family Detached	\$1,317
Single-Family Attached	\$880
Multi-Family	\$798

For purposes of this Subsection, any remodeling activity which results in the creation of an additional dwelling unit shall be subject to the payment of the fee as specified in this Subsection. For purposes of this Subsection, single-family detached shall include duplexes and mobile homes.

B. Nonresidential uses. No building permit shall be issued for the occupancy of any structure to be used primarily for nonresidential use prior to the payment of the following applicable fees (per 1,000 square feet of gross floor areas):

Development Impact Fees for Nonresidential Uses

<i>Unit Type</i>	<i>Square Footage</i>	<i>2017 (per 1,000 sq. ft.)</i>	<i>2018 and thereafter (per 1,000 sq. ft.)</i>
<i>Municipal Facilities</i>			
Commercial/Shopping Center	50,000 or less	\$41	\$46
	50,001—100,000	\$34	\$38
	100,001—200,000	\$31	\$35
	Over 200,000	\$28	\$32
Office	25,000 or less	\$60	\$64
	25,001—50,000	\$57	\$60
	50,001—100,000	\$54	\$57
	Over 100,000	\$50	\$53
Industrial		\$33	\$35
Warehousing		\$20	\$21
Hotel (per room)		\$16	\$17
<i>Fire</i>			
Commercial/Shopping Center	50,000 or less	\$146	\$204
	50,001—100,000	\$126	\$176
	100,001—200,000	\$110	\$154

	Over 200,000	\$98	\$137
Office	25,000 or less	\$146	\$212
	25,001—50,000	\$138	\$200
	50,001—100,000	\$130	\$189
	Over 100,000	\$120	\$174
Industrial		\$146	\$215
Warehousing		\$82	\$120
Hotel (per room)		\$57	\$80
<i>Police</i>			
Commercial/Shopping Center	50,000 or less	\$87	\$97
	50,001—100,000	\$73	\$81
	100,001—200,000	\$62	\$69
	Over 200,000	\$53	\$59
Office	25,000 or less	\$30	\$36
	25,001—50,000	\$25	\$30
	50,001—100,000	\$22	\$26
	Over 100,000	\$18	\$21
Industrial		\$11	\$13
Warehousing		\$8	\$10
Hotel (per room)		\$9	\$11
<i>Transportation</i>			
Commercial/Shopping Center	50,000 or less	\$809	\$1,536
	50,001—100,000	\$712	\$1,351
	100,001—200,000	\$622	\$1,182
	Over 200,000	\$538	\$1,021
Office	25,000 or less	\$763	\$1,399
	25,001—50,000	\$482	\$884
	50,001—100,000	\$340	\$623
	Over 100,000	\$269	\$493
Industrial		\$763	\$1,390
Warehousing		\$675	\$1,281
Hotel (per room)		\$437	\$780

Stormwater - Cherry Creek Basin (per 1,000 sq. ft.)	
Unit Type	2018 and thereafter
Commercial/Industrial	\$380
Stormwater - Plum Creek Basin (per 1,000 sq. ft.)	
Unit Type	2018 and thereafter
Commercial/Industrial	\$594

Any structure located in a business zone shall be assessed at the applicable nonresidential use rate, whether or not such structure is intended for nonresidential use. Any structure located in a planned unit development where commercial/shopping center, office, industrial, warehouse or hotel uses are permitted shall be assessed based upon initial proposed use, subject to the provisions of Subsection C. below. Industrial use means those uses devoted to the compounding, assembling, processing, treatment or manufacturing of products, including distribution centers and food and beverage processing. Warehousing use means uses devoted to the storage of materials.

Section 4. Amendment. Subparagraph A. of Section 4.04.150 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

A. In order to defray the cost incurred by the Town in the acquisition and development of renewable water resources consistent with the water plan and this Chapter, there is imposed a renewable water resource fee as a condition to the right to connect to the municipal water system. The renewable water resource fee is established at the following schedule of fees in effect as of the date of a complete building permit application, provided however, in order to qualify for the 0.67 SFE, the applicant must meet additional engineering criteria beyond meter capacity as established by Castle Rock Water:

Renewable Water Resource Fee

Meter Size	SFE	Meter Capacity (GPM)	2018 and thereafter
5/8" x 3/4"	.67	20	\$10,216
3/4" x 3/4"	1.00	30	\$15,248
1"	1.67	50	\$25,464
1.5"	3.33	100	\$50,776
2" C2	6.67	200	\$101,704

2" T2	8.33	250	\$127,016
3" C2	16.67	500	\$254,184
3" T2	21.67	650	\$330,424
4" C2	33.33	1,000	\$508,216
4" T2	41.67	1,250	\$635,384
6" C2	66.67	2,000	\$1,016,584
6" T2	83.33	2,500	\$1,270,616

Section 5. Amendment. Subparagraph A. of Section 13.02.020 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.02.020 Utility Administration Fee Schedule.

A. The Utility Administration Fee Schedule is the fee schedule published by Castle Rock Water for all administrative fees imposed, including, but not limited to, charges for non-sufficient funds, disconnection services charges, transfer service charges, and late payment charges. The schedule shall also include the timing for collection of such fees.

Section 6. Amendment. Subparagraphs A. and C. of Section 13.12.080 of the Castle Rock Municipal Code are amended in their entirety to read as follows:

13.12.080 System development fees.

A. In order to defray the capital costs of utilizing, expanding and developing municipal facilities for the provision of water, system development fees shall be assessed in accordance with the following schedule of fees in effect as of the date of submission of a complete building permit application, provided however, in order to qualify for the 0.67 SFE system development fee, the applicant must meet additional engineering criteria beyond meter capacity as established by Castle Rock Water:

Water System Development Fee

Meter Size	SFE	Meter Capacity (GPM*)	2018 and thereafter
5/8" x 3/4"	.67	20	\$2,352
3/4" x 3/4"	1.00	30	\$3,510
1"	1.67	50	\$5,862
1.5"	3.33	100	\$11,688
2" C2	6.67	200	\$23,412

2" T2	8.33	250	\$29,238
3" C2	16.67	500	\$58,512
3" T2	21.67	650	\$76,062
4" C2	33.33	1,000	\$116,988
4" T2	41.67	1,250	\$146,262
6" C2	66.67	2,000	\$234,012
6" T2	83.33	2,500	\$292,488

* Potential flow capacity in gallons per minute.

C. In order to defray the capital costs of utilizing, expanding and developing municipal facilities for the provision of wastewater, system development fees shall be assessed in accordance with the following schedule of fees in effect as of the date of submission of a complete building permit application:

Wastewater System Development Fee *

Meter Size	SFE	Meter Capacity (GPM ^{**})	2018 and thereafter
5/8" x 3/4"	.67	20	\$2,653
3/4" x 3/4"	1.00	30	\$3,959
1"	1.67	50	\$6,612
1.5"	3.33	100	\$13,183
2" C2	6.67	200	\$26,407
2" T2	8.33	250	\$32,978
3" C2	16.67	500	\$65,997
3" T2	21.67	650	\$85,792
4" C2	33.33	1,000	\$131,953
4" T2	41.67	1,250	\$164,972
6" C2	66.67	2,000	\$263,947
6" T2	83.33	2,500	\$329,903

* Does not apply to SFEs served by the Pinery Water and Wastewater District.

** Potential flow equivalency in gallons per minute, with the exception of the 0.67 SFE the applicant must meet additional engineering criteria as established by Castle Rock Water.

Section 7. Amendment. Subparagraph B. of Section 13.12.090 is amended in its entirety to read as follows:

13.12.090 SFE assignment.

B. Any property which currently does not have a useable service connection to the water system shall pay the monthly fixed water, wastewater, stormwater, and renewable water fee per SFE **in effect at the time of implementation of the SFE reservation. Unless otherwise modified by written contract**, the Town is required to recognize an out-of-service SFE reservation.

Section 8. Amendment. Section 13.12.100 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.12.100 Meter set fees.

No new potable water, wastewater or irrigation water service shall be extended to any user until payment of proper tap fees in accordance with the schedule enumerated below is made. The fee shall be assessed and payable at the time of submission of a complete building application. The payment of the tap fee is for the privilege to tap to the main and an inspection by the Town and is supplementary to the system development fees imposed under Section 13.12.080. The construction of the service line is to be completed by the user, stubbed at a properly designated point as determined by the Director of Castle Rock Water.

