

EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1506

SPONSOR: MAYOR NOVAK AND COUNCILMAN LINDSEY

TITLE: A BILL FOR AN ORDINANCE PROHIBITING THE PERMANENT OR TEMPORARY USE OF FUNDS IN THE CITY'S WATER AND SEWER FUND FOR ANY PURPOSE OTHER THAN WATER AND SEWER PURPOSES.

PURPOSE: THIS ORDINANCE ADOPTS THE PROPOSED INITIATED ORDINANCE RELATING TO THE PROHIBITION OF PERMANENT OR TEMPORARY USE OF MONIES IN THE CITY'S WATER & SEWER FUND FOR ANYTHING OTHER THAN WATER OR SEWER PURPOSES

ADDITIONAL EXPLANATORY REMARKS:

SPONSORED BY: MAYOR NOVAK AND COUNCILMAN LINDSEY

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1506
Series of 2005

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A BILL FOR AN ORDINANCE PROHIBITING THE PERMANENT OR TEMPORARY USE OF FUNDS IN THE CITY'S WATER AND SEWER FUND FOR ANY PURPOSE OTHER THAN WATER AND SEWER PURPOSES.

WHEREAS, the City Clerk has certified as sufficient an initiative petition seeking the adoption of an ordinance prohibiting the permanent or temporary use of funds in the City Water and Sewer Fund for other than water and sewer purposes; and

WHEREAS, the City Council, in order to avoid the expense of a special election and despite the apparent conflict between the text of the proposed ordinance and Section 8.12(d) of the City Charter which specifically allows transfers from fund to fund, the City Council wishes to adopt the proposed initiated ordinance, reserving the question of the ordinances validity;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Mayor, City Council, City Manager and other administrative officials are prohibited from expending or loaning any revenues permanently or temporarily of the City's Water and Sewer Fund for any purpose not reasonably related to the operation and administration of the City's water and sewer system including, but not limited to the acquisition of water rights, maximization of storage facilities, provision of water and wastewater services, the construction, operation, administration, maintenance, repair and replacement of the water supply and distribution system and the collection system and treatment facilities, water conservation efforts, conservation education and environmental services of the Water and Sewer Fund. In accordance with Section 8.12(d) of the City Charter any unencumbered appropriated balance transferred out of the Water and Sewer Fund will not be subject to this Ordinance.

Section 2. The revenues referred to in Section 1 are defined as: All rates and charges established in Chapter 16, Article 10 of the Northglenn Municipal Code plus all fees, rates, toll charges, availability fees, tap fees, connection fees, penalties, grants, loans, surcharges, investment income, voter approved authorized sales and property taxes, including food, and other sources established by the City now or in the future exclusively for the water and sewer fund.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____, 2005.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2005.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

HERBERT C. PHILLIPS
City Attorney