

**CITY OF ENGLEWOOD**

**NOTICE OF APPROVAL  
OF A BILL FOR AN ORDINANCE**

On the 21st day of October 2024, the City Council of the City of Englewood, Colorado, approved on first reading the following Council Bill:

**BY AUTHORITY  
COUNCIL BILL NO.50  
INTRODUCED BY  
COUNCIL MEMBER  
ANDERSON**

A BILL FOR AN ORDINANCE  
ESTABLISHING STORMWATER  
UTILITY AND ENTERPRISE FUND  
USER FEES IN ACCORDANCE WITH  
TITLE 12, CHAPTER 5, SECTION 4,  
SUBSECTION E, OF THE  
ENGLEWOOD MUNICIPAL CODE  
2000.

Copies of the aforesaid council bill are available for public inspection in the office of the City Clerk, City of Englewood, Civic Center, 1000 Englewood Parkway, Englewood, Colorado 80110 or it can be found at <http://www.engagewoodco.gov>, Government, Legal/Public Notices.

PUBLISHED OCTOBER 23, 2024  
Official Website of the City of  
Englewood, Colorado

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 2024

COUNCIL BILL NO. 50  
INTRODUCED BY COUNCIL  
MEMBER

**A BILL FOR**

**AN ORDINANCE ESTABLISHING STORMWATER UTILITY AND ENTERPRISE FUND USER FEES IN ACCORDANCE WITH TITLE 12, CHAPTER 5, SECTION 4, SUBSECTION E, OF THE ENGLEWOOD MUNICIPAL CODE 2000.**

**WHEREAS**, Title 12, Chapter 5 of the Englewood Municipal Code provides for the collection of a storm drainage service charge for those purposes set forth within Section 4(B); and

**WHEREAS**, Title 12, Chapter 5, Section 4, Subsection E of the Englewood Municipal Code authorizes the Englewood City Council to establish stormwater utility and enterprise fund charges for storm drainage services through ordinance, with such charges incorporated into the City’s Rate and Fee Schedule; and

**WHEREAS**, Title 12, Chapter 5, Section 8 of the Englewood Municipal Code reminds all property owners that floods from stormwater runoff may occasionally occur which exceed the capacity of stormwater facilities constructed and maintained by funds made available under that Chapter, that property liable for the fees and charges established by that Chapter will not always be free from flooding or flood damage, and that Chapter does not purport to reduce the need or the necessity for the owner obtaining flood insurance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:**

**Section 1.** The City Council of the City of Englewood, Colorado hereby authorizes the adoption of the following stormwater utility and enterprise fund fees in accordance with Title 12, Chapter 5, Section 4, Subsection E of the Englewood Municipal Code 2000 to become effective January 1, 2025:

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| <b>MONTHLY<br/>STORMWATER<br/>FEE</b>  |
| Residential = \$21.66 monthly  |
| Commercial = \$0. 018 per square foot of impervious surface or \$21.66 monthly, whichever is greater |

**Section 2. General Provisions Applicable to this Ordinance**

The following general provisions and findings are applicable to the interpretation and application of this Ordinance:

**A. Severability.** If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

**B. Inconsistent Ordinances.** All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**C. Effect of repeal or modification.** The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**D. Safety Clauses.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. This Safety Clause is not intended to affect a Citizen right to challenge this Ordinance through referendum pursuant to City of Englewood Charter 47.

**E. Publication.** Publication of this Ordinance may be in the City's official newspaper, the City's official website, or both. Publication shall be effective upon the first publication by either authorized method.

**F. Actions Authorized to Effectuate this Ordinance.** The Mayor is hereby authorized and directed to execute all documents necessary to effectuate the approval authorized by this Ordinance, and the City Clerk is hereby authorized and directed to attest to such execution by the Mayor where necessary. In the absence of the Mayor, the Mayor Pro Tem is hereby authorized to execute the above-referenced documents. The execution of any documents by said officials shall be conclusive evidence of the approval by the City of such documents in accordance with the terms thereof and this Ordinance. City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance.

**G. Enforcement.** To the extent this ordinance establishes a required or prohibited action punishable by law, unless otherwise specifically provided in Englewood Municipal Code or applicable law, violations shall be subject to the General Penalty provisions contained within EMC § 1-4-1.