Meter Set Fee Schedule

Meter Size & Type	Single Port	
	Indoor Installation	Outdoor Installation
5/8" x 3/4" iPerl	\$409.89	\$419.26
1" iPerl	\$482.11	\$491.48
1.5" OMNI C2, 1,000 gallon pulse	\$1,656.19	\$1,665.56
2" OMNI C2, 1,000 gallon pulse	\$1,770.83	\$1,780.20
3" OMNI C2, 1,000 gallon pulse	\$2,183.69	\$2,193.06
4" OMNI C2, 1,000 gallon pulse (irrigation)	\$3,630.19	\$3,639.56
6" OMNI C2, 1,000 gallon pulse	\$6,059.30	\$6,068.67
1.5" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,164.21
2" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,338.31
3" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,611.83
4" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$2,904.38
6" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$4,984.62
Meter Size & Type	Dual Port	
	Indoor Installation	Outdoor Installation
5/8" x 3/4" iPerl	\$431.74	\$442.66
1" iPerl	\$503.96	\$514.88

1.5" OMNI C2, 1,000 gallon pulse	\$1,678.04	\$1,688.96
2" OMNI C2, 1,000 gallon pulse	\$1,792.68	\$1,803.60
3" OMNI C2, 1,000 gallon pulse	\$2,205.54	\$2,216.46
4" OMNI C2, 1,000 gallon pulse	\$3,652.04	\$3,662.96
6" OMNI C2, 1,000 gallon pulse	\$6,081.15	\$6,092.07
1.5" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,187.61
2" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,361.71
3" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,635.23
4" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$2,927.78
6" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$5,008.02

On an annual basis, the Town Manager shall be responsible for reporting to the Town Council information on construction cost indexes for the year. The Town Council, at its discretion, may amend the fee schedule upon consideration of the construction cost index information.

Section 9. Amendment. Subparagraph C of Section 13.12.110 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.12.110 Service charges, generally.

C. With submittal of the annual budget as required under the Charter, the Town Manager, not less than annually, shall submit to the Town Council an analysis of the operational maintenance, depreciation and debt service costs of the water and sewer utilities, the revenues required to maintain such utilities on an enterprise basis and a recommendation as to the service charges and rates to be imposed in the following fiscal year consonant with this Section. The Town Council shall consider any findings or recommendations of the Castle Rock Water Commission.

Section 10. Amendment. The definition of *Water Budget* set forth in Section 13.12.111 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

Water budget shall mean tailored water use allocations developed for each customer with rates that increase as the allocation is exceeded.

1. Water budget base rates shall be established to:
 - a. Identify customer-specific monthly budgeted amounts of water that vary by landscaped area and weekly historical evapotranspiration (ET); and
 - b. Charge volume rates per unit of water use that vary by consumption tier.

2. A monthly water budget is equal to the AWMC and the amount of water allocated to a customer based on that customer's landscaped area in square feet determined by the Town and eighty percent (80%) of the monthly required watering needs for turf per square foot of landscaped area based on the historical evapotranspiration rate. For single-family customers, the landscaped area is subject to an irrigated area cap of seven thousand (7,000) square feet for calculation of the water budget. The monthly irrigation requirements for turf vary throughout the year; therefore, the monthly budgets will vary while the landscaped area is held constant. Customers are billed for the amount of water used each month in comparison to the monthly water budget. If a customer's water use exceeds the monthly budget, the amount billed per one thousand (1,000) gallons of water used increases for the amount over the budget.
3. The water budget-based thresholds define the tiers of consumption for calculating an individual customer's monthly bill. The threshold represents the maximum usage in each consumption tier for which a customer will be billed a specific rate per one thousand (1,000) gallons of use.
4. For all customers with irrigation, excluding irrigation-only customers, there are two (2) tier thresholds during the irrigation season: the AWMC and the monthly irrigation budget. There are three (3) consumption tiers for these customers: AWMC, budget and excess as defined in this Section. During the winter season, there is one (1) tier threshold, the AWMC; there are two (2) consumption tiers, AWMC and excess.
5. For all customers: with indoor use only, there is one (1) tier threshold during both irrigation and winter seasons: AWMC. There are two (2) consumption tiers for these customers: AWMC and excess.
6. Irrigation-only customers are subject to one (1) tier threshold during the irrigation season, which is the individual monthly irrigation budget. Irrigation customers are subject to two (2) consumption tiers during the irrigation season: budget and excess. During the winter season, there is one (1) consumption tier excess.

Water Budget-Based Tier Thresholds

<i>Irrigation Season - April 1 through October 31 Consumption</i>			
<i>Class</i>	<i>Tier 1 - AWMC</i>	<i>Tier 2 - Irrigation</i>	<i>Tier 3 - Excess</i>
Residential	AWMC	Budget	Excess
Multi-family indoor use only	AWMC	N/A	Excess
Multi-family with irrigation	AWMC	Budget	Excess
Commercial indoor use only	AWMC	N/A	Excess
Commercial with irrigation	AWMC	Budget	Excess

Irrigation	N/A	Budget	Excess
Winter Season - November 1 through March 31 Consumption			
Class	Tier 1 - AWMC	Tier 2 - Irrigation	Tier 3 - Excess
Residential	AWMC	N/A	Excess
Multi-family indoor use only	AWMC	N/A	Excess
Multi-family with irrigation	AWMC	N/A	Excess
Commercial indoor use only	AWMC	N/A	Excess
Commercial with irrigation	AWMC	N/A	Excess
Irrigation	N/A	N/A	Excess

Section 11. Amendment. Section 13.12.112 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.12.112 Service charges, all users, excluding bulk.

