

**TOWN OF LYONS, COLORADO
ORDINANCE 1178**

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO,
AMENDING SECTIONS 13-3-50, 13-4-70, AND 18-16-10 OF THE LYONS
MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE SOURCE OF THE
CONSUMER PRICE INDEX (CPI) AND REMOVAL OF CPI ADJUSTMENT FOR
NON-METERED WATER SERVICE**

WHEREAS, pursuant to Article XXV of the Colorado Constitution, the Town of Lyons Board of Trustees ("Board") has the authority to establish and operate municipal utilities serving the Town of Lyons (the "Town") and pass rates, rules, and regulations governing the operation of those municipal utilities; and

WHEREAS; pursuant to C.R.S. Section 13-15-103, the Town has the authority to make and publish ordinances; and

WHEREAS, the current source of the consumer price index ("CPI") the U.S. Bureau of Labor Statistics for the Denver/Boulder Metropolitan Area is discontinued; and

WHEREAS, the Colorado Office of State Planning and Budgeting also publishes a CPI; and

WHEREAS, the Board deems it appropriate to amend the Lyons Municipal Code to use the Colorado Office of State Planning and Budgeting CPI; and

WHEREAS, it is in the best interests of the public health, safety, and welfare that this amendment to the Lyons Municipal Code be made.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS THAT:

Section 1. The recitals set forth above are incorporated as if set fully forth herein.

Section 2. Article 3 of Chapter 13, Section 13-3-50 (c) is hereby amended from the previous Article 3 of Chapter 13 to remove subsection (3) in its entirety:

Section 3. Article 4 of Chapter 13, Section 13-4-70 (e) is hereby amended from the previous Article 4 of Chapter 13 to read in full as follows:

(e) Periodic CPI rate adjustment. On January 1 of each year, any flat rate or standard monthly service charge per unit provided in this Section shall be adjusted in accordance with the estimated Consumer Price Index (CPI) as established by the Colorado Office of State Planning and Budgeting. Rates shall be rounded to the nearest five-cent increment. This Article shall be amended to reflect each periodic CPI rate adjustment, provided that failure to amend the rate contained in this Chapter shall not limit, preclude, or prevent the operation and application of such periodic adjustment

commencing each January 1.

Section 4. Article 16 of Chapter 18, Section 18-16-10 (b) is hereby amended from the previous Article 16 of Chapter 18 to read in full as follows:

(b) On January 1 of each year, this fee shall be automatically adjusted in accordance with the Consumer Price Index (CPI) as established by the Colorado Office of State Planning and Budgeting. The current park fee is available on the Town fee schedule.

Section 5. Codification Amendments. The codifier of the Town's Municipal Code is hereby authorized to make such numerical, technical, and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Lyons Municipal Code.

Section 6. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.


Section 7. Repeal. Any and all ordinances, resolutions, or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance, resolution, or code or part thereof shall not revive any other section or part of any ordinance, resolution, or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 8. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS 2nd DAY OF December 2024.

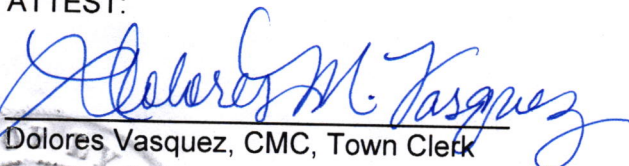
INTRODUCED, AMENDED, PASSED, ADOPTED, AND ORDERED PUBLISHED ON
SECOND READING THIS 16th DAY OF December 2024.

TOWN OF LYONS, COLORADO



Hollie Rogin, Mayor

ATTEST:



Dolores Vasquez, CMC, Town Clerk

