

**TOWN OF LYONS,
COLORADO**

ORDINANCE 1044

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO, AMENDING SECTIONS OF
CHAPTER 13 OF THE TOWN MUNICIPAL CODE REGARDING THE CHARGING OF
INTEREST ON ALL DELINQUENT UTILITY ACCOUNTS**

WHEREAS, Pursuant to Article XXV of the Colorado Constitution, the Town of Lyons Board of Trustees ("Board") has the authority to establish and operate municipal utilities serving the Town of Lyons ("Town") and pass rates, rules, and regulations governing the operation of those municipal utilities; and

WHEREAS, the Town previously adopted regulations regarding the collection of interest on delinquent utility accounts; and

WHEREAS, a numerical error was discovered by the Town in Section 13-1-180; and

WHEREAS, the Board desires to amend Section 13-1-180 to amend the numerical error.

**THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN
OF LYONS, THAT:**

Section 1. Section 13-1-180 of the Lyons Municipal Code, titled "Interest on all delinquent accounts", is hereby amended to read in full as follows:

Sec. 13-1-180. - Interest on all delinquent accounts.

All fees, rates, penalties, and other charges imposed pursuant to this Chapter that remain delinquent for a period of more than thirty (30) days shall be subject to and shall be assessed interest at a rate of six hundred sixty-six thousandth of a percent (.666%) per month (eight percent [8%] per annum) on all outstanding principal and interest owing. The Town Administrator shall have the authority to waive, release or reduce the amount assessed for interest where the Town Administrator finds that such action will permit or facilitate the payment or collection of a delinquent account.

Section 2. **Severability.** Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 3. **Repeal.** Any and all ordinances, resolutions, or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance, resolution, or code or part thereof shall not revive any other section or part of any ordinance, resolution, or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 4. Codification of Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Section 1 of this Ordinance within the Lyons Municipal Code.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS 17th DAY OF OCTOBER 2018.

INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 1st DAY OF OCTOBER 2018.

TOWN OF LYONS, COLORADO


Connie Sullivan, Mayor

ATTEST:

