

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 04 – SERIES 2025**

**AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING
CHAPTERS 13, 16, AND 17 OF THE MINTURN MUNICIPAL CODE TO
INCORPORATE INTO THE CODE EXISTING RESTRICTIONS ON
CONNECTIONS TO THE TOWN’S WATER SYSTEM BASED ON
LIMITATIONS OF AVAILABLE LEGAL AND PHYSICAL WATER SUPPLY**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, limitations on the Town’s water supply, due to (1) consumptive use limitations on the Town’s ability to divert and use water within its service area and (2) limited capacity of the Town’s water treatment facility necessitated implementing a moratorium on connection to the Town’s water system and allocation of water service (the “Moratorium”); and

WHEREAS, by Ordinance No. 02 – Series 2023, the Town Council continued the Moratorium on connection to the Town’s water system that limits allocation of water service to no more than the historic number of Single Family Equivalents (“SFEs”) used plus one additional SFE for new water use for an entire property or collection of adjoining properties owned by the same or related owners as legally configured on the date Ordinance No. 05 – Series 2020 was passed; and

WHEREAS, in order to comply with its decreed water rights and physical supply limitation, the Town has determined it is necessary to incorporate the restrictions imposed by the Moratorium into the Minturn Municipal Code (the “Code”) until the Town has adequate water supply to allocate additional SFEs for connection to the Town’s water system beyond what is provided for in the Moratorium; and

WHEREAS, the Town Council hereby finds and determines that the passage of this Ordinance is necessary to protect public health and safety and promote orderly development within the Town and is not contrary to any statewide regulatory schemes or policies.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. RECITALS. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. AMENDMENT. Chapters 13, 16, and 17 of the Code are hereby amended as set forth in **Exhibit A**, with double underlined text added and ~~strike-through language~~ deleted.

SECTION 3. SEVERABILITY. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall

not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

SECTION 4. REPEAL OF INCONSISTENT ORDINANCES. Ordinance No. 02 – Series 2023 and Ordinance No. 05 – Series 2020 are repealed. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. SAFETY. This ordinance is deemed necessary for the protection of the public health, safety, and welfare.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 5th DAY OF MARCH 2025. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 19th DAY OF MARCH 2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mavor

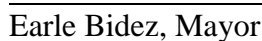
ATTEST:

By: 
Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 19th DAY OF MARCH 2025.

TOWN OF MINTURN, COLORADO


Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk



To: Town Council
From: Madison Harris
Date: February 27, 2025
Agenda Item: Ordinance 04 - Series 2025 (First Reading) An Ordinance Amending Chapter 13, 16, and 17 of the MMC to Incorporate into the Code Existing Restrictions on Connections to the Town's Water System Based on Limitations of Available Legal and Physical Water Supply

REQUEST:

Council to approve on first reading Ordinance 04 - Series 2025 amending Chapter 13, 16, and 17 of the MMC to incorporate into the Code existing restrictions on connections to the Town's water system based on limitations of available legal and physical water supply .

INTRODUCTION:

Per the Town Attorney's direction explained in the attached memo, this ordinance is essentially codifying the existing water moratorium (Ord. 02 - Series 2023).

ANALYSIS:

The Planning Commission reviewed the ordinance at their regular meeting on February 26, 2025. They forwarded a recommendation of approval to the Town Council with no recommended changes.

COMMUNITY INPUT:

No members of the public spoke at the hearing. Public notice was provided in accordance with the Minturn Municipal Code as a matter of posting of the official agenda and packet materials for public review prior to the hearing, and following Section 16-21-610 Public notice.

BUDGET / STAFF IMPACT: TBD

STRATEGIC PLAN ALIGNMENT:

The comprehensive review of the Town's regulations and processes aligns with the following key values:

- Transparency
- Collaboration
- Resourcefulness

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Vail Daily (Eagle Valley Enterprise Alternative)** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 949-0555**.

Notice ID: viaoXmCAu6a5MN2s8KMA | **Proof Updated: Mar. 07, 2025 at 09:41am MST**
Notice Name: 8CD07 ORDINANCE NO. 04 – SERIES 2025

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
TOWN OF MINTURN treasurer@minturn.org (970) 827-5645	Vail Daily (Eagle Valley Enterprise Alternative)

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	2.58	
Number of Lines:	31	

03/11/2025: Other	15.81
Affidavit Fee	10.00

Subtotal	\$25.81
Tax	\$0.00
Processing Fee	\$2.58
Total	\$28.39

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TOWN OF MINTURN, COLORADO
Earle Bidez, Mayor
ATTEST:
By:
Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON TUESDAY, MARCH 11, 2025.