Beginning with water service provided on or after January 1, 2018, the Town is empowered to levy and collect the following monthly charges for water service within its corporate limits during the calendar years as noted:

**All Users, Excluding Bulk Water Service Charge
(\$ by meter size)**

Meter Size	2018 and thereafter
5/8" x 3/4"	\$9.54
3/4" x 3/4"	\$9.54
1"	\$13.72
1½"	\$18.78
2"	\$26.00
3"	\$41.78
4"	\$94.12
6"	\$147.26

**Water Volume Rate All Users, Excluding Bulk
(\$ per 1,000 gallons)**

Class	Tier 1 – AWMC	Tier 2 – Irrigation	Tier 3 – Excess
	2018 and thereafter	2018 and thereafter	2018 and thereafter
Irrigation Season – April 1 through October 31 Consumption			
Residential	\$2.82	\$5.53	\$8.29
Multi-Family (Indoor Use Only)	\$2.82	N/A	\$3.57
Multi-Family (with Irrigation)	\$2.82	\$4.70	\$7.04
Commercial (Indoor Use Only)	\$2.82	N/A	\$3.80
Commercial (with Irrigation)	\$2.82	\$4.75	\$7.13
Irrigation	N/A	\$7.58	\$11.36
Winter Season – November 1 through March 31 Consumption			
Residential	\$2.82	N/A	\$5.53
Multi-Family (Indoor Use Only)	\$2.82	N/A	\$3.57
Multi-Family (with Irrigation)	\$2.82	N/A	\$4.70
Commercial (Indoor Use Only)	\$2.82	N/A	\$3.80
Commercial (with Irrigation)	\$2.82	N/A	\$4.75
Irrigation	N/A	N/A	\$11.36

Plus:

Renewable Water Service Charge

Meter Size	2018 and thereafter
5/8" × 3/4"	\$17.52
3/4" × 3/4"	\$26.15
1"	\$99.11
1½"	\$187.50
2"	\$313.54
3"	\$588.90
4"	\$1,502.32
6"	\$2,429.34

Plus: Any applicable surcharges imposed under Subsection 13.15.040.C.

Section 12. Amendment. Section 13.12.116 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.12.116 Service charges, bulk.

**Bulk Customer Water Service Charge
(\$ per monthly bill)**

2018 and thereafter
\$9.54

Plus:

**Water Volume Rate
(\$ per 1,000 gallons)**

2018 and thereafter
\$5.07

Plus:

**Renewable Water Volume Rate
(\$ per 1,000 gallons usage)**

2018 and thereafter
\$0.24

Section 13. Amendment. Section 13.12.118 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.12.118 Service charges, wastewater.

Beginning with wastewater service provided on or after January 1, 2018, the Town is empowered to levy and collect the following monthly charges for wastewater services within its corporate limits during the calendar years noted:

**Wastewater Service Charge
(\$ meter size)**

Meter Size	2018 and thereafter
5/8" × 3/4"	\$9.30
3/4" × 3/4"	\$9.30
1"	\$14.80
1½"	\$21.46
2"	\$30.96
3"	\$51.72
4"	\$120.58
6"	\$190.48

Plus:

**Wastewater Volume Rate
(\$ per 1,000 gallons of AWMC)**

2018 and thereafter
\$6.59

Section 14. Amendment. Section 13.12.130 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.12.130 Senior citizen discount.

A. There shall be a discount upon the base water rate charge of three dollars (\$3.00) per SFE per month for senior citizen customers within the municipal limits of the Town who meet the following criteria:

1. The customer is over the age of sixty-five (65) effective the date of usage of the service. It shall be proper to determine such discount on a pro rata basis when the sixty-fifth birthday of the customer occurs during a billing cycle; and

2. The senior citizen must own and reside within the premises being served, or reside within the premises being served with the condition that the water service charge be paid by the senior citizen as a tenant.

