

North Pecos Water & Sanitation District

Rates, Charges, Fees and Penalties Effective January 1, 2018



**RATES, CHARGES, FEES AND PENALTIES
OF THE
NORTH PECOS WATER AND SANITATION DISTRICT
PREAMBLE**

The North Pecos Water and Sanitation District, (hereinafter the “District”) is a special improvement District of the State of Colorado organized and existing under the Special District Act of the State of Colorado is empowered and authorized to levy, assess, impose and collect fees, rates, tolls, penalties or charges for services, programs or facilities furnished by District pursuant to the Colorado Special District Act, C.R.S. 32-1-1001, et sequitur, and other relevant statutes of the State of Colorado.

This document sets forth the District’s current rates, charges and fees for both water and sewer services. It also indicates the general procedures implemented by the District, including penalties, for the collection of such amounts.

All charges, rates, fees, penalties and procedures herein described and indexed may be revised, amended, modified, increased, or decreased from time to time upon appropriate resolution of the Board of Directors of the District and as the needs of the District may dictate. Such changes shall be binding and in full force and effect from and after the date of adoption by the Board of Directors of the District.

Therefore, in accordance with the statutory authority above stated, and in order to promote the general health, welfare and safety of the District's customers and to help defray the costs incurred by the District associated with the providing of water and sanitary sewer service, the District does hereby adopt the following system of rates, fees, charges, and penalties.

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OF THE
NORTH PECOS WATER AND SANITATION DISTRICT

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**RATES, CHARGES, FEES AND PENALTIES
OF THE
NORTH PECOS WATER AND SANITATION DISTRICT**

**SECTION I – GENERAL PROCEDURES AND POLICIES FOR BOTH WATER AND SEWER
SERVICE RATES, CHARGES, FEES, AND PENALTIES**

1. **Mill levy.** The Board shall fix a rate of levy of taxes, and certify that rate to the Board of Commissioners of Adams County and the City and County of Denver by December 15 of each year or as otherwise required by C.R.S. 32-1-1201, et seq.
2. **Payment of Monthly Billings.** All charges for water and/or sewer service are payable in full as hereinafter set forth. Monthly billings for water and/or sewer service provided by the District are due and payable by the owner of the real property in full on or before the close of business on the 30th day next following the date of the invoice or statement rendered by the District.
3. **Duplicate Billings.** The District shall not be required to furnish duplicate billing services or provide to anyone other than the owner of a property billing for water and/or sanitary sewerage services such as a renter, lessee or other occupant having possession of a property unless a written request for such alternate billing shall be executed by the property owner and be approved by the District's Board of Directors.
4. **Payment Responsibility.** In no event shall such alternate billing relieve or in any way abrogate or mitigate the absolute responsibility of the owner of the property from the prompt payment to the District of all water and/or sanitary sewer services charges to the property being served.
5. **Perpetual Lien for Unpaid Amounts.** Until paid, all rates, charges, fees, and penalties or charges shall constitute a perpetual lien on and against the property served, and any such lien may be enforced or foreclosed as provided by the laws of the State of Colorado, and entitled to priority over other encumbrances to the full extent provided by the laws of the State of Colorado.
6. **Tap Fee Refunds.** Tap fees are non-refundable. The customer has one year, from the date of purchase, to make the tap. If the tap is not made within a year of the purchase date, the customer must pay any difference in tap fees, prior to construction.
7. **Expiration of Temporary Construction Water Tap Permits.** Temporary Construction Water Tap Permits, as defined below, expires within six (6) months of issuance. Any subsequent extension requests, modifications, or amendments require the payment of a new permit fee.
8. **Requests for Increase or Decrease in the Existing Size of Taps.** Requests for increase or decrease in the existing size of water or sewer taps may be initiated by any customer of the District holding a valid water or sewer tap permit by the District. Such application shall identify the reason for adjustment, along with the new size for the taps.

The District's personnel shall then review the application with respect to the following:

- (a) The size of the tap requested and the ability of the tap and service lines to meet all engineering requirements incidental to customer's prospective usages, and the effect and impact, if any, the grant of such new water tap by the District shall have or potentially have on the mains and distribution system of the District, including all appurtenances thereto.

(b) The ability of the customer or customer's contractor or subcontractor to comply with all tapping procedures, engineering rules, regulations and standards of the District, as well as the Operating Rules of the Denver Water Department, Metro Wastewater, and such other governmental or quasi-governmental entities which may be affected or potentially affected.

Upon approval of the application by the District's Board, the customer shall pay to the District a new system development charge as calculated in accordance with the following Appendices of the District, as well as any development charges due and payable to the Denver Water Department or Metro Wastewater and resulting from the change of the tap size. In addition, the customer shall deposit with the District all inspection fees calculated in accordance with the following Appendices of the District.

All Water System Development charges calculated in accordance with the above referenced table are payable in full at the time of the filing of the application by the applicant. No permit shall be issued nor work commenced for a water tap until all charges calculated in accordance with the above referenced table have been deposited in current funds in the District's offices.

The District shall not issue any refunds due to a decrease in the size of a water or sewer tap as a result of a customer's application.

9. **Failure to Timely Pay Charges and Fees.** Failure to timely pay all charges and fees owing to the District for water or sewer services will result in additional charges and penalties as set forth below in Section IV, below.

SECTION II – LIST OF WATER SERVICE RATES, CHARGES AND FEES:

1. District Water Tap Fee.

Charges assessed by the District to an applicant for a license or permit to receive water from the District's water distribution system. Charges are assessed upon application for a permit for a new or increase in size water tap. Charges to a new applicant may be utilized to finance water system improvements and additions to the District's owned and operated Water Distribution System.

