

SOUTHEAST METRO STORMWATER AUTHORITY
Acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 13-40
Revision of Stormwater Fee Delinquency and Collection Policy

WHEREAS, on the 25th day of October, 2006, a Resolution of the Board of Directors of the Authority (Resolution No. 5, Series of 2006) concerning "Adoption of Level of Service and Fix Rates and Rate Structure" was adopted, assessing a fee on all real property within the boundaries of the Authority; and

WHEREAS, on the 24th day of September, 2008, a Resolution of the Board of Directors of SEMSWA (Resolution No. 08-36) concerning "Adoption of Stormwater Fee Delinquency and Collection Policy" was adopted setting forth a policy in regard to delinquent fees; and

WHEREAS, on the 26th day of August, 2009, a Resolution of the Board of Directors of SEMSWA (Resolution No. 09-35) concerning "Revision of Stormwater Fee Delinquency and Collection Policy" was adopted, amending the policy in regard to delinquent fees; and

WHEREAS, on the 23rd day of October, 2013, a Resolution of the Board of Directors of SEMSWA (Resolution No. 13-35) concerning "Revision of Stormwater Fee Delinquency and Collection Policy" was adopted, amending the policy in regard to delinquent fees; and

WHEREAS, SEMSWA wishes to avail itself of the laws of the State of Colorado, pursuant to Section 29-1-204.2 (3) (j) (k) and (l) with regard to the collection of fees established in said Resolution No. 5, Series of 2006.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors of the Southeast Metro Stormwater Authority acting by and through SEMSWA Water Activity Enterprise approves and adopts the following revisions to Section 5 of the stormwater fee delinquency and collection policy which change shall become effective for bills rendered on or after January 1, 2013:

Section 5 – Late Charge. For both single family residential and nonsingle family residential bills, a one-time fee of \$23.00 shall be charged when a bill becomes delinquent. However, late charges shall not be applied to parcels owned by government organizations, homeowners associations (or similar organizations), or nonprofit organizations unless such organization shall ~~refuse intentionally or willfully decide not~~ to pay SEMSWA's annual fee. In such instance, such organization shall be charged a late fee for each affected parcel equal to one and one-half (1.5)

percent of the unpaid balance of the stormwater bill when the bill becomes delinquent. Thereafter, an additional charge of one and one-half (1.5) percent based on the unpaid bill shall be charged for each month the bill remains delinquent.

SOUTHEAST METRO STORMWATER AUTHORITY
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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:

Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor