

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 21-2025

A RESOLUTION REPLACING RESOLUTION 16-2024 REGARDING EXCESSIVE WATER LEAKS AND OTHER WATER LOSSES AND AUTHORIZING STAFF TO PROVIDE RELIEF FOR EXCESSIVE WATER LEAKS OR OTHER WATER LOSSES UNDER CERTAIN CIRCUMSTANCES, PALMER LAKE, COLORADO

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, the Town discourages the waste and unnecessary leakage or other loss of water and encourages conservation of water; and,

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WHEREAS, the Board recognizes and is empathetic to the financial hardship that an excessive water ~~loss/leak~~ or break or other water loss can cause a water account holder or property owner, even if the account holder and property owner take reasonable steps to minimize such losses or leaks once they are detected; and

WHEREAS, the Board desires to provide some relief to the water account holder or property owner with the understanding that ~~the~~ water line repair or correction of other circumstances or fixtures causing unnecessary water losses ~~is~~ are the responsibility of the property owner and account holder, and should be remedied or repaired or otherwise corrected as soon as feasible; and

WHEREAS, water accounts that result in a confirmed water losses ~~leak and that are~~ promptly repaired or remedied ~~the issue~~ shall be considered for partial relief for the ~~non-use~~ (loss) of water due to an incident or circumstances out of the property owner or account holder's control; and

WHEREAS, a continued leak or other water loss issue that is unresolved or not repaired will not be considered for relief; ~~and,~~

WHEREAS, the Board of Trustees previously adopted regulations in Resolution 16-2024 to address these issues and now wishes to update those regulations to, clarify the responsibility of the account holder as well as the water user and property owner, and the methodology that will be used to determine any reduction in the water bill associated with leaks and losses that are timely repaired.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. Resolution 16-2024 is hereby repealed and replaced in its entirety with this Resolution.

2. The Town Board of Trustees hereby authorizes the Town Clerk, or designee, to

reduce/waive the portion of usage fees resulting from a water loss circumstance, including but not limited to a leak or break or in a water line, a faucet or other device that was left running, a leaking faucet or fixture, or a constantly running toilet, to the extent such circumstance was beyond the reasonable control of the account holder, property owner, or water user, to the greater of (1) the amount of the bill for the account holder in the same month during the previous year or (2) of the highest bill caused by the loss and determined by the monthly average for the prior 12-month usage period, with such reduction being subject to the following conditions:

- a. The leak or other water loss is confirmed by Palmer Lake Water personnel; and
- b. The leak or other water loss is confirmed to have been repaired within a reasonable time of when it occurred, as determined by the Town Clerk, taking into consideration all relevant circumstances and keeping in mind that it is the responsibility of the account holder, property owner, and the water user to diligently monitor the water lines, fixtures, faucets, toilets and other aspects of the water system within their property, so as to detect any loss or leak as soon as possible.

If a leak or other water loss continues without repair, relief will not be provided.

2.3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution 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 Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

4. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

3.5.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 27th DAY OF FEBRUARY 2025.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
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Mayor

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