

# ORDINANCE NO. 1069

## AN ORDINANCE ADOPTING SECS. 22B-7, 26-28 and 13-17(f) FOR THE ESTABLISHMENT OF UTILITY RATES, *CODE OF THE CITY OF FORT MORGAN*

**WHEREAS**, Article IV Section 4(d)(1) of the City Charter authorizes and requires City Council to operate the City's public utilities, and make assessment for the same, in a manner prescribed by ordinance; and,

**WHEREAS**, The *Code of the City of Fort Morgan* does not prescribe the manner in which utility rates are adjusted for the City's water, wastewater, electric and gas utilities; and,

**WHEREAS**, The Charter requires the City to provide express authority by ordinance for establishing utility rates; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN, COLORADO** that Sections 22B-7, 26-28 and 13-17-(f), *Code of the City of Fort Morgan*, are adopted in entirety as follows:

**Sec. 22B-7. Charges and Fees Established.**

Charges for the supply of electric and gas service shall be from time to time established by resolution of the City Council.

**Sec. 26-28. Charges and Fees Established.**

Charges for the supply of water service shall be from time to time established by resolution of the City Council.

**Sec. 13-17(f). Charges and Fees Established.**

Charges for the supply of wastewater treatment service shall be from time to time established by resolution of the City Council.

INTRODUCED, READ AND PASSED UPON FIRST READING this 17<sup>th</sup> day of June, 2008, 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 THE CITY OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: /s/ Jack L. Darnell  
Mayor

ATTEST:

*/s/ Cheryl Winberg*  
Deputy City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED by title only the 1<sup>st</sup> day of July, 2008, for publication once in the newspaper of the City of Fort Morgan, Colorado, within five days of the final passage, to take effect five days after final publication.

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[SEAL]

BY: */s/ Jack L. Darnell*  
Mayor

ATTEST:

*/s/ Andrea 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. 1069** 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 17<sup>th</sup> day of June, 2008. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 20<sup>th</sup> day of June, 2008, 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 1<sup>st</sup> day of July, 2008. 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 Strand*  
City Clerk