The charge is calculated based upon the size of the water tap required to adequately service the applicant's needs and service the property of the applicant in accordance with the Engineering Standards, Rules and Regulations of the District.

2. Denver Water System Development Charge (Tap Fee).

Charges assessed to an applicant for license or permit to receive water through the Denver Water System or a water system in which obtains its water from the Denver Water Department. Charges are assessed upon application for a permit for a new or increase in size water tap. Charges are based upon the size of the tap required to service applicant's property. This Charge does not apply to water taps for fire prevention.

Applicants must contact Denver Water Department Water Tap Sales for rates.

3. Temporary Construction Water Tap Application Fee.

Charges or fees assessed to an applicant for a temporary water tap permit. Charges for the purpose of allowing the District to recoup all or a portion of its costs incurred pertaining to the review of the application by legal and engineering expertise and other administrative personnel to render an opinion to the Board of Directors of the District as to the feasibility of the District's prospective grant of said permit.

3.1 Temporary Construction Water Tap Permit Fee.

Charges assessed annually for any Temporary Construction Water Tap Permit issued by the District. Charges are assessed in lieu of system development charges, which normally would be levied by both the Denver Water Department and the District for the permitting and licensing of a water tap on the District's water main.

3.2 Temporary Construction Water Tap - Water Usage Rate and additional charges.

A charge for water consumed using a Temporary Construction Water Tap. The rate is based on the normal rate per 1000 gallons charged to the District's commercial customers as amended from time to time plus any additional charges, if any, incurred by the District for repair, replacement, inspection or materials.

4. Temporary Water Service (Fire Hydrant).

No person or entity shall obtain water from a fire hydrant connected to any water main or water extension line belonging to the District without first obtaining a special permit therefore. Any person or entity violating the provisions of this section shall be subject to all penalties provided by law. In addition, any person or entity found violating the provisions of this section shall be liable for the cost of the water so extracted at fees then prevailing in the District, together with a fine

4.1 **Fire Hydrant Application Fee.**

A charge assessed for a temporary water service permit to receive water from one or more of the District's fire hydrants. This charge is assessed for the purpose of allowing the District to recoup all, or a portion of, its costs incurred in the review of applicant's application.

4.2 **Fire Hydrant Meter Deposit Fee.**

A charge assessed to the recipient of a Temporary Water Service (Fire Hydrant) Permit. This charge is assessed in the form of a potentially refundable deposit to defray the costs incurred by the District in the repair or replacement of the District owned fire hydrant flow meter which must be used by the applicant as a condition precedent to taking water from a District owned fire hydrant. This charge is also assessed as an advance deposit on the final bill for water usage.

Upon return of the District's fire hydrant flow meter in good and operating condition and provided the applicant has paid in full for all water taken and used in accordance with the District's invoicing terms and provisions. The deposit fee will be refunded within 30 days after the meter is returned to the District.

If an applicant fails to return the District's meter in good and operating condition, or fails to return the meter, the District is authorized to retain from the deposit all amounts necessary to pay all outstanding meter rental and water service charges, interest. Any repair costs due to damages to the meter not paid by applicant in accordance with the terms and provisions of the District's permit will also be retained from the deposit. **In the event such charges exceed the amount of the deposit, the District may recover such amounts as allowed by Colorado law, including a reasonable amount for its attorney's fees and costs.**

4.3 **Fire Hydrant Meter Rental Rate.**

A charge assessed to the recipient of a Temporary Water Service (Fire Hydrant) Permit for rental and use of the District's fire hydrant flow meter.

4.4 **Fire Hydrant Water Usage Rate.**

The charge assessed for water consumed by the applicant using a District owned fire hydrant.

5. **Fire Hydrant (Addition or Relocation) Application and Review Fee.**

A charge assessed to an applicant who is required or requires the installation of a new fire hydrant to service its facility alone or in conjunction with other inhabitants of the District. This installation may be by the order or direction of a Fire District official or other county or Special District official, or due to the nature of the applicant's business being conducted on its premises. This charge is assessed for recouping the costs incurred by the District in the reviewing the applicant's application by the District's engineering, legal and administrative personnel and the rendering of an opinion to the District's Board of Directors as to the feasibility and advisability of the installation of such new fire hydrant as well as the location thereof.

6. **Water Main Extension Application and Review Fee.**

Any person or entity that requires the extension of a District owned water main to facilitate water service to his, her or its premises shall pay to the District a Water Main Extension Application and Review Fee.

This fee is to enable the District to recoup administrative, engineering and legal costs incurred by the District in the review of the application, engineering plans and data, construction plans, and locations of the proposed water main extension of the applicant to insure compliance with the Engineering Standards, Rules and Regulations of the District and Denver Water.

7. Landscape or Irrigation Application and Permit Fee.

Any person or entity who applies to North Pecos Water & Sanitation District for a Landscape or Irrigation Permit shall pay to the District a non-refundable fee. This fee is to enable North Pecos Water & Sanitation District to recoup administrative, engineering and legal costs incurred by the District in the review of the application together with the costs incurred by the District in the inspection of the installation of said facilities.

8. Water Service Inspection Fee and Rates.

A charge assessed by the District to an inhabitant, customer, contractor or subcontractor, as the case is applicable, who performs or is required to perform any work in the addition of facilities to the District's water distribution system and/or in the construction, reconstruction or improvement of any component thereof to insure compliance with the District's Engineering Rules, Regulations and Standards pertinent thereto; the rules and regulations of the Denver Water Department; the rules and regulations of the Colorado Department of Public Health and Environment; and, the Plumbing Code of the State of Colorado.

