

## ORDINANCE NO. 1052

### AN ORDINANCE CODIFIED AT SECTION 26-22, DEFINING WATER LINE RESPONSIBILITIES, CODE OF THE CITY OF FORT MORGAN, (1994)

**WHEREAS**, cold weather, normal in Fort Morgan's climate, can result in frozen water service lines throughout the City; and

**WHEREAS**, during winter months water lines serviced by the City of Fort Morgan, have frozen due to extreme cold weather; and

**WHEREAS**, in the winter of 2006-2007, approximately 1.75% of the taps serviced by the City of Fort Morgan experienced frozen water lines; and

**WHEREAS**, the average cost to the City for thawing out frozen lines was \$539.00 per tap; and

**WHEREAS**, the impact on the budget for water line maintenance was \$30,000.00 or 31% of the line item in the Water Department Budget; and

**WHEREAS**, the City was required to thaw out some residences on more than one occasion; and

**WHEREAS**, the cost of thawing out the 1.75% of these taps was paid and supported by the remaining 98.25% of water customer users; and

**WHEREAS**, water line freezing can easily be avoided by trickling water during periods of extreme cold weather; and

**WHEREAS**, the cost of trickling water is substantially less expensive than thawing water lines, and

**WHEREAS**, there are many other circumstances which may require maintenance on water lines servicing individual residences and companies.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN:**

**SEC. 1.** Municipal Water Users are responsible for any problems to their water line including frozen pipes from the meter to the house or building served by any given tap. The City will be responsible for the water line from the main to the meter and including the meter.

**SEC. 2.** Anytime a water line is frozen, or requires a form of maintenance, and City Staff is called out to thaw or maintain the section for which the City is responsible, the

first request for service shall be done at no cost to the customer for any given six (6) month period. Thereafter, the Superintendent of Public Works shall assess a reasonable charge for the cost of thawing, defrosting, and otherwise maintaining the water line the portion of which the City is responsible.

INTRODUCED, READ AND PASSED UPON FIRST READING this 21<sup>st</sup> day of August, 2007, for publication once in a newspaper of the City of Fort Morgan, Colorado, at least ten days before its final passage.

THE CITY COUNCIL OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: */s/ Jack Darnell*  
Mayor

ATTEST:

*/s/ Andrea J. Strand*  
City Clerk

**EFFECTIVE DATE.**

This Ordinance shall be in full force and effect five (5) days after publication.

THE CITY COUNCIL OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: */s/ Jack Darnell*  
Mayor

ATTEST:

*/s/ Andrea J. Strand*  
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY the 4<sup>th</sup> day of September, 2007.

THE CITY COUNCIL OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: /s/ Jack Darnell  
Mayor

ATTEST:

/s/ Andrea J. Strand  
City Clerk

STATE OF COLORADO    )  
COUNTY OF MORGAN    )  
CITY OF FORT MORGAN    )

**CERTIFICATE**

I, Andrea Strand, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1052** was, as a proposed **Ordinance** duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 21st day of August, 2007. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 24<sup>th</sup> day of August, 2007, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed **Ordinance** was again taken up and read a second time, duly and legally passed, approved and adopted at a Regular Meeting of the City Council held on the 4th day of September, 2007. Within five (5) days after its final passage, said **Ordinance** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ Andrea J. Strand  
City Clerk