

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 5
SERIES OF 2014**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-1-390 AND APPENDIX A OF THE RIFLE MUNICIPAL CODE TO CLARIFY THE ELIGIBILITY CRITERIA AND APPLICATION PROCEDURE FOR REDUCED UTILITY RATES FOR CERTAIN SENIOR CITIZENS.

WHEREAS, Section 13-1-390 of the Rifle Municipal Code (the “Code”) provides that certain senior citizens of the City of Rifle (the “City”) may receive water and sewer service charge reductions and specifies eligibility criteria and application procedures for such reductions; and

WHEREAS, the City is desirous of ensuring that such service charge reductions are provided only to senior citizens with the greatest financial need as determined by the City; and

WHEREAS, to ensure that such service charge reductions are provided to the senior citizens with the greatest financial need, the City is desirous of setting forth as part of the eligibility criteria a maximum income level threshold of 125% of the federal poverty guideline as determined and published by the United States government and amending the application procedure to receive such reductions; and

WHEREAS, to set forth the maximum income eligibility criterion and to amend the application procedure for such charge reductions, the City Council wishes to amend Section 13-1-390 of the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 13-1-390 of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 13-1-390. Reduced fee for senior citizens.

(a) Those senior ~~or disabled~~ citizens who qualify under the terms of this Section shall be entitled to a reduction of twenty percent (20%) of the total amount of water and sewer charges for each billing period.

(b) In order to be eligible for the water and sewer rate reduction set forth above, ~~an eligible consumer~~ **customer** must be **over sixty-two (62) years of age; be** the head of the household; ~~must be actually~~ occupying a residence for which the municipal utility reduction is sought; ~~and must~~ be receiving water or sewer under the residential rates set forth in Appendix A

to this Code; for service within the corporate limits of the City, ~~or for service by contract at in-City rates;~~ **and must not have had an annual single individual or married couple income, as applicable, in the year prior to the year of application which exceeds 125% of the federal poverty guideline determined and published by the U.S. government for the year in which a new application is made.**

(c) In order to qualify for said reduction, the ~~consumer~~ **customer** must file a written application **provided by the City** with the City ~~Finance Director~~**Manager**, together with such supporting documents as ~~may be required~~ **by the application**, at least thirty (30) days before the end of the billing cycle for which the reduction is requested. No reduction will be considered after the municipal utility statements have been entered by the City ~~Finance Director~~**Manager**.

(d) A ~~consumer~~ **customer** shall qualify for ~~be disqualified from receiving the rate reduction provided for in this Section if the customer's income surpasses 125% of the federal poverty guideline during a calendar year in which the customer is receiving water and sewer rate reductions.~~ **If the customer's income surpasses 125% of the federal poverty guideline, the customer shall immediately report this fact to the City Clerk.**

~~(1) The consumer is over sixty two (62) years of age or totally disabled, as defined by 42 U.S.C. § 416 or 42 U.S.C. § 423;~~

~~(2) The consumer's sole source of income is Social Security retirement benefits, Railroad Retirement Act benefits, Veterans Disability or Veterans Widows and Orphans benefits, Social Security S.S.I. disability benefits, or any other pension or benefit program which provides substantially similar income, in the opinion of the City Manager;~~

~~(3) The consumer files an affidavit to that effect with the City Clerk; and~~

~~(4) There has been no material change in the consumer's financial situation for the period of time for which the water rate reduction is granted; and, if there has been any change, the consumer shall immediately report that fact to the City Clerk.~~

Section 3. Appendix A of the Rifle Municipal Code referencing Sections 13-1-380 and 13-3-510 is hereby amended to read as follows, deleting the ~~strike through language~~:

13-1-380	Water rates Standard water service fees for users within corporate city limits: All classes of water users located within the corporate City limits shall pay the following monthly water service fees:	

	Variable rates/other fees	
	Senior citizen/ disabled (in City only)	80% applicable in-City rate(Subject to flat fee at discounted rate)

13-3-510	Sewer Rates	

	Senior citizen/ disabled (in-City only)	80% of applicable in-City rate (Subject to flat fee at discounted rate)

INTRODUCED on March 5, 2014, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on March 19, 2014, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2014.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk