

ORDINANCE NO. 2019-002

**AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO 2018-002 (AN
ORDINANCE CREATING A MUNICIPAL WATER SYSTEM FOR
THE TOWN OF CRESTONE)**

WHEREAS, Ordinance No. 2008-006 (An Ordinance Creating Municipal Water System for the Town of Crestone) was adopted on September 8, 2008; and

WHEREAS, Ordinance No. 2013-004 (An Ordinance Amending Ordinance 2008-006, An Ordinance Creating a Municipal Water System for the Town of Crestone, Colorado) was adopted on February 11, 2013, and stated that the municipal water service area(s) shall be the same as the boundaries of the Town of Crestone; and

WHEREAS, Ordinance No. 2013-006 (An Ordinance Amending Ordinance 2008-006, An Ordinance Creating A Municipal Water System for the Town of Crestone, Colorado) was adopted on May 13, 2013, and mandated **the** installation of water meters by the Public Works Supervisor; and

WHEREAS, Ordinance No. 2016-001 (An Ordinance Amending Ordinance 2008-006, An Ordinance Creating a Municipal Water System for the Town of Crestone, Colorado) was adopted on March 14, 2016, and specified provisions for taps, connections, and meters to the Town Water System; and

WHEREAS, Ordinance No. 2018-002 did not incorporate all of the corrections and modifications of the Ordinances above stated, which preceded Ordinance No. 2018-002; and

WHEREAS, the Town Board of Trustees has recognized the need to protect the public health and safety in recognition of the growth of the Town and its impact upon the Town's water supply and residence wells presently existing while-recognizing the rights and needs of individual property owners to maintain their existing systems until such systems fail or until a reasonable amortization schedule mandates connection to the Town's system; and

WHEREAS, the Town has recently obtained the services of a qualified and licensed engineer to oversee the policies, design and construction of renovations to the Town water system; and

WHEREAS, the need to clarify issues regarding **service area, metering, tap fees**, line extensions, performance bonds, and water specifications with oversight of the Town engineer, and the requirement for new construction to connect with town water services has necessitated amendments to the Town's water Ordinances;

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Crestone that Ordinance 2018-002 is hereby **amended** and restated, that specifications for the water system shall be developed under the oversight of the Town's engineer and, that fee schedules in connection with the operation of the system **shall be set forth in Appendix 2F of the Crestone Municipal Code and as amended from time to time by resolution of the Board of Trustees.**

Be it further ordained by the Board of Trustees of the Town of Crestone that Ordinance 2018-002 be amended to read as follows:

I. WATER SYSTEM

A. CREATION OF SYSTEM

1. There is hereby created a Municipal Water System for the Town of Crestone, which shall be known as the "Town of Crestone Water System" and which shall be used to supply the Town and its inhabitants with water. **The municipal water service area(s) shall be the same as the boundaries of the Town, as shown on the attached Water and Sanitation Schematics map of the Town of Crestone and marked as attachment A, as such map may be supplemented from time to time by resolution of the Town Board of Trustees.**
2. The Town's engineer shall direct the design and construction of the Water System and additions thereto which shall be installed as determined by the Town Board of Trustees and in accordance with good and approved engineering practices and in accordance with Colorado State Regulations and Standards.
3. Such Water System, and all things pertaining thereto, shall be under the control of the Town Board of Trustees, who shall direct the maintenance and operation thereof and the construction of all additions thereto and in all cases not particularly provided for by Ordinance, shall determine in what manner, and upon what terms, water may be taken from the Water System by any water consumer and the character of the connections and appliances which may be made or used therefore **in accordance with CDPHE standards. The Board of Trustees shall appoint, employ or contract a "Water System Operator" to carry out the duties and functions connected with the water system.**
4. Fire Hydrants.
 - a. The Town's engineer, with the approval of the Fire Chief, shall determine the location and size of fire hydrants to insure adequate fire protection.

- b. All fire hydrants shall be under the control of and shall be kept in repair by the **Water System Operator**, who shall cause the same to be frequently tested to see that the hydrants are in good working order.
 - c. In case of fire, members of the fire department and such other persons as may be authorized by the **Water System Operator**, or the Fire Chief or the Chief's authorized assistants, shall have free access to such fire hydrants.
5. All new or replacement waterlines or water systems shall be designed to eliminate infiltration of flood waters into the system.

B. TAPS, CONNECTIONS, METERS AND EXTENSIONS

- 1. Each business, dwelling, establishment, or building under separate ownership and desiring Town water service, shall have a separate water service tap, **provided further that the property owner or developer of any new construction within the water service boundary of the Town of Crestone shall be required to connect such new construction to the water system of the Town of Crestone. Application for waiver of the requirement for new construction to connect to the Town's water service shall be considered by the Board of Trustees on a case-by-case basis.**
- 2. All work, labor, and services of tapping Town water mains and/or extending service lines from Town water mains to property or curb lines shall be done and performed only by Town employees or under Town contract operations.
- 3. The location of water taps, main service valves and water meters shall be determined by the Town after consultation with property owners and/or users.
- 4. The size of **residential** water taps and water meters shall be three-quarter (3/4") inch, **commercial taps will be at least one inch (1")**. Larger water taps will be required by the Water System **Operator** as determined necessary.
- 5. Water service lines from the Town water main to the **meter pit** shall be installed and maintained by the Town. Water lines extending from the **meter pit** shall be installed and maintained by the property owner and/or user in accordance with the State Plumbing Code.
- 6. Any person desiring to have a tap made to the pipes or mains of the Town Water System or any connection therewith to use water therefrom, shall make application in writing for a permit to do so to the Town Clerk, agreeing to pay such rates for the use of water as may be then or thereafter established by the Town Board of Trustees,

and also agreeing to conform to and be governed by such rules and regulations that may from time to time be adopted by the Town Board for the government and control of the Town Water System or any part thereof. Such application shall also state the nature or character of the tap or connection; the location by lot, block and street number thereof; the number of taps; the premises upon which the water is to be used; the character and size of the premises; and the nature and purpose for which the water is to be used. Every application shall be accompanied by the applicable tap fee. If the application is complete and the proposed tap and use conform to applicable rules and regulations, the Town Clerk shall issue a permit for such tap. In cases where it would be detrimental to the water system or the customer to provide a connection, the permit may be denied.

7. Requests for extensions of the Town water main from Town **customers** who reside outside the boundaries of the Town Water System must receive approval from the Board of Trustees. The property owner(s) requesting the extension shall pay all costs associated with extending the Town water main.
8. All permits shall be signed by the Town Clerk and shall set forth the name of the person for whose benefit they shall be granted, the date thereof, the point on the water main at which the tapping is to be done, the size and number of taps, the premises to which the water is to be conducted **and** the use to be made of the water. The Town Clerk shall keep a record of all permits issued and shall deliver the permit to the Water System Operator, with directions to him **or her** to make or cause to be made the connection therein provided.
9. No connection with the Town Water System, or use of water therefrom, shall be made through any extension of a water pipe serving any other premises under another separate ownership. Any premises containing an accessory dwelling unit (ADU), which is thereafter divided and conveyed to separate ownership from the primary premises, shall require a separate water tap.
10. Tap Specifications.
 - a. **General Specifications:**
 - i. Every tap inserted in or connected with the main water line shall use a bronze tapping saddle with a corporation stop, and have an orifice of a diameter prescribed by the Town; the service pipe shall be connected with such tap by polyethylene pipe, pressure class 200 PSI, and the service pipe shall extend from the main to the curb stop and **meter**, at such point as the Water System **Operator** shall direct, so that the same shall be accessible for the purpose of turning on or shutting off water.
 - ii. The Town may install such taps and water lines at the request of water consumers for such charges and tap fees as the Town Board may, from time to time, establish by resolution. **Such fees**

are set forth in Appendix 2F of the Crestone Municipal Code. All such taps and waterlines shall meet the specifications set by the Town, and all taps, service lines, and **meters** shall become the property of the Town.

- b. **Specific Criteria: Specific criteria for water taps, lines, fixtures, trenching, materials, installation, testing, and valves are contained in criteria (1) attached to this Article.**

11. No connections and extensions having to do with serving water from the Town shall be covered or put to use until the same have been inspected and approved by the Town.
12. For customers whose water pressure is below 20 psi, the Town will mandate the customer to install a pressure boosting device, under oversight by the Town. Thereafter, it shall be the customer's **continuing** responsibility to maintain the pressure-boosting device, and replace it if needed.
13. Maintenance and Repair of Fixtures.
 - a. The owner and/or user of any premises for which a connection is made and a backflow prevention device is required by CDPHE, shall keep such backflow prevention device in good condition at his or her own expense, so that the Water System **Operator** shall be able to turn on and shut off water from the service pipes at any time. The backflow prevention device shall be constructed and placed so as to comply with all Town ordinances on plumbing and the State Plumbing Code and the owner shall, at his or her own expense, at all times, keep all pipes, fixtures and appliances on his or her premises tight and in good working order so as to prevent waste of water. Additionally, the owner shall have the backflow prevention device tested annually, and will forward the results of testing to the Town, care of the Water System **Operator**.
 - b. In case any pipe or pipeline shall break or become defective or so as to waste water, the owner and/or user shall forthwith repair the same and keep the same in repair.
 - c. In case the Water System **Operator** shall ascertain that any plumbing or fixtures or any premises are so defective as to waste any water or are being used so as to waste any water, he shall notify the owner and/or user of water to forthwith repair the same or remedy the defect. If the owner and/or user fail to remedy the same, the **Water Operator** may forthwith shut off the water to such premises, and the same shall remain shut off until such plumbing and/or fixtures are repaired or such defects remedied.

- d. The Town Board, through its authorized employees, reserves the right to cause water to be shut off from any street main when deemed necessary for repairing the same or making connections or extensions of the same, or for any necessary work in repairing the pipe line or other appliances or connections of the water system, and in case of repair of the pipe line or in case of security or any reason deemed necessary to Town purposes, may temporarily restrict the use of water and, if need be, may forbid sprinkling and otherwise regulate the time, place and manner of use of water and purposes for which the same may be used, as occasions may require. In case of an emergency, the Mayor, **or his or her designee**, may restrict or regulate the use of Town water until the next meeting of the Town Board.

14. Meters.

- a. Water meters, approved by the Town, will be installed on all service lines connected to the Town Water System, and the cost of said installation is included in the tap fee. All installed meters will remain the property of the Town. The installation specifications of such meters shall be subject to the approval of the **Water System Operator, who after consultation with the property owner, shall retain the authority to direct the installation of and location of water meters and the property owner shall grant permission to the Town to access such pits and meters as necessary for maintenance.**

15. Water Line Extensions.

- a. A property owner requesting extension of water lines to his or her property shall be required to bear the total cost of such extension to a location specified by the Town. The property owner shall also bear the cost of surveying, inspections, engineering, parts, excavation, geotechnical services, and any other costs incurred in connection with the work. The property owner may engage an outside contractor to perform the line extension work provided that the contractor is approved by the Town, and the application process is completed and approved before commencement of the work.
- b. A performance bond or cash equal to one hundred percent (100%) of contract (or construction cost) shall be furnished to the Town on all water main construction. The Board may waive the requirements for said bond based upon the prior satisfactory performance of the contractor.

- c. All parts must be purchased pursuant to Town specifications supplied by the Town Water Operator purchased by the town and paid for by developer and all work shall be subject to inspections by the Town Engineer or Town Water Operator.**
- d. Prior to work commencing, the developer shall deposit with the Town certified funds, which funds equal to the amount of 10% of the total estimated cost of the work (the "Deposit"). The purpose of the Deposit is to cover any unanticipated costs incurred by the Town for the work and acceptance of the line extension by the Town. The Deposit will be returned to the developer upon completion, less any costs incurred by the Town associated with the work.**
- e. Should other developers or property owners subsequently request to connect to the water line extensions, such developer or property owner shall be required to pay his/her pro rata share of the actual cost of the extension, in addition to applicable tap fees, at the time of application and in accordance with table in Appendix 2F (Consolidated Fee Schedule pertaining to utility charges). Developers or property owners who have previously paid for a line extension shall be entitled to a partial reimbursement of such cost based on the subsequent pro rata contributions of other developers or property owners that connect to the extension as described in such table, provided that a final invoice for the work was submitted to and approved by the Water Operator. Nothing contained in this paragraph shall negate the right of the original developers, subsequent owners, and additional property owners who wish to connect to the line extension from negotiating among themselves a negotiated agreement, in writing, presented to the Town and signed by all such parties, which varies from the above described in Appendix 2F, so long as such agreement does not negate any tap fees or other charges payable to the Town.**
- f. Inspections shall be performed pursuant to Town policy as adopted by Resolution with accompanying criteria (2).**
- g. Upon inspection and acceptance by the Town, the water lines and appurtenances will be considered Town property and the lender, subcontractor, or developer shall then deed the lines and appurtenances to the Town prior to service being provided by**

the Town. New connections should not proceed past meter pits before testing and acceptance of the line.

C. FEES, RATES, CHARGES AND DELINQUENCIES

The fees, rates and charges **pursuant to the implementation of this Article** are designed to address initial costs and operation of the Town Water System and may be amended from time to time by resolution of the Town Board of Trustees; said fees, rates and charges are set forth in appendix 2F Chapter 2 (Administration) of this Code, to which reference is made.

The above fees described in the referenced Appendix include the tap, meter and backflow prevention device at the customer's property line. **Such tap fees are due and payable prior to tapping into the Town water system, and all paid water tap fees are non-refundable.**

1. Monthly Rates:

- a. Monthly water charges begin when a customer activates a service line to the water tap regardless of the usage made of the water.
- b. Monthly rates are hereby levied for all residential and commercial taps **and set forth in Appendix 2F.**
- c. Fire Protection Fees

In addition to the charges stated above, the annual fees are hereby levied for the purpose of fire protection within the Town and any properties served outside Town limits **and are set forth in Appendix 2F.**

d. Outside Town Limit Rates:

Outside Town limit **water** rates are hereby levied at twice (two times) inside Town rates. Such rates include all those mentioned in paragraphs b and c of this section.

2. Billing Procedure

All charges for Town water service shall be computed on a monthly basis, and bills shall be mailed on or about the 15th day of each month. Such charges shall be due and payable on the fifth day of the following month.

3. Delinquent Accounts; Arrears Penalty; Service Discontinuance

Accounts in arrears will be charged a penalty of one and one half percent (1.5%) per month of the arrears account. Services may be discontinued (water shut off) on accounts thirty (30) days in arrears. In addition, a service charge of \$50, which may be amended by Resolution of the Town Board, shall be levied for the reconnection of service to the Town water supply. **An additional deposit of \$100.00 will be required, and will be refunded after twelve (12) months if no late payments are received.**

4. Lien Imposed.

All arrearages shall constitute a perpetual lien upon any lots, tanks, buildings or premises served or for which water service may be made or kept available. Such unpaid arrearages shall be certified by the Town **Treasurer** to the County Treasurer at the time of certification of ad valorem taxes to be added to the tax roll upon said property and to be collected and paid to the Town by the County Treasurer.

In addition, payment of such charges may be enforced by any remedy provided by the Colorado State Statutes and otherwise provided by law; all such remedies are declared to be cumulative.

D. UNLAWFUL ACTS

The following acts concerning the Town Water System are declared to be unlawful and a violation of this Ordinance:

1. Use or permitting the use of Town water system in a wasteful manner or allowing water to run to waste upon his or her premises, buildings, or lots, in, through or out of any lavatory, bathtub, hose, hydrant, faucet or other fixture or in any manner through neglect or by reason of faulty or imperfect plumbing or fixtures, and allowing water to continually run down a gutter or drain or into a public right of way, shall be prima facie evidence of wasting water.
2. Making or causing to be made, whether as a plumber, mechanic craftsman, artisan or employee, or as owner or occupant of any premises within the Town, any connection to the Town Water System or any alteration, extension, major repair, replacement or change of any existing connection, or any pipe, valve, or appliance used to regulate the flow of water in the Town Water System, or any part thereof, or to change or alter the position of any valve or appliance regulating the flow of water therein to said system, without first obtaining a permit to do so from the Town Clerk and thereafter making such connections or alterations in a manner contrary to the State Plumbing Code.

3. Tampering with, shutting off or opening any fire plug, meter, service valve or pumping facility, except as a duly authorized Town employee, or a firefighter or peace officer in the line of duty.
4. Using water through any tap or service pipe connected with the Town's water system contrary to the provisions of this Ordinance or to turn or cause to be turned on water to any premises, lot, building or house when the water has been shut off by the Town.
5. Using water from the Town Water System on any premises or property if the flow of such water is not metered.
6. Making any connection with any pipeline forming a part of the Town Water System other than by the Water System **Operator** or licensed plumber authorized to do so by the Town.
7. Extension of a pipe serving a water tap to another premises in such a manner as to allow two premises to be served by a single tap, subject to the provisions of paragraph C9.
8. Creating any cross connection or continuing any previously existing cross connection.
9. Any person who violates any of the provisions contained in this Section D shall be subject to a fine not exceeding two **thousand six hundred fifty dollars (\$2,650)**. Each day of continuing violation shall be considered a separate offense.

E. CROSS-CONNECTION CONTROL

1. Purpose: The purpose of this Section is to:
 - a. To protect the public potable water supply of Crestone, Colorado from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the customer's private water system(s) such contaminants or pollutants that could backflow into the town water system; and
 - b. To eliminate existing cross-connections, actual or potential, between the customer's in-plant potable water system(s) and nonpotable water systems, plumbing fixtures, and industrial piping systems; and,
 - c. To provide for the maintenance of a continuing program of cross-connection elimination that will systematically and effectively prevent the contamination or pollution of all potable water systems.

2. Responsibility

The Town Water System **Operator** shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in their judgment an approved backflow-prevention assembly is required for the safety of the water system, the Town Water **Operator** shall give notice in writing to said customer to install such an approved backflow-prevention assembly(s) at specific location(s) on his/her premises. The customer shall immediately install such approved assembly(s) at his/her own expense; and, failure, refusal, or inability on the part of the customer to install, have tested, and maintain said assembly(s) shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

3. Definitions

As used in this Section, the following terms shall have the meanings indicated:

Air gap means unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water or waste to a tank, plumbing fixture, receptor, or other assembly, and the flood level rim of the receptacle. These vertical, physical separations must be at least twice the diameter of the water supply outlet, never less than 1 in. (25 mm).

Approved means accepted by the authority responsible for meeting an applicable specification stated or cited in this ordinance or as suitable for the proposed use.

Auxiliary water supply means any water supply on or available to the premises other than the purveyor's approved public water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s), such as a well, spring, river, stream, harbor, and so forth; used waters; or industrial fluids. These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

Backflow means the undesirable reversal of flow in a potable water distribution system as a result of a cross-connection.

Backflow Prevention Device means an assembly or means designed to prevent backflow.

Backpressure means a pressure, higher than the supply pressure, caused by a pump, elevated tank, boiler, or any other means that may cause backflow.

Backsiphonage means backflow caused by negative or reduced pressure in the supply piping.

Contamination means an impairment of a potable water supply by the introduction or admission of any foreign substance that degrades the quality and creates a health hazard.

Cross-Connection means a connection or potential connection between any part of a potable water system and any other environment containing other substances in a manner that, under any circumstances would allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids, such as chemicals, waste products, steam, water from other sources (potable or nonpotable), or any matter that may affect water quality.

Double check valve assembly means the approved double check valve assembly consists of two internally check valves, either spring-loaded or internally weighted, installed as a unit between two tightly closing resilient-seated shutoff valves and fittings with properly located resilient-seated test cocks. This assembly shall only be used to protect against a non-health hazard (that is, a pollutant).

Hazard, Degree of means the term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

Hazard - health means a cross-connection or potential cross-connection involving any substance that could, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects.

Hazard - non-health means a cross-connection or potential cross-connection involving any substance that generally would not be a health hazard but would constitute a nuisance or be aesthetically objectionable, if introduced into the potable water supply.

Hazard - plumbing means a plumbing-type cross-connection in a consumer's potable water system.

Hazard - system means an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination that would have a protracted effect on the quality of the potable water in the system.

Industrial-Fluids System means any system containing a fluid or solution that may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration, such as would constitute a health, system, pollution, or plumbing hazard, if introduced into an approved water supply. This may include, but not be limited to, polluted or contaminated waters; all types of process waters and used waters originating from the public potable water system that may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis; circulating cooling waters connected to an open cooling tower; and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters, such as wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems; and so forth; oils, gases, glycerin, paraffins, caustic and acid solutions, and other liquid and gaseous fluids used in industrial, fire-fighting or other purposes.

Pollution means the presence of any foreign substance in water that tends to degrade its quality so as to constitute a non-health hazard or impair the usefulness of the water.

Reduced-pressure backflow prevention device means the approved reduced-pressure principle backflow prevention device consists of two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and below the first check valve. These units are located between two tightly closing resilient-seated shutoff valves as an assembly and equipped with properly located resilient-seated test cocks.

Service Connection means the terminal end of a service connection from the public potable water system, that is, where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

Water-Nonpotable means water that is not safe for human consumption or that is of questionable quality.

Water-Potable means water that is safe for human consumption as described by the public health authority having jurisdiction.

Water – Used means any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has

passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

4. Requirements

- a) The water system shall be considered as made up of two parts: the utility system and the customer system.
- b) The utility system shall consist of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.
- c) The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.
- d) The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.
- e) The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system that are utilized in conveying utility-delivered domestic water to points of use.

5. Policy

- a) No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state law and regulations and this Section. Service of water to any premises shall be discontinued by the water purveyor if a backflow prevention device required by law is not installed, tested, and maintained, or if it is found that a backflow prevention device has been removed, bypassed, or if a cross-connection exists on the premises. Service will not be restored until such condition or defects are corrected.
- b) The customer's system should be open for inspection at all reasonable times to the Town Water System Operator to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the Town Water System Operator or his designee shall deny or immediately discontinue service to the premises by providing for a physical break in the Town's service line until the customer has corrected the condition(s) in conformance with state/provincial and city statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.

- c) An approved backflow prevention device shall be installed on each service line to a customer's water system at or near the property line; but in all cases, before the first branch line leading off the service line wherever the following conditions exist:
 - (1) In the case of premises having an auxiliary water supply that is not or may not be safe bacteriological or chemical quality and that is not acceptable as an additional source by the Town Water Manager or Public Works Supervisor, that water supply must be plumbed completely separate from the town water system.
 - (2) In the case of premises on which any industrial fluids or any other objectionable substances are handled in such a fashion as to create an actual or potential hazard to the town water system, the public system shall be protected against backflow from the premises by complete separation of the two systems. This shall include the handling of process waters and waters originating from the utility system that have been subject to deterioration in quality.
 - (3) In the case of premises having (1) internal cross-connections that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, service from the town water system shall be denied or disconnected until such conditions have been eliminated.
- d) The type of protective assembly required under subsections 5 (c) 1, 2, & 3 shall depend upon the degree of hazard that exists as follows:
 - (1) In the case of any premises where there is an auxiliary water supply as stated in subsection (c) 1 of this section and it is not subject to any of the following rules, the town water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow-prevention assembly.
 - (2) In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the town water system shall be protected by an approved double check valve assembly.
 - (3) In the case of any premises where there is any material dangerous to health that is handled in such a fashion as to create an actual or potential hazard to the town water system, the town water system shall be protected by an approved air-gap separation or an approved reduced-

pressure principle backflow prevention device. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.

