

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
TODD CREEK VILLAGE METROPOLITAN DISTRICT**

**ADOPTING AN AMENDED AND RESTATED SCHEDULE OF FEES, RATES &
CHARGES**

WHEREAS, Todd Creek Village Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) shall have the management, control and supervision of all the business affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(j), C.R.S., the District is authorized to fix and impose fees, rates, tolls, penalties and charges for services and facilities furnished by the District which, until such fees, rates, tolls, penalties and charges are paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on December 16, 2016, the Board adopted the Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges for Potable and Non-Potable Water Services and Facilities, which was recorded on January 24, 2017, at Reception No. 2017000007008 in the real property records of Adams County, Colorado (the “**Fee Resolution**”); and

WHEREAS, after a public hearing on rates, notice of which was duly posted, on December 14, 2023, the Board approved certain changes to the District’s Schedule of Fees, Rates and Charges effective as of January 1, 2024.

NOW, THEREOFRE, be it resolved by the Board as follows:

1. Amendment. The District’s Schedule of Fees, Rates and Charges is hereby amended and restated as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference (the “**2024 Fee Schedule**”).
2. Prior Provisions Effective. Except as specifically amended herein, all the terms and provisions of the Fee Resolution shall remain in full force and effect.
3. Prior Fees. Any fees, rates, tolls, penalties or charges due under the Fee Resolution, to the extent outstanding and unpaid, shall remain in effect until fully paid and shall not be eliminated hereby.

4. Effective Date. This Resolution shall become effective January 1, 2024.

ADOPTED DECEMBER 14, 2023.

DISTRICT:

TODD CREEK VILLAGE METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: 
Don Summers (Dec 22, 2023 18:42 MST)
Officer of the District

Attest:

By: George R. Hanlon, Jr.
George R. Hanlon, Jr. (Dec 20, 2023 17:23 MST)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law



 
General Counsel to the District

EXHIBIT A
(2024 Fee Schedule)

**TODD CREEK VILLAGE METROPOLITAN DISTRICT
SCHEDULE OF FEES, RATES AND CHARGES**

Effective: January 1, 2024

1. TAP FEES.

These fees are privilege-of-service fees that a customer must pay before a Permit for service is issued. Total Tap Fees include fees for: a) Water Connection and Infrastructure Fee; b) Water Resource Fee; and c) Capital Construction Reserve Fee. The Term “paired set” refers to a combination of one Potable and one Irrigation Tap.

RESIDENTIAL TAP FEES

10,000 Square Foot Lot or Smaller	
Water Tap Fee ¾” Meter (paired set)	\$35,000.00
Water Tap Fee 1” Meter (paired set)	\$65,000.00
Over 10,000 Square Foot Lot	
Water Tap Fee ¾” Meter (paired set)	\$45,000.00
Water Tap Fee 1” Meter (paired set)	\$90,000.00
Accessory Dwelling Unit *	\$15,000.00

* Units such as a guest house, carriage house, or in-law-suite, whether attached to or detached from the primary residence, which contain provisions for sleeping, cooking, and sanitation.

COMMERCIAL TAP FEES

Potable Water Tap Fee ¾” Meter	\$45,000.00
Potable Water Tap Fee 1” Meter	\$90,000.00
Potable Water Tap Fee 1½” Meter *	Based on Use
Potable Water Tap Fee 2” Meter *	Based on Use
Irrigation Water Tap Fee ¾” Meter	\$45,000.00
Irrigation Water Tap Fee 1” Meter	\$90,000.00
Irrigation Water Tap Fee 1½” Meter *	Based on Use
Irrigation Water Tap Fee 2” Meter *	Based on Use

* Based on projected use as determined by District Engineer.

2. INSPECTION/REINSPECTION FEE.

This fee covers the estimated cost to the district of inspecting water service connection before service commences.

Potable Water Inspection Fee	\$ 350.00
Irrigation Water Inspection Fee	\$ 350.00

3. WATER SERVICE CHARGES. Billed monthly based on actual services provided.

RESIDENTIAL RATES

Base Fee:

Potable and Irrigation (paired set)	\$57.75
Potable Only	\$42.50
Irrigation Only	\$15.25

Reserve Fee:

\$15.00

Conservation Fee:

3/4" Tap:

Potable:

Up to 4,999 gallons	\$ 0.00
5,000 to 5,999 gallons	\$ 7.50
6,000 to 7,999 gallons	\$12.00
8,000 to 9,999 gallons	\$15.00
10,000 to 14,999 gallons	\$46.50
15,000 to 19,999 gallons	\$57.00
20,000 to 24,999 gallons	\$66.00
25,000 and over	\$75.00

Irrigation:

Up to 9,999 gallons	\$ 0.00
10,000 to 14,999 gallons	\$ 9.00
15,000 to 19,999 gallons	\$19.50
20,000 to 24,999 gallons	\$28.50
25,000 to 34,999 gallons	\$37.50
35,000 to 44,999 gallons	\$46.50
45,000 to 54,999 gallons	\$57.00
55,000 to 64,999 gallons	\$66.00
65,000 and over	\$75.00

1" Tap:

Potable:

Up to 4,999 gallons	\$ 0.00
5,000 to 5,999 gallons	\$ 7.50
6,000 to 7,999 gallons	\$12.00
8,000 to 9,999 gallons	\$15.00
10,000 to 14,999 gallons	\$46.50
15,000 to 19,999 gallons	\$57.00
20,000 to 24,999 gallons	\$66.00
25,000 and over	\$75.00

Irrigation:

Up to 19,999 gallons	\$ 0.00
10,000 to 29,999 gallons	\$19.50
15,000 to 39,999 gallons	\$37.50
20,000 to 49,999 gallons	\$57.00
25,000 to 69,999 gallons	\$75.00
35,000 to 89,999 gallons	\$94.50
45,000 to 109,999 gallons	\$112.50
55,000 to 129,999 gallons	\$132.00
130,000 and over	\$150.00

Water Usage Fees:

Up to 10,000 square foot Lot	
Potable	\$6.79 per 1,000 gallons
Irrigation	\$6.27 per 1,000 gallons
Over 10,000 square foot Lot	
Potable	\$7.31 per 1,000 gallons
Irrigation	\$6.79 per 1,000 gallons

COMMERCIAL RATES

Base Fee:

3/4" Tap:

Potable and Irrigation	\$76.00
Potable Only	\$40.00
Irrigation Only	\$36.00

1" Tap:

Potable and Irrigation	\$150.00
Potable Only	\$78.00
Irrigation Only	\$72.00

1 1/2" Tap:

Potable and Irrigation	\$302.00
Potable Only	\$ 155.00
Irrigation Only	\$ 147.00

2" Tap:

Potable and Irrigation	\$600.00
Potable Only	\$310.00
Irrigation Only	\$290.00

Conservation Fee:

3/4" Tap:

Potable:

Up to 4,999 gallons	\$ 0.00
5,000 to 5,999 gallons	\$ 7.50
6,000 to 7,999 gallons	\$12.00
8,000 to 9,999 gallons	\$15.00
10,000 to 14,999 gallons	\$46.50
15,000 to 19,999 gallons	\$57.00
20,000 to 24,999 gallons	\$66.00
25,000 and over	\$75.00

Irrigation:

Up to 9,999 gallons	\$ 0.00
10,000 to 14,999 gallons	\$ 9.00
15,000 to 19,999 gallons	\$19.50
20,000 to 24,999 gallons	\$28.50
25,000 to 34,999 gallons	\$37.50
35,000 to 44,999 gallons	\$46.50
45,000 to 54,999 gallons	\$57.00
55,000 to 64,999 gallons	\$66.00

65,000 and over \$75.00

1" Tap:

Potable:

Up to 4,999 gallons	\$ 0.00
5,000 to 5,999 gallons	\$ 7.50
6,000 to 7,999 gallons	\$12.00
8,000 to 9,999 gallons	\$15.00
10,000 to 14,999 gallons	\$46.50
15,000 to 19,999 gallons	\$57.00
20,000 to 24,999 gallons	\$66.00
25,000 and over	\$75.00

Irrigation:

Up to 19,999 gallons	\$ 0.00
20,000 to 29,999 gallons	\$19.50
30,000 to 39,999 gallons	\$37.50
40,000 to 49,999 gallons	\$57.00
50,000 to 69,999 gallons	\$75.00
70,000 to 89,999 gallons	\$94.50
90,000 to 109,999 gallons	\$112.50
110,000 to 129,999 gallons	\$132.00
130,000 gallons and over	\$150.00

1½" Tap:

Potable:

Up to 9,999 gallons	\$ 0.00
10,000 to 11,999 gallons	\$ 15.00
12,000 to 15,999 gallons	\$ 22.50
16,000 to 19,999 gallons	\$ 30.00
20,000 to 29,999 gallons	\$ 94.50
30,000 to 39,999 gallons	\$ 112.50
40,000 to 49,999 gallons	\$ 132.00
50,000 gallons and over	\$ 150.00

Irrigation:

Up to 39,999 gallons	\$ 0.00
40,000 to 59,999 gallons	\$ 37.50
60,000 to 79,999 gallons	\$ 75.00
80,000 to 99,999 gallons	\$ 12.50
100,000 to 139,999 gallons	\$150.00
140,000 to 179,999 gallons	\$187.50
180,000 to 219,999 gallons	\$225.00
220,000 to 259,999 gallons	\$262.50
260,000 gallons and over	\$300.00