An inhabitant, customer, contractor or subcontractor shall not be required to pay additional inspection fees as defined in this section of the Rates, Charges and Fees of the District for inspection fees incurred as a result of the District's granting of a Landscape or Irrigation Permit.

8.1 District Personnel Inspection Rates.

Charges to recover the expense to the District for personnel on special circumstances such as weekends or overtime work to be collected by the District from the property owner or developer on the project that requires work on non-business hours.

9. Water Service Shut Off Fee.

A charge assessed to a property owner of the District who fails to pay on a current basis the account for services rendered by the District as invoiced in the supply of water to the facilities of the customer. In addition, a District customer who continues to violate the Engineering Rules, Regulations and Standards of the District after written notice thereof or who otherwise after written notice fails to comply with any order, administrative order or directive of the District's Board of Directors relating to the use of the District's water distribution system including any component thereof.

10. Water Service Tap Abandonment Fee.

A charge assessed to any property owner of the District who has for a period of three (3) years from the date a water tap permit was granted by the District failed to connect said water tap to a water service line servicing a facility on the property. In addition, any property owner who for a period of three (3) years or longer failed to pay on a current basis the minimum base standby fees chargeable by the District and associated with said water tap.

Said charge shall be calculated by the District in an amount necessary and sufficient to allow the District to recoup all of its costs incurred in the excavation, severance and removal of said water tap from the District's water main including but not limited to the repair of streets, highways, roadways, structures or other facilities thereby affected.

11. Water Service Turn On Fee.

A charge assessed to a property owner or customer of the District who desires or is required to have water service reconnected to the District's water distribution system, which has previously been discontinued as defined in paragraph 9, above, but not including a water tap or service that has been abandoned as defined in paragraph 10.

12. Water Service Base Fee

This is a monthly charge for each meter connected to the District's water line, whether or not any domestic water is used. Base fees are determined by meter size. This does not include costs associated with the water usage or consumption at the property for the period covered, but rather for the cost of the system which provides the service to the property.

13. Water Service Charges.

13.1 Residential Commercial and Industrial Water Service Charges.

Charges assessed against a residential, commercial or industrial customer of the District attributable to the supply by the District of potable water to the real estate properties, residences, buildings and other structures owned and/or leased by said customer.

13.2 Fire Hydrant (private use) Water Service Charges.

Charges assessed to a customer of the District who obtains water from a District owned fire hydrant on a temporary basis in accordance with a Temporary Water Service Permit.

13.3 Private Fire Protection System Water Service Charges.

The charge assessed to a customer of the District who receives potable water from the District's water distribution system to facilitate the use and operation of the customer's Private Fire Protection System.

13.5 Water Service Charges for Non-Residents of the District.

A charge assessed to all owners of real estate whose service locations or premises are not situated within the taxing boundaries of the District but are within the contract service area of the District as defined by the Denver Water Department and who do not desire to have said service locations on premises included within the District's taxing boundaries but still request the District to provide potable water service at said location or locations.

14. Increase In Water Tap Size - Tap Fee.

A charge assessed by the District to an applicant for the purchase of a new water tap increased in size from the existing water tap servicing customer's property prior to application.

The amount of the charge shall be calculated by the District giving the customer due credit against the amount of Water System Development Charge attributable to the new and increased size of the tap and presently chargeable by the District of that amount attributable to the current price of the water system development charge

attributable to the tap being surrendered by the applicant.

SECTION III - LIST OF SEWER SERVICE RATES, CHARGES AND FEES:

A. District Sanitary Sewer Tap Fees.

The charge assessed by the District to an applicant for a permit to receive sanitary sewer service from the District.

The District Sewer system Development Fee is based upon a Single Family Residential Equivalent Unit System (SFRE). In most cases, the District utilizes a table that provides an SFRE rating based upon the size of the water tap servicing the premises of the owner and applicant. The District's Sewer System Development fees are divided into two (2) categories, Residential and Non-Residential.

In some cases, the District recognizes that a prospective sanitary sewer service of a particular applicant whether residential, commercial or industrial (non-residential) will not equate to the use of the table or the SFRE unit system. In such cases, the District reserves the right to analyze the particular customer's sanitary sewer service needs in accordance with the following parameters in order to determine the Sewer System Development Fee:

1. Average daily flow expected
2. Peak hourly flow expected
3. Instantaneous peak flow expected

After consideration of the above parameters by the District's engineer and field operations personnel, the Board of Directors on a case by case basis reserves the right to set and establish a Sewer System Development Fee applicable to a particular and prospective customer whose sanitary sewer service does not allow the use of the SFRE unit system.

NOTE: In all cases where the SFRE unit system may be utilized, the Sewer System Development Fee is due and payable in full by the applicant at the time of the customer's application for a sanitary sewer permit.

Sanitary sewer tap fees differ between residential, multi-family residential and commercial customers, a customer must contact the District when there is any change in tap use.

In all other cases where the SFRE unit system cannot be utilized, the District's Sewer System Development Fee is due and payable in full by the applicant following the determination of the amount of the same by the Board of Directors and upon notification to the customer at the time a permit is granted and approved.

B. Metro Wastewater Sewer Connection Charge.

The charge calculated and assessed by Metro Wastewater for each sewer tap approved for use by a District customer, whether residential or non-residential, whose sewer effluent is transported through sanitary sewer mains owned by the District to collection points owned by the Metro Wastewater for eventual treatment by the Metro Wastewater.

