

FORT COLLINS-LOVELAND WATER DISTRICT

RESOLUTION NO. 2018-08-01

RESOLUTION REGARDING THE APPLICATION OF RESOLUTION NO. 2018-06-01 SETTING FEES CHARGES,  
AND RATES TO CERTAIN APPLICATIONS PENDING AS OF SEPTEMBER 1, 2018

WHEREAS, pursuant to §32-1-1001 (1)(h), C.R.S., the Board of Directors ("Board") of the Fort Collins-Loveland Water District ("District") is responsible for the management, control and supervision of all of the business and affairs of the District; and

WHEREAS, pursuant to Section 32-1-1001 (1)(j)(I), C.R.S. the Board has the authority to fix and from time to time increase or decrease rates, fees, tolls, penalties, or charges for services, programs, or facilities furnished by the District, and pursuant to Section 32-1-1006(1)(g), C.R.S. to fix and from time to time increase or decrease tap fees; and

WHEREAS, by Resolution No. 2018-06-01 Setting Fees In Lieu Of Water Dedication, Tap Fees, Impact Fees, Service Charges, And Rates the Board adopted revised fee schedules for various fees, charges and rates; and

WHEREAS, Resolution No. 2018-06-01 was adopted with an effective date set forth in Section 5 of September 1, 2018; and

WHEREAS, the Board believes it necessary and appropriate to clarify the effective date of Resolution No. 2018-06-01 with respect to the imposition of the revised tap fees adopted thereby to applications that have been received but not yet approved prior to September 1, 2018;

NOW, THEREFORE, be it resolved by the Board of Directors of the Fort Collins-Loveland Water District that:

1. **Pending Applications; Prior Tap Fees.** The tap fee schedules in effect prior to the adoption of Resolution No. 2018-06-01 shall apply to any application for a water tap that is:
  - a. Received at the District office prior to 4:30 p.m. on August 31, 2018; and
  - b. Which is determined to be complete and meeting the requirements for approval, regardless of when such determination of completeness and approval is made; and
  - c. For which all water and sewer tap fees have been paid no later than 14 days following the date the applicant is notified of the approval of the application.
2. **Revised Tap Fees.** The tap fee schedules set forth in Resolution No. 2018-06-01 shall apply to any application for a water tap that is
  - a. Received prior to 4:30 p.m. on August 31, 2018; and
    - i. which is subsequently determined to be incomplete; or
    - ii. is otherwise denied; or
    - iii. for which water and sewer tap fees have not been received within 14 days following the date the applicant is notified of the approval of the application; and
  - b. Received after 4:30 p.m. on August 31, 2018.

3. **Application Completion.** For purpose of this Resolution and Resolution No. 2018-06-01 an application for a water tap is complete and meets the requirements for approval if the applicant has:
  - a. Completed and submitted to the District a paper copy of the District's Water Tap Application; and
  - b. Constructed and tested the water main lines, water services and appurtenances associated with serving the tap to District's Standard Construction Specifications and they have been inspected and accepted by the District; and
  - c. When applicable, completed and submitted to the District a paper copy of the South Fort Collins Sanitation District's Sewer Tap Application; and
  - d. When applicable, constructed and tested the sewer main lines, sewer services, manholes, and appurtenances associated with serving the tap to South Fort Collins Sanitation District Standard Construction Specifications and they have been inspected and accepted by the South Fort Collins Sanitation District.
4. **Clarification of Resolution No. 2018-06-01.** The Board hereby clarifies the September 1, 2018 effective date of the revised tap fees adopted thereby. Except as expressly clarified herein Resolution No. 2018-06-01 remains in full force and effect.
5. **Severability.** If any part. section, subsection. sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.
6. **Effective Date.** This Resolution shall take effect immediately upon its approval by the Board of Directors of the District.

The foregoing Resolution was approved and adopted this 21st day of August, 2018.

FORT COLLINS-LOVELAND WATER DISTRICT

By:



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James Borland, Chairman

Attest:



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Secretary