

**Town of Erie
Ordinance No. 029-2024**

**An Ordinance of the Town Council of the Town of Erie Amending
Section 8-1-18 Concerning Shutoff of Service for Nonpayment and
Amending the Definition of Town Manager in Relation Thereto**

Whereas, the Town Council desires to amend Section 8-1-18 to allow for an appeal process for shutoff of water service for nonpayment.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. The definition of "Town Manager" in Section 8-1-3 of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

Town Manager. The Town Manager or their authorized designee.

Section 2. Section 8-1-18 of the Erie Town Code is hereby amended by the addition of a new Subsection (D)(2)(d), to read as follows:

8-1-18. Fees and charges.

* * *

D. *Past due accounts; discontinuance of service; restoration of service; liens:*

* * *

2. *Notice of past due accounts:*

* * *

d. If the Town provides notice of discontinuance of water service for nonpayment, the person against whom the violation is brought may appeal the discontinuance of water service to the Town Manager by written request within five (5) days of receiving notice. Failure to submit a written request for an appeal shall constitute a waiver of any right to appeal such discontinuance of water service.

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. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 23rd day of July, 2024.

Justin Brooks, Mayor

Attest:

Debbie Stamp, Town Clerk