Metro Wastewater's Sewer Connection Charge is calculated based on the size of the water tap servicing the applicant's premises or the number of fixture units to be serviced by the applicant's sanitary sewer service

connection.

NOTE: The connection charge levied by the Metro Wastewater is collected by the District then remitted to Metro Wastewater. Therefore, the connection charge of the Metro Wastewater is due and payable in full at the time of the application for a sewer tap permit.

C. Sewer Main Extension Application and Review Fee

Any person or entity who is required or requires the extension of a District owned sanitary sewer main to facilitate sanitary sewer service to his, her or its premises shall pay to the District a Sewer Main Extension Application and Review Fee.

The purpose of the Fee is to enable the District to recoup all of its administrative, engineering and legal costs incurred by the District in the review of the application. In addition to the cost of reviewing the engineering plans and data, construction plans and locations of the proposed sanitary sewer main extension of the applicant to insure compliance with the Rules, Regulations and Engineering Standards of the District together with all costs incurred by the District in the preparation of the applicable Sewer Main Extension Agreement.

D. Sand and Oil Interceptor/Separator Application and Review Fee.

A charge levied by the District against any person or entity who has now or by nature of his, her or its business as defined in section 4.13, Interceptors and Separators of the Engineering Rules, Regulations and Standards of the District desires or is required to modify, construct or reconstruct an interceptor or separator to prevent oil, grease, sand and other substances harmful or hazardous or potentially harmful or hazardous from being discharged to the sanitary sewer system owned, operated and maintained by the District. This charge is levied against the person or entity in order to recoup all or a portion of the engineering and administrative costs incurred by the District for engineering and field operation review of the design, construction plans and suitability of the particular interceptor/separator to insure compliance with the Engineering Rules, Regulations and Standards of the District.

E. Sanitary Sewer Inspection Fees.

The charge assessed and levied by the District against any person or entity who is granted a Sanitary Sewer Tap Permit and in accordance therewith constructs a sewer tap, sanitary sewer service line, or, any person or entity who by contract, subcontract or other agreement with the District performs work in the installation, construction, modification, reconstruction of sanitary sewerage facilities, including but not limited to taps, service lines, sewer mains, vaults, manholes, lift stations and appurtenances thereto. Said inspection fees are levied to defray the costs of engineering and/or field operations personnel to insure compliance with the Engineering Rules, Regulations and Standards of the District; the rules and regulations of the Metro Wastewater; the rules and regulations of the Colorado Department of Public Health and Environment; and, the Plumbing Code of the State of Colorado.

F. Wastewater Pretreatment Fees.

Charges assessed against a property owner to recover any and all pretreatment related expenses. This is a pass through charge to the customer which is determined by and submitted from Metro Wastewater.

G. Sewer Service Severance Charge.

A charge assessed against a property owner and customer of the District who fails to pay on a current basis his, her, or its account for services rendered by the District, as invoiced, for the supply of sanitary sewer

services to the facilities of the customer, or, who continues to violate the Engineering Rules, Regulations and Standards of the District after written notice thereof, or, who otherwise after written notice fails to comply with any order, administrative order or directive of the District's Board of Directors relating to the use of the District's sanitary sewer collection and distribution system including any component thereof.

H. Sewer Service Reconnection Fee.

A charge assessed against a property owner or customer of the District who desires or is required to have reconnected to the District's sanitary sewage distribution system his, her or its sanitary sewer service which has previously been severed as defined in paragraph H hereof, but not including a sanitary sewer service that has been abandoned as defined in paragraph J. hereof.

I. Sewer Service Tap Abandonment Fee.

A charge assessed against any property owner of the District who has for a period of three (3) years from the date a sanitary sewer tap permit was granted by the District failed to connect said sanitary sewer tap to a sanitary sewer service line servicing a facility on his, her or its property or who for a period of three (3) years or longer has failed to pay on a current basis the minimum base standby fees chargeable by the District and associated with said sanitary sewer tap.

Said charge shall be calculated by the District in an amount necessary and sufficient to allow the District to recoup all of its costs incurred in the excavation, severance and removal of said sanitary sewer tap from the District's sanitary sewer main including but not limited to the repair of streets, highways, roadways, structures or other facilities thereby affected.

J. Sanitary Sewer Base Fee.

A charge assessed by the District against a property owner who after notice to and approval by the District desires voluntarily to terminate the supply of sanitary sewer services by the District but who desires to maintain the sanitary sewer tap previously purchased for the benefit of his, her or its property.

NOTE: This Sanitary Sewer base fee shall be payable by the property owner on a current and continuous basis for the time period during which the supply of said sanitary sewer services are voluntarily discontinued. If said service charges are not paid on a current basis and such failure on the part of the property owner continues for a period of three (3) years or longer, said sanitary sewer tap shall be deemed to be abandoned as defined in paragraph J. hereof.

K. Sewer Service Rates and Charges.

K.1 Residential Sanitary Sewer Service Rates.

Charges assessed against a residential customer or residential property owner of the District and attributable to the supply by the District of sanitary sewer services to the real estate properties, residences, buildings and other structures owned and/or leased by said residential customer or property owner.

K.2 Commercial Sanitary Sewer Service Rates.

A charge assessed against an industrial or commercial customer of the District and attributable to the supply by the District of sanitary sewer services, plus an additional charge for each fixture unit count in excess of 50 units to commercial and/or industrial real estate properties, buildings and other structures owned and/or leased by said property owner or customer.

L. Sanitary Sewer Service Charges for Non-Residents of the District.

A charge assessed against all owners of real estate whose service locations or premises are not situated within the taxing boundaries of the District and who do not desire to have said service locations or premises included within the District's taxing boundaries, but still request the District to provide sanitary sewerage services at said location or locations.

NOTE: All charges assessed against a non-resident of the District for sanitary sewer service charges whether non-residential, commercial or industrial, shall be calculated by multiplying the sanitary sewer services charges payable by customers in the same class as the non-resident customer of the District by 1.33 or 133%, plus an additional charge for each fixture unit count in excess of 50 units. Said charges shall be due and payable in full to the District on a monthly basis as invoiced unless otherwise provided in a separate and written agreement or permit with the District.

M. RV Waster water Permit Fee

A charge assess to RV Storage properties for each RV clean out location on the property.

SECTION IV - LIST OF MISCELLANEOUS SERVICE RATES, CHARGES, FEES AND PENALTIES

1. District Personnel - Labor and Equipment Charges.

A charge or charges assessed by the District against a customer of the District, a contractor, subcontractor or other entity who:

a. Because of a default in the construction, reconstruction or maintenance of a water and/or sanitary sewer facility requires or is required by the Engineering Rules, Regulations and Standards of the District, to have one or -more District personnel perform non-routine services with the use of the District's equipment, including but not limited to the District's service truck, front-end loader, backhoe, compressor equipment, TV inspection equipment, lighting system and vactor truck to remedy the default.

b. Damages, breaks or otherwise injures a District owned and maintained water main or sanitary sewer main including any and all appurtenances thereto.

c. After written notice by the District, fails to perform or have performed by a duly licensed contractor or subcontractor repairs and/or maintenance on a water or sanitary sewer facility servicing a particular customer in order to come into compliance with the Engineering Rules, Regulations and Standards of the District or other lawful directive of the District to preserve the health and safety of all persons resident in the District or who use the roads, highways and streets located within the District's boundaries.

d. When by nature of the services required, one or more District personnel are required to perform excavation, construction, reconstruction, modification, enhancement, severance, removal or abandonment procedures with respect to a water or sanitary sewer facility either owned by a customer or attached to the water and/or sanitary sewer mains of the District.

NOTE: All District personnel, labor and equipment charges are payable in full upon receipt of the District's invoice.

2. Sampling and Laboratory Analysis Service Charges.

A charge or charges assessed by the District against a customer of the District or the customer's contractor or subcontractor, who, because of the nature of the customer's usage of a sanitary sewer tap is required by permit or other agreement granted by or existing with the District, to have its sewerage effluent monitored and sampled by District personnel and have said effluent samples analyzed by a Colorado state certified laboratory or the laboratory operated by Metro Wastewater to determine the constituents of said samples or in the alternative to certify that said effluent being discharged or proposed to be discharged complies with the effluent discharge limitations specified in said Permit or Agreement.

These charges are assessed by the District to recoup all of the cost of said analyses charged to the District by the laboratory performing the analysis. All laboratory analysis service charges will be billed to the customer or contractor or subcontractor at the rate at which the District is billed by: the laboratory.

NOTE: All sampling and laboratory analysis service charges are due and payable in full to the District upon receipt of the District's invoice or as specified in the Permit or other agreement which requires the analysis.

3. District Collection Costs.

A penalty shall be assessed against all delinquent amounts in the amount of one percent (1.0%) per month as provided by C.R.S. 31-35-402(1) (f).

Service may be discontinued against any property whose owner is delinquent in the payment of fees or charges as provided by C.R.S. 32-1-1006(1) (d).

Prior to disconnection of any water or sewer service, the property owner/customer shall receive prior written notice and the opportunity for a hearing before the District's Board of Directors. The notice shall state the amounts of delinquency, the date of shut off, and that the property owner/customer has a right to a hearing to protest the termination of such services.

The District may certify delinquent accounts to the treasurer in which the property is located for collection of such amounts as provided by C.R.S. 32-1-1101(1) (e).

a. **Attorney Fees.** The District reserves the right to charge, assess and collect from a customer, contractor, subcontractor or other entity for all amounts incurred by the District in the form of attorney fees resulting from any legal action either brought by the District or defended by the District relating to the:

- (i) Enforcement of the District's By Laws, or Engineering Rules, Regulations and Standards; or
- (ii) Enforcement of the District's rights, obligations or responsibilities under any Federal or State Act, Statute, Ordinance, Rule, or Regulation of a governmental agency; or
- (iii) Enforcement of its collection rights for all amounts due or to become due to the District in accordance with the Special District Act of the State of Colorado or any other appropriate statute providing for the exercise of said rights in the State of Colorado.

b. **Cost and Expenses of Suit.** The District reserves the right to charge, assess and collect from a customer, contractor, subcontractor or other entity all costs and expenses incurred by the District including, but not limited to, filing fees, service of process fees, deposition costs, recording costs, expert witness fees, and all other costs and expenses of suit, collection and the like resulting from any legal action either brought by the District or defended by the District and relating to:

- (i) Enforcement of the District's By Laws, or Engineering Rules, Regulations and Standards; or
- (ii) Enforcement of the District's rights, obligations or responsibilities under any Federal or State Act, Statute, Ordinance, Rule, or Regulation of a governmental agency; or
- (iii) Enforcement of its collection rights for all amounts due or to become due to the District in accordance with the Special District Act of the State of Colorado or any other appropriate statute providing for the exercise of said rights in the State of Colorado.

c. **Costs of Lien.** All fees, rates, tolls, penalties or charges until paid shall constitute a perpetual lien on and against the property served and any such lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanic's liens. Therefore, the District, in such cases, shall have the right to assess against the customer and property being served a charge equivalent to all of the District's costs and expenses attributable to said lien including the foreclosure thereof, which costs and expenses shall include, but not be limited to, all recording costs, attorney fees, costs of litigation guarantees or foreclosure

certificates, costs of suit, and foreclosure of said lien and costs of sale.