B. Where the senior citizen resides in a multifamily dwelling unit, there must be a separate metering of the senior citizen's premises in order to affect the discount, unless it is determined by the Town Manager or his or her designee that such multi-family dwelling is properly designated and restricted for occupancy only by senior citizen persons and the SFE discount can then be applied uniformly to the entire premises. Where two (2) or more persons reside upon the same premises and are responsible for the water usage billing upon the premises, they all must have

attained the age of sixty-five (65), unless the number of responsible persons is two (2) and they are married or related by blood within four (4) degrees (includes siblings, parent-child, first cousins), in which case the discount shall be available upon the first to reach the age of sixty-five (65). No discount shall be effective until the person desiring such discount shall display sufficient evidence of such age to the Town. In no event shall the discount be retroactive beyond the effective date of the ordinance codified in this Section or the current billing cycle when the discount is requested.

C. Residential property owners who are leasing or renting to senior citizens must provide appropriate evidence to the Customer Billing Department of Castle Rock Water of such application. The evidence must include a copy of the lease, rental agreement or other agreement which provides that the senior citizen is responsible to the property owner for the payment of the water service charges. The appropriateness of the discount may be reviewed annually from the date of the first application.

Section 15. Amendment. Subparagraph C. of Section 13.14.030 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

C. A deposit equal to one hundred dollars (\$100.00) per SFE for each new service address may be required except for a single-family residential unit where the applicant furnishes the Town a letter of reference from a utility firm stating the customer was provided service by the utility company within the past twelve (12) consecutive months, the customer's account has been paid in full, the account had not been disconnected from service due to late payments and that no more than two (2) delinquent or late payment charges have been incurred during the past twelve (12) months. Those new service customers required to make a deposit of one hundred dollars (\$100.00) per SFE shall receive a refund at such time as the owner has maintained utility billings for a period of one (1) year or longer with no disconnection from service due to late payments and that no more than two (2) delinquency charges has been incurred.

Section 16. Amendment. Section 13.14.110 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.14.110 Regulations.

The Director of Castle Rock Water or other designated official is authorized to develop all written rules and regulations necessary to implement the provisions of this Chapter, subject to the approval of the Town Manager.

Section 17. Amendment. Section 13.15.020 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.15.020 Regulations.

The following regulations shall apply to the time and date for use of water for lawn and landscaping irrigation during the irrigation season:

A. Permissible irrigation hours shall be dictated by the Program Administrator thirty (30) days prior to the onset of restrictions.

B. In order to stagger the demand on the Town's water delivery system during the irrigation season, watering shall be restricted to every third day in accordance with the following procedure:

1. Properties with an assignment address ending in digit zero (0) through three (3) is designated by a square (□), digit four (4) through six (6) by a circle (○) and digit seven (7) through nine (9) by a diamond (◇).

2. Those properties for which several taps, services and/or addresses exist, the appropriate designated schedule shall be determined by Town staff, no later than two (2) weeks prior to the onset of restrictions.

C. Annually, not later than thirty (30) days prior to commencement of the irrigation season, the Program Administrator shall designate in writing the permissible watering days for each circle, square and diamond address, which shall be kept on file with the Town Clerk, posted in a conspicuous place at the Town's administrative offices and published at least twice in a newspaper of general circulation; provided however, that the failure to make such timely designation shall not impair the enforceability of the ordinance codified in this Chapter for violations occurring after the date such designation is made.

Section 18. Amendment. Subparagraph C. of Section 13.15.040 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

C. Beginning January 1, 2018, a single-family customer (as defined in Section 13.12.111) using more than 40,000 gallons of water in a billable month shall be assessed a surcharge as follows:

Single-Family Surcharges
Usage in excess of 40,000 gallons per billable month (\$ per 1,000 gallons)

2018 and thereafter
\$8.29

Section 19. Amendment. Subparagraph A. of Section 13.30.060 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.30.060 Storm water utility fee schedule.

A. Effective with utility bills issued on or after January 1, 2018, the monthly fee for each storm water single-family equivalent shall be as follows:

**Storm water Fee
(\$ per SWSFE *)**

2018 and thereafter
\$7.12

***SFE Assignment**

Customer Class	SWSFE
Single-family residence	1
Multi-family and nonresidential	Parcel size times 80% imperviousness divided by 3,255 impervious square feet per SWSFE = number of SWSFEs for non-single-family

Section 20. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 21. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 5th day September, 2017 by a vote of 6 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 19th day of September, 2017, by the Town Council of the Town of Castle Rock by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Acting Town Clerk

Jennifer Green, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Mark Marlowe, Director of Castle Rock Water