- (4) In the case of any premises where, in the opinion of the Town Water System Operator, an undue health threat is posed because of the presence of extremely toxic substances, the Town Water Manager or Public Works Supervisor may require an air gap at the service connection to protect the town water system. This requirement will be at the discretion of the Town Water System Operator and is dependent on the degree of hazard.
- e) Any backflow prevention device required herein shall be a model and size approved by the Town Water System Operator. The term ***approved backflow prevention device*** shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association titled:
- (1) ANSI/AWWA C510-89 - *Standard for Double Check Valve Backflow-Prevention Assembly*, and AWWA C511-89 - *Standard for Reduced-Pressure Principle Backflow-Prevention Assembly*, and have met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research (FCCCHR) of the University of Southern California established by "Specification of Backflow-Prevention Assemblies" – Sec. 10 of the most current issue of the *Manual of Cross-Connection Control*.
 - (2) Said AWWA and FCCCHR standards and specifications have been adopted by the Town Board of Trustees. Final approval shall be evidenced by a "Certificate of Approval" issued by an approved testing laboratory certifying full compliance with said AWWA standards and FCCCHR specifications.
 - (3) Testing must be performed **annually** by companies or individuals who are certified to perform such testing.

Schedule (1) Specific Criteria

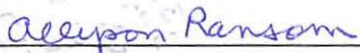
Schedule (2) Inspections

THE TOWN BOARD OF TRUSTEES FINDS THAT THIS ORDINANCE IS NECESSARY TO THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY, DUE TO THE NEED TO CLARIFY ISSUES REGARDING LINE EXTENSIONS, PERFORMANCE BONDS, TOWN DEEDED INFRASTRUCTURE, APPROVAL OF SEWER

MAIN EXTENSIONS, WATER AND SEWER SPECIFICATION WITH OVERSIGHT OF AN ENGINEER, AND THE REQUIREMENT FOR NEW CONSTRUCTION TO CONNECT WITH TOWN WATER AND SEWER SERVICES AND SHALL TAKE EFFECT AND BE ENFORCED IMMEDIATELY UPON THE FINAL PASSAGE OF THIS ORDINANCE

Passed by the Board of Trustees and signed this 11th day of February, ²⁰¹⁹2018.


Kairina Danforth, Mayor

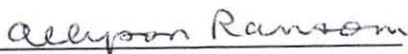


Allyson Ransom, Town Clerk

Approved as to Form:


Eugene L. Farish, Town Attorney

CERTIFICATION

I hereby certify that the within Ordinance was introduced and read in full and adopted at a regular meeting of the Crestone Board of Trustees on 11th day of Feb., 2018, that said Ordinance was published by title in The Crestone Eagle on the 1st day of March, 2018. and Saguache Crescent 4 weeks later - April.


Allyson Ransom, Town Clerk

Town of Crestone Water System Reimbursement Policy for water main extensions paid for by owner/developers- Table 1

Owner/developers that choose to install main line water extensions at their own cost can choose to opt in or out of a reimbursement program at the time of application.

Under the reimbursement program, subsequent customers applying to tap the line extension shall pay a pro rata portion of the water main installation expense to the original owner/developer in the form of a check submitted to the Town for forwarding to the original owner/developer, along with the application. The reimbursement program only applies to subsequent customers connections, and not to extensions of the line.

The original owner/developer must submit to the Town proof of parts and excavation expenses, within 60 days of project completion, to be used in calculations. The figures must be approved by the Board of Trustees. The water line extension under reimbursement will be indicated on Crestone Water and Sanitation Schematics maps.

Reimbursement amounts are based on a formula that considers distance, number of shareholders, and time. These factors create percentages that are multiplied against the original costs of the main line installation.

$\% \text{ of distance} \times \% \text{ of ownership} \times \text{time} \times \text{original cost} = \text{reimbursement amount}$

Due to the loss of value as infrastructure ages, if a connection to the extension happens within

0-5 years= 100% reimbursement

5-10 years= 75% reimbursement

10-15 years = 50% reimbursement

Examples:

Owner A develops a water line extension that runs for **500 ft** and costs **\$25,000**.

1) Within 2 years, Owner B wants to connect at the 300 ft point.

100% X 60% X 50% of \$25,000= \$8,250

Time (2 yrs) distance (300/500 ft) # of shareholders (2) cost collected from Owner B
and refunded to Owner A

2) Neighboring Owner C, within 8 years, wants to connect at the 200 ft point.

75% X 40% X 33% of \$25,000= \$2,475

Time (8 yrs) distance (200/500 ft) # of shareholders (3) cost collected from Owner C

and split 50/50 between A & B