- d. **Default Interest.** The District shall exercise its right to assess all reasonable penalties for delinquency in the payment of its rates, fees, tolls and charges for any violations of the By Laws, Engineering Rules, Regulations and Standards together with default interest on said delinquencies at the rate of One Percent (1%) per month or a fraction thereof, and to shut off, discontinue and sever water or sanitation services for such delinquencies for any such violations or violations in the payment of taxes and any violations of District directives requiring the connection or disconnection of water and/or sanitation facilities of North Pecos Water & Sanitation District.
- e. **Penalties, Fines and Tolls.** The District has a right to impose such penalties or fines as are required or allowed under any Federal or State Act including the implementing of resolutions and regulations of such acts or programs.

APPENDICES

NOTE: The Board of Directors of the District reserves the right to modify, increase, decrease, or otherwise amend the charges set forth in the following appendices at anytime the needs of the District shall require.

SECTION V - APPENDICES LISTING WATER SERVICE RATES, CHARGES, AND FEES

Appendix W-1
District Water System Tap Fee

<u>Size of Water Tap and Size of Meter</u>	<u>Water System Development Charge</u>
¾"	\$1,565.00
1"	\$3,130.00
1 ½"	\$6,260.00
2"	\$12,520.00
3"	\$28,170.00
4"	\$56,340.00
6"	\$147,110.00
8"	Charge to be Established by Board of Directors
10"	Charge to be Established by Board of Directors
12"	Charge to be Established by Board of Directors

For multi-family dwellings three units or larger, the tap fee shall be in accordance with table W-1 (above), plus an additional amount of \$344.30 per unit. Duplexes must have separate water taps for each unit; additionally, when a multi-family dwelling, three units or larger, has individual owners for each unit, separate water taps must be purchased for each unit.

NOTE: All Water System Development charges calculated in accordance with the above referenced table are payable in full at the time of the filing of the application by the applicant. No permit shall be issued nor work commenced for a water tap until all charges calculated in accordance with the above referenced table have been deposited in current funds in the District's offices.

Appendix W-2
Denver Water System Development Charges (Tap Fee)

Note: Contact Denver Water Department water tap sales for charges

Appendix W-3.1
Temporary Construction Water Tap Permit Fee

- | | | |
|----|---------------------|----------|
| 1. | PERMIT FEE: | \$540.75 |
| 2. | ANNUAL RENEWAL FEE: | \$540.75 |

NOTE: All Temporary Construction Water Tap Permit, as defined below, expires within six (6) months of issuance. Any subsequent extension requests, modifications, or amendments require the payment of a new permit fee.

Appendix W-3.2
Temporary Construction Water Tap
Water Usage Rate

RATE:	1,000 to 15,000 gallons	\$4.09/1,000 gallons.
	16,000 to 30,000 gallons	\$5.43/1,000 gallons.
	31,000 gallons and over	\$7.23/1,000 gallons.

NOTE: The rate is based on the normal rate per 1000 gallons charged to the District's commercial customers as amended from time to time plus any additional charges, if any, incurred by the District for repair, replacement, inspection, or materials.

Appendix W-4
Fire Hydrant Violation Fines

FIRST OFFENSE:	\$500.00
SECOND OFFENSE:	\$1,000.00
THIRD OFFENSE:	\$2,000.00
FOURTH OFFENSE:	\$4,000.00

FOR ANY SUBSEQUENT OFFENSES THEREAFTER: The amount of the fine shall be doubled for each such occurrence. Any person or entity violating this section shall also be liable to the District for the costs of any legal action instituted to enforce such penalties and charges as a result of such violation, which costs shall also include attorney's fees expended by District in such action.

Appendix W-4.1
Fire Hydrant Application Fee

APPLICATION FEE: \$27.04 per application.

Appendix W-4.2
Fire Hydrant Meter Deposit Fee

DEPOSIT FEE: \$1186.70 - Fire Hydrant Meter Deposit
\$200.00 - Advance Deposit on Final Bill

Appendix W-4.3
Fire Hydrant Meter Rental Rate

1. Rental Rates:
 - a. \$54.08 - First month (paid in advance)
 - b. \$27.04 per month for each month thereafter.

Appendix W-4.4
Fire Hydrant Water Usage Rate

1. Rate: \$9.62 per 1,000 gallons of water of portion thereof consumed.

Appendix W-5
Fire Hydrant (Addition or Relocation)
Application And Review Fee

FEE: \$210.00 per application per fire hydrant

Appendix W-6
Water Main Extension
Application And Review Fee

Non - Refundable Initial Deposit: \$540.75

Balance, if any: All amounts incurred by the District in excess of the Non-Refundable Initial Deposit Amount above specified are necessary to allow the District to recoup all of its administrative, engineering and legal costs in review of the applicant's application, engineering plans, construction plans and location of locations of the proposed water main extension to insure compliance with the Rules, Regulations and Engineering Standards of the District as well as the Engineering Rules, Regulation s and Standards of the Denver Water Department together with all costs incurred by the District in the preparation of the applicable Water Main Extension Agreement.