2" Tap:

Potable:

Up to 19,999 gallons	\$ 0.00
20,000 to 23,999 gallons	\$ 30.00
24,000 to 31,999 gallons	\$ 45.00
32,000 to 39,999 gallons	\$ 60.00
40,000 to 59,999 gallons	\$187.50
60,000 to 79,999 gallons	\$225.00
80,000 to 99,999 gallons	\$262.50
100,000 gallons and over	\$300.00

Irrigation:

Up to 79,999 gallons	\$ 0.00
80,000 to 119,999 gallons	\$ 75.00
120,000 to 159,999 gallons	\$150.00
160,000 to 199,999 gallons	\$225.00
200,000 to 279,999 gallons	\$300.00
280,000 to 359,999 gallons	\$375.00
360,000 to 439,999 gallons	\$450.00
440,000 to 519,999 gallons	\$525.00
520,000 gallons and over	\$600.00

Water Usage Fees:

Potable	\$7.31 per 1,000 gallons
Irrigation	\$6.79 per 1,000 gallons

4. FAILURE TO CONNECT FEE PROGRAM.

The Failure to Connect Fee Program is comprised of Monthly FTC Fee(s) and a One-Time FTC Fee.

Monthly FTC Fee

Billed Monthly beginning the 25th month after tap is purchased \$ 130.00

One-Time FTC Fee

Billed upon connection to the District's system. This One-Time FTC Fee shall be equal to the difference between the Tap Fee that was originally paid and the current Tap Fee.

5. WATER METER CHARGES.

Potable Meters

3/4" Meter, Touch Pad with MXU	\$ 550.00
1" Meter, Touch Pad with MXU*	\$ 950.00
1½" Meter, Touch Pad with MXU*	\$1,350.00
2" Meter, Touch Pad with MXU*	\$2,000.00

Irrigation Meters

3/4" Meter with MXU	\$ 550.00
1", Touch Pad with MXU*	\$ 950.00
1½", Touch Pad with MXU*	\$1,350.00
2" Touch Pad with MXU*	\$2,000.00

Actual cost may vary from time to time. Please call District at time of installation for actual cost.

6. VOLUNTARY YEARLY OWS INSPECTION.

Onsite Wastewater System Inspection \$ 150.00

Todd Creek Village Metropolitan District will offer a voluntary OWS inspection program for Homeowners wishing to participate.

7. DAILY CONSTRUCTION HYDRANT USAGE FEES.

Fee Schedule for Daily Construction Hydrant Usage

Individual Lot Site Work	\$75.00/day
Irrigation Water Per thousand gallons fee	\$11.00

Potable Water Per thousand gallons fee	\$15.00
Hydrant Meter Valve Deposit	\$2,500.00

8. MISCELLANEOUS FEES.

<u>Service Call Fee (per hour) *1 hour minimum</u>	\$ 95.00
<u>Turn-On/Turn-Off Fee</u>	\$100.00
<u>Transfer Fee</u>	\$ 75.00
<u>Unauthorized Connection Fee</u>	Greater of \$10,000 or 2 X current Tap Fee
<u>Unauthorized Connection to Hydrant Fee</u>	Greater of \$10,000 or 2 X current Tap Fee
<u>Unauthorized Construction Fee</u>	10% of the Tap Fee initially paid to the District
<u>Penalty for Late Payments</u>	Greater of \$10.00 or 5% of outstanding bill
<u>Interest on Delinquent Balances</u>	1%/month
<u>Penalty for Late Payment of Tap Fee</u>	10%/@1 time
<u>Interest for Late Payment of Tap Fee</u>	1%/month
<u>Administrative Fee for Collections & NSF Checks</u>	\$ 30.00
<u>Foreclosure Fee</u>	\$1,000.00 minimum or actual cost
<u>Penalty for Unauthorized Tampering</u>	Actual expense, loss, or damage or \$500.00, whichever is greater
<u>Non-Compliance Penalty Fee</u>	

1 st Offense	Written Warning	
2 nd Offense	2 nd Written Warning and Fine	\$ 200.00
3 rd Offense	Potable Shut off and Fine and Referral to legal	\$ 300.00

Copies \$0.50 per page

Certification Fee \$ 10.00

CORA (Colorado Open Records Act) See Rules of Official Custodian

9. MAJOR INFRASTRUCTURE DEVELOPMENT FEES.

Plan Review Fee

Internal District Staff Review	\$95.00/hour
District Engineer or Attorney Review (Review process shall be at the discretion of the district)	Cost plus 10%

Permit Fee \$500.00

Infrastructure Acceptance Fee \$5,000.00

Internal District Staff Review \$95.00 per hour after 20 hours

Infrastructure Inspection Fee \$95.00 per hour