

**TOWN OF OPHIR**



Box 683 • Ophir, CO 81426

**ORDINANCE NO. 2021 - 3**

**AN ORDINANCE TO ALLOCATE FUNDS TO MATCH SOUTHWEST WATER CONSERVATION DISTRICT GRANT FOR WERNER SPRING INFILTRATION SYSTEM REPLACEMENT.**

**WHEREAS**, the Town of Ophir, Colorado (Town), is a home-rule town and political subdivision of the State of Colorado, duly organized and operating under the Constitution and laws of the State and the Ophir Town Charter; and

**WHEREAS**, the Town is authorized under its general policy powers and C.R.S. Section 31-15-401 to adopt regulations in furtherance of the public health, safety and welfare of its animals, residents, visitors and the environment; and

**WHEREAS**, the Ophir water system needs a reliable secondary water supply, and the current secondary water supply has reached its' end of life cycle; and

**WHEREAS**, the Town of Ophir had received a grant from the Southwest Water Conservation District up to fifty percent match / maximum of \$51,000 and the Town required match of a minimum of twenty-five percent up to fifty percent; and

**WHEREAS**, Southwest Water Conservation District requested approval of funds by ordinance, detailed project costs, timeline of project and reapplication; and

**WHEREAS**, the Town of Ophir has reevaluated the project costs, \$50,170.00 (fifty-thousand one hundred-seventy dollars). Southwest Water Conservation District fifty percent match eligible matching funds would be up to \$23,500 and Town of Ophir responsibility would be up to \$26,670 as detailed in Exhibit A; and

**WHEREAS**, Section 10 of Article VI of the Ophir Home Rule charter requires transfer, appropriation and transfers of funds for contingencies to occur by ordinance; and

**WHEREAS**, the 2020 Ophir Enterprise Fund has not allocated funds for the upgrade.

**NOW, THEREFOR, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, AS FOLLOWS:**

**Section 1.** Werner Spring Infiltration System Replacement. The foregoing recitals are adopted as findings of the Ophir General Assembly.

**Section 2.** Budget Transfer and Appropriation. The General Assembly hereby approves the transfer from the General Fund up to \$27,670.00 to the Capitol Improvement Fund and appropriates the transferred amount for the replacement of the Werner Spring Infiltration System.

**Section 3.** Effective Date; Continuing Effect; This Ordinance shall become effective immediately upon adoption to protect the public health, safety and welfare of Town of Ophir residents, guests and visitors. Ordinances or sections of ordinances that conflict with any section of this ordinance are repealed.

**Section 6.** Publication. After final adoption, a public notice shall be published which notice shall contain the number and title of this ordinance, a brief description of the ordinance, its' effective date and notice that copies are available for inspection at the Town Hall office.


**Section 7.** Severability. If any one or more sections or parts of this Ordinance is adjudged unenforceable or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various provisions herein are severable.

**Introduced, Read and Approved on First Reading by the General Assembly of the Town of Ophir on the 15<sup>th</sup> day of December, 2020.**

**Approved and Adopted on Second and Final Reading by the General Assembly of the Town of Ophir on the 19<sup>th</sup> day of January, 2021.**

By: 

**Corinne Platt, Mayor**

Attest: 

**Sydney Roop, Town Clerk**



**Approved as to Form: Steve Johnson, Town Attorney**