NOTE: The Water Main Extension Application and Review Fee shall initially consist of a NON-REFUNDABLE deposit which shall be due and payable in full at the time of application. The balance of the Water Main Extension Application and Review Fee, if any, shall be due and payable in full in accordance with the District's invoice. A Water Main Extension Agreement will not be executed and granted by the District until all amounts due here-under are paid in full. The Water Main Extension Application and Review Fee payable to the District is in addition to any and all fees and/or charges assessed against the applicant by the Denver Water Department.

Appendix W-7
Landscape or Irrigation
Application and Permit Fee

FEE: \$32.45 per Application

Appendix W-8
Water Service
Inspection Fee And Rates

Inspection Rates:

- a. \$27.04 per residential inspection
- b. \$81.11 per non-residential inspection

NOTE: The District reserves the right to increase its water service inspection fees and rates by up to fifty percent (50%) should the customer, contractor, or subcontractor require District personnel to perform such inspection services in a time period other than during normal District business hours or on weekends.

Appendix W-8.1
District Personal Inspection Rates

All costs incurred by the District.

Appendix W-9
Water Service Shut Off Fee

FEE: \$30.00 per Shut off

Appendix W-10
Water Service Tap Abandonment Fee

All costs incurred by the District for labor at the current rates of District personnel; use of equipment at current rates and material costs associated with the severance of the tap.

FEE: The District calculates the amount of the District's tap abandonment fee on a case-by-case basis. The amount of the fee will be determined in accordance with the following parameters:

- a. All costs incurred by the District for labor expended by District personnel and use of the District owned equipment at the current rates then applicable.
- b. All costs incurred by the District for materials used in the severance of the water service tap plus fifteen percent (15%).
- c. All costs incurred by the District for labor, equipment, and materials if the severance of the water service tap is performed by: a contractor or subcontractor rather than District personnel.

Appendix W-11
Water Turn On Service Fee

FEE: No Charge

Appendix W-12a
Monthly Water Service Base Fee
For Residents And Commercial Businesses
Located Within District Boundaries

Size of Permanent Water Meter	Standby Monthly Service Charge
¾"	\$15.39
1"	\$21.44
1 ½"	\$40.16
2"	\$66.14
3"	\$139.84
4"	\$243.14
6"	\$539.15
8"	** Negotiated by District **

Appendix W-12b
Monthly Water Service Base Fee
For Non-Residents And Commercial Businesses
Located Outside District Boundaries

Size of Permanent Water Meter	Standby Monthly Service Charge
¾"	\$20.46
1"	\$28.51
1 ½"	\$53.41
2"	\$87.96
3"	\$185.98
4"	\$323.37
6"	\$717.06
8"	** Negotiated by District **

Appendix W-13.1
Monthly Water Usage Charges
Residential, Commercial, And Industrial
Located Within the District Boundaries

RATE:	1,000 to 15,000 gallons	\$4.09/1,000 gallons
	16,000 to 30,000 gallons	\$5.43/1,000 gallons
	31,000 gallons and over	\$7.23/1,000 gallons

Appendix W-13.2
Fire Hydrant (Private Use) Water Service Charges

Service Charge:	\$9.62/ 1,000 gallons
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Appendix W-13.3
Private Fire Protection System Water Service Charges

Size of Fire Protection Line	Monthly Service Charge
4"	\$19.22
6"	\$28.18
8"	\$44.83
10"	\$83.30

Appendix W-13.4
Temporary Construction Water Tap Service Charges
Located Outside the District Boundaries

RATE: \$7.22/1,000 Gallons

Appendix W-13.5
Monthly Water Usage Charges
Residential, Commercial, And Industrial
Located Outside District Boundaries

RATE:	1,000 to 15,000 gallons	\$5.43/1,000 gallons
	16,000 to 30,000 gallons	\$7.22/1,000 gallons
	31,000 gallons and over	\$9.60/1,000 gallons

SECTION VI - APPENDICES LISTING SEWER SERVICE RATES, CHARGES, AND FEES

Appendix S-A
District Sanitary Sewer System Tap Fee

1. Residential Dwellings
 - a. Single Family Dwelling - 1.0 single family residential equivalent (SFRE) \$1,993.75
 - b. Mobile Home - 1.0 SFRE \$1,993.75
 - c. Duplex - 1.0 SFRE per unit \$3,987.50 total
 - d. Multi-Family Dwellings (three units or larger) with individual unit owners – 1.0 SFRE per unit \$1,993.75 per unit
 - e. Multi-Family Dwellings (three units or larger) with one owner – based on the water tap size see below

2. Multi-Family Dwellings (three units or larger) and Commercial Properties

<u>Water Service Tap Size, Inches</u>	<u>Number of SFRE's Effective 1/1/2000</u>	<u>North Pecos Water And Sanitation District Sewer Connection Charges</u>
3/4"	1.9	\$3,788.12
1"	4.5	\$8,971.87
1 1/2"	11	\$21,931.25
2"	20	\$39,875.00
3"	42	\$83,737.50
4"	76	\$151,525.00
6" OR LARGER		To be determined on a case by case basis

New connections served by multiple new water service taps with a combined number of SFREs greater than or equal to 205 shall have the number of SFREs determined as for connections with service taps 6 inches or larger

For water service taps sizes 6 inches or larger, waste discharge not typically domestic in character, and waste discharge with expected strength exceeding domestic strength, the number of SFREs for calculating the sewer connection charge shall be determined from the following formula.

A waste discharge that is “not typically domestic in character” is any discharge that includes wastes or wastewaters other than from sanitary facilities such as toilets, showers, and the like; non-commercial preparation of food; non-commercial clothes washing; and any other activities that would reasonably be expected to occur in a domicile as opposed to commercial, industrial, or other establishments. Where waste discharges from food preparation occur in institutions such as assisted care facilities, nursing homes, and the like and where such food preparation is completely in lieu of residents of these facilities preparing their own food, such wastes will be considered as typically domestic in character.

Appendix S-B
Metro Wastewater Sewer Connection Charge

As calculated by Metro Wastewater Sewer

Appendix S-C
Sewer Main Extension
Application and Review Fee

Non-refundable Initial Deposit: \$540.75

Balance, if any: All amounts incurred by the District in excess of the non-refundable initial deposit amount above specified are necessary to allow the District to recoup all of its administrative, engineering and legal costs in the review of the applicant's application, engineering plan, construction plans and location of locations of the proposed sanitary sewer main extension to insure compliance with the Engineering Standards, Rules and Regulations of the District together with all costs incurred by the District in the preparation of the applicable Sewer Main Extension Agreement.

NOTE: The Sewer Main Extension Application and Review fee shall initially consist of a non-refundable deposit which shall be due and payable in full at the time of application. The balance of the Sewer Main Extension Application and Review Fee, if any, shall be due and payable in full in accordance with the District's invoice. A Sewer Main Extension Agreement will not be executed and granted by the District until all amounts due hereunder is paid in full.

Appendix S-D
Sand and Oil Interceptor
Application and Review Fee

Application and Review Fee: \$108.15

NOTE: Said Sand and Oil Interceptor / Separator Application and Review Fee is payable in full upon submission to the District of the Applicant's application for construction, modifications or reconstruction of the interceptor / separator serving the Applicant's premises.

Appendix S-E
Sanitary Sewer Inspection Fees

Inspection Rates:

- a. \$27.04 per residential inspection
- b. \$81.11 per non-residential inspection

NOTE: The District reserves the right to increase its sanitary sewer service inspection fee and rates by up to fifty percent (50%) should the customer, contractor, or subcontractor require District personnel to perform such inspection services in a time period other than during normal District business hours or on weekends.

Appendix S-F
Wastewater Pretreatment Fees

Pursuant to an inter-governmental agreement the District has delegated to Metro Wastewater the determination of all pretreatment charges and fees. All such charges and fees assessed by Metro Wastewater are passed through to the property owner for timely payment.

Appendix S-G
Sewer Service Severance Charge

All costs of labor use of equipment and material costs incurred by the District.

Appendix S-H
Sewer Service Reconnection Fee

All costs incurred by the District.

Appendix S-I
Sewer Service Tap Abandonment Fee

All costs incurred by the District.

Appendix S-J
Commercial/Industrial Sanitary Sewer Base Fee

Monthly Base Fee \$25.00

Appendix S-K.1
Residential Sanitary Sewer Service Rates
Located Inside the District Boundaries

Sewer Service Rates (Residential): \$25.00 per Single Family Residential Equivalent per month.

Multi-Family Dwelling (Residential): \$25.00 per unit per month

Appendix S-K.2
Commercial/Industrial Sanitary Sewer Service Rates
Located Inside the District Boundaries

Non - Residential Sewer Service Rates:

Basic Monthly \$25.00 + \$5.00 Charge per 1,000 (Based on Water use)

Appendix S-L
Sanitary Sewer Service Charges for Non-Residents
Located Outside the District Boundaries

1. Non - Residential Sewer Service Rates **outside** District area:

\$33.61 per Single Family Residential Equivalent per Month

2. Commercial/Industrial Sewer Service Rates **outside** District:

Basic Monthly \$33.61 + \$6.65 Charge per 1,000 (Based on Water use)

Appendix S-M
RV Waste water Permit Fee

Monthly: \$100.00 for each clean out location on the property

SECTION VII - APPENDIX LISTING MISCELLANEOUS RATES, CHARGES, AND FEES

Appendix M1
District Personnel Labor And Equipment Charges

All costs incurred by the District.

Appendix M-2
Sampling and Laboratory Analysis Service Charges

All costs incurred by the District.

Appendix M3-A
District Collection Costs
Attorney Fees

All costs incurred by the District.

Appendix M3-B
District Collection Costs
Cost and Expenses of Suit

All costs incurred by the District.

Appendix M3-C
District Collection Costs
Costs of Lien

All costs incurred by the District.

Appendix M3-D
District Collection Costs
Default Interest

One Percent per month or a fraction thereof

SECTION VIII - ENABLING AUTHORITY

Resolution of the Board of Directors
Adopting Revisions and Amendments to the
Rates, Charges, Fees, and Penalties
of the
North Pecos Water and Sanitation District

The aforesaid Rates, Charges, Fees and Penalties are hereby approved and adopted by the North Pecos Water and Sanitation District and shall be in full force and effect after its passage, approval and publication on the 12th day of January, 2016.

NORTH PECOS WATER AND SANITATION DISTRICT,
A Special Improvement District Organized and Existing
Under the Special District Act of the State of Colorado

BY: _____
Eugene Dechant, President and
Chairman of the Board of Directors of
The North Pecos Water and Sanitation District

ATTESTED TO: I, Phillip Hansen, Secretary of the North Pecos Water and Sanitation District, Adams and Denver Counties, Colorado, hereby certify that the above and foregoing Resolution was duly adopted and approved at a regular meeting of the Board of Directors held on the 12th day of January, 2016

By: _____
Phillip Hansen, as Secretary of the
North Pecos Water and Sanitation District

APPROVED AS TO FORM AND CONTENT this 12th day of December, 2016:

Eugene Dechant, Director

Phillip Hansen, Director

David Gomez, Director

Dennis Towndrow, Director

Joyce Santarelli, Director