

# RESOLUTION 2018-03

SUBJ: AMENDMENT TO THE FOREST LAKES METROPOLITAN DISTRICT RULES AND REGULATIONS  
RE: DISTRICT'S POWER TO COMPEL CONNECTION

A RESOLUTION REVISING THE RULES AND REGULATIONS FOR THE FOREST LAKES METROPOLITAN DISTRICT, COLORADO.

**WHEREAS**, the Board of Directors of the Forest Lakes Metropolitan District has the authority to adopt resolutions necessary for the governing and management of the District, for the execution of the powers vested in the District and for carrying into effect the provisions of Article I of Title 32, Colorado Revised Statutes, as amended to promote the health, safety, prosperity, security and general welfare of the inhabitants of the Forest Lakes Metropolitan District and of the people of the State of Colorado, and;

**WHEREAS**, the Forest Lakes Metropolitan District Board of Directors has determined that the current language in the rules and regulations regarding the District's ownership and operation of facilities is inadequate to meet current and future needs, and;

**WHEREAS**, the Forest Lakes Metropolitan District Board of Directors has determined that a revision to the rules and regulations is required to meet current and future needs, and;

**WHEREAS**, the Forest Lakes Metropolitan District Manager has recommended a revision to the District's ownership and operation of facilities language in the rules and regulations to rectify said inadequacies, and;

**WHEREAS**, the Forest Lakes Metropolitan District Board of Directors agree that such a revision is necessary, is fair, is equitable and is in the best interest of the residents and property owners of the Forest Lakes Metropolitan District, Colorado.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FOREST LAKES METROPOLITAN DISTRICT, COLORADO:**

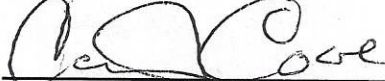
That the following revisions are hereby made and shall become effective with the adoption of this resolution and shall supersede and/or replace previous versions in their entirety:

- 4.1.6. **DISTRICT'S POWER TO COMPEL CONNECTION:** Unless otherwise agreed to by the Board, the owner(s) of any house, building, improvement or property used for human occupancy, employment, recreation or other purposes situated within the District where the District's water supply and central sewer service is available shall be required at the owner(s) expense to install suitable water and wastewater facilities therein and to make application for and to connect such facilities directly with the District's public water and wastewater systems for the protection of the health, safety and welfare of the inhabitants and visitors of the District in accordance with the provisions of these Rules and Regulations, within 20 days after written notice is sent to do so, provided that the public water or wastewater main is within 400 feet of the owner's property line. Where a public sewer or sewer main is not available, the sewer shall be connected to a private sewage disposal system complying with the provisions of these regulations and the rules and requirements of San Juan Basin Health Department. If such connection is not commenced within such period and completed with reasonable diligence by the owner, the District may hereupon make such connection, and the owner shall be liable for all expenses incurred by the District for the completion of the connection, including any legal fees, installation costs, or unpaid connection fees. The District shall also have a first and prior perpetual lien on the premises for such costs and fees, and such lien shall be enforceable in accordance with the provisions of CRS 32-1-1006(1)(a).

INTRODUCED AND ADOPTED THIS 10<sup>TH</sup> DAY OF APRIL 2018

(SEAL)  
ATTEST:

  
Selina Gallero, Secretary to the Board

  
Casey J. Cook, President  
FLMD Board of Directors