

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. E-2023-1**

A RESOLUTION OF THE TOWN OF NEW CASTLE WATER AND SEWER
ENTERPRISE SUSPENDING THE COLLECTION OF SINGLE-FAMILY
RESIDENTIAL SEWER OVERAGE CHARGES

WHEREAS, the Town of New Castle, Colorado (“Town”) is a home rule municipality with all of the powers, authorities, and privileges granted to it under its Charter and Colorado law; and

WHEREAS, pursuant to Chapter 13.04 of the New Castle Municipal Code (the “Code”) the Town has established a Water and Sewer Enterprise (the “Enterprise”) as an enterprise of the Town within the meaning of Article X, Section 20 of the Colorado Constitution to manage, operate, use, maintain, and conduct all water, wastewater, and storm water activities, services, and facilities of the Town;

WHEREAS, pursuant to Code Section 13.04.050, the New Castle Town Council serves as the governing body of the Enterprise (the “Enterprise Board”); and

WHEREAS, pursuant to Code Section 13.16.030(B), the Town calculates sewer billing charges differently during the summer and winter months due to the use of potable water for irrigation in the summer; and

WHEREAS, pursuant to Code Section 13.16.030(F), sewer service rates are as set forth in the Town’s fee schedule from time to time; and

WHEREAS, the current single-family residential base rate for sewer usage charges entitles the property owner to 6,000 gallons of sewer usage per EQR per month; and

WHEREAS, based on current use patterns for single-family homes irrigating with potable water and the Town’s sewer usage calculation method, staff time spent determining and collecting excess usage charges for such users does not justify the excess charges; and

WHEREAS, to conserve Town resources, staff recommends that the Board suspend collection of excess sewer usage charges for single family homes irrigating with potable water unless and until usage patterns change or otherwise determined by the Enterprise Board; and

WHEREAS, pursuant to the powers granted to the Enterprise under Section 13.04.060, the Enterprise Board now desires to suspend collection of excess sewer usage charges for single family homes irrigating with potable water as provided in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE WATER AND SEWER ENTERPRISE AS FOLLOWS:

1. **Recitals.** The foregoing recitals are incorporated by reference herein as findings and determinations of the Enterprise Board.

2. **Suspension of Charges.** Starting with the November 2023 billing cycle, the Enterprise Board hereby approves the suspension of the collection of excess sewer usage charges for single family residences with landscaping irrigated with potable water. The Enterprise Board may approve the resumption of collection of such excess sewer charges by resolution at such time as may be deemed necessary or appropriate by the Enterprise Board in its discretion.
3. **Effective Date.** This Resolution shall be effective as of the date of adoption.

INTRODUCED, PASSED, AND ADOPTED by a vote of 6 to 0 at a regular meeting of the Town of New Castle Water and Sewer Enterprise Board held on November 7, 2023.



NEW CASTLE WATER AND
SEWER ENTERPRISE BOARD

By:

Art B. Riddile

Art Riddile, Board Chair

ATTEST:

Mindy Andis, CMC
Mindy Andis, Town Clerk