

**Town of Erie  
Ordinance No. 038-2024**

**An Ordinance of the Town Council of the Town of Erie Amending  
Section 8-1-3 of the Erie Municipal Code to Update the Town's Fee  
in Lieu of Water Dedication and Water Tap Fee**

**Whereas,** to cover the costs of certain services, the Town charges fees; and

**Whereas,** the Town has undertaken a Rate Study (the "2024 Rate Study") to analyze its Fee in Lieu of Water Dedication and Water Tap Fee; and

**Whereas,** the Town Council finds and determines that it is in the best interest of the Town and the public health, safety and welfare to update the Fee in Lieu of Water Dedication and the Water Tap Fee defined in Section 8-1-3 of the Erie Municipal Code in accordance with the 2024 Rate Study.

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

**Section 1.** The Fee in Lieu of Water Dedication and the Water Tap Fee defined in Section 8-1-3 are hereby amended as follows:

Potable water tap fee <sup>2</sup> :	
¾ inch <sup>6</sup>	\$17,290.00
1 inch	\$28,820.00
1½ inches	\$57,630.00
2 inches	\$92,210.00
3 inches	\$172,900.00
4 inches	\$288,170.00
6 inches	\$576,340.00
Fee in lieu of water dedication <sup>2</sup> (potable water rights fee):	
¾ inch	\$31,400 (See also note 4)
1 inch	See note 4
1½ inches	See note 4
2 inches	See note 4
3 inches	See note 4
4 inches	See note 4
6 inches	See note 4
Non-potable water tap fee <sup>4</sup> :	
Per acre-foot	\$17,410.00

**Notes**

<sup>1</sup> Building valuation shall be established by the building valuation data table excluding modifiers, as published by the International Code Council, and as updated from time to time. Beginning on January 1, 2022 the Building Valuation shall be determined by using the using the February 2015 Building Valuation Table, published by the International Code Council, for every year thereafter, the Building Valuation shall be established by using the first Building Valuation Data Table, published by the International Code Council in the preceding year.

<sup>2</sup> The fee in lieu of water dedication (potable water rights fee) and potable water tap fee are separate and distinct fees. The fee in lieu of water dedication shall be required as set forth in Section 8-1-9 and related sections. Potable water tap fees shall be required as set forth in Sections 8-1-8 and 8-1-18 and related sections.

<sup>3</sup> A Small Home is a dwelling unit described in Section 8-1-3 as having less than 1,000 square feet in size and a lot size of 2,000 square feet or less. An additional \$1,205.00 may be added to this tap fee for each additional 1,000 square feet of lot size. Townhomes and Condominium Units are dwelling units described in Section 8-1-3. This tap fee shall apply to Condominium Units with individual water taps.

<sup>4</sup> Section 8-1-9, as amended, defines the manner in which the town determines the amount of fees in lieu of water dedication.

<sup>5</sup> The non-potable water tap fee does not apply to town-owned property. For all other property, the non-potable tap fee includes the water rights fee, so no separate fee in lieu of dedication is required.

<sup>6</sup> For residential units which require a ¾ inch potable water tap but also require an automatic sprinkler system, the ¾ inch water tap fee shall be charged, but a Fireflow Surcharge of \$170.00 shall be added to the tap fee.

**Section 2.** 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 3.** Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

**Section 4.** Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

**Introduced, Read, Passed and Ordered Published this 24<sup>th</sup> day of September, 2024.**

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Justin Brooks, Mayor

**Attest:**

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Debbie Stamp, Town Clerk