

AN ORDINANCE AMENDING ORDINANCE 79-1 BY REPEALING AND REENACTING  
SUBSECTION C OF SECTION 9 THEREOF.

WHEREAS, the Board of Trustees of the Town of Hudson has determined that the provisions of Section 9 C of Ordinance No. 79-1 could create unnecessary hardship in certain circumstances not contemplated at the time such Ordinance was enacted; and

WHEREAS, the Board of Trustees desires to continue to promote the original policy of the Board as reflected in said Ordinance of encouraging improvement and development within the currently existing Town limits when feasible, of discouraging the use of the Town water system for speculation, and of discouraging the deterioration of older properties within the Town; and,

WHEREAS, the Board of Trustees desires to continue to prevent the transfer of water taps from one location to another merely for the purpose of avoiding the payment of a new tap fee, while allowing the Board the flexibility to permit such transfer in cases of hardship or when such transfer is in the best interests of the Town,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON,

COLORADO:

Section 1. That Subsection C of Section 9 of Ordinance 79-1 entitled "Transferability of Tap Permits and Taps" be, and the same hereby is repealed and reenacted to read as follows:

Section 9 C.

(1) A tap, once installed, becomes a fixture and improvement on the property on which it is installed, and is conveyed along with the property to which it is attached, unless such tap is deemed abandoned, except as provided herein.

(2) The Board or its delegate may, in its discretion, permit the transfer of an existing tap from one property to another, upon application by the owner of such tap, if the Board or its delegate determines:

(a) that such transfer is necessary to avoid undue hardship to such owner, or that the transfer is in

the best interests of the Town, or that such transfer is not requested merely for the purpose of avoiding the payment of a new tap fee for the new location; and

(b) that such transfer will not violate the policy of encouraging improvement and development of property within the Town limits, of discouraging the use of the Town water system for speculation, and of discouraging the deterioration of older properties within the Town.

Section 2. All other ordinances of the Town or portions thereof in conflict or inconsistent with the provisions of this amending ordinance are hereby repealed.

Section 3. The Board of Trustees hereby determines that in order to prevent any further hardship and to insure the orderly implementation of the standards set forth herein, it is necessary to the immediate preservation of the public health and safety that this ordinance take effect without delay.

Section 4. This ordinance shall take effect on July 15, 1980.

INTRODUCED, READ IN FULL, ADOPTED, AND ORDERED PUBLISHED ONCE IN FULL THIS 9 DAY OF JULY, 1980.

TOWN OF HUDSON, COLORADO

By: *R. Edl Wood*  
Mayor

ATTEST:

*Nancy Jaffner*  
Town Clerk