



Legislation Details (With Text)

File #: ID-281-22 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 7/27/2022 **In control:** City Council
On agenda: 8/16/2022 **Final action:**
Title: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLE 13-6 OF THE BRIGHTON MUNICIPAL CODE TO CLARIFY THE APPROPRIATION OF GROUNDWATER BY THE CITY WHEN ANNEXING LAND TO THE CITY (FINAL READING)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Revised Ordinance for Groundwater Appropriation

Date	Ver.	Action By	Action	Result
8/16/2022	1	City Council		
8/2/2022	1	City Council		

Department of Utilities

Reference: [Update to Municipal Code Article 13-6 Regarding Groundwater](#)

To: Mayor Gregory Mills and Members of City Council

Through: Michael Martinez, City Manager

Prepared By: Alicia Calderón, City Attorney

Marc Johns, Acting Utility Director

Date Prepared: July 27, 2022

PURPOSE

To update the municipal code and correct errors in a citation to a state statute and to clarify that upon annexation all groundwater under the annexed property can be used by the City of Brighton.

STRATEGIC FOCUS AREA

Innovative, Data-Driven, Results-Focused City Government
Supportive, Sustainable Infrastructure

BACKGROUND

Upon reviewing Article 13-6 in the Brighton Municipal Code ("Code"), it came to our attention that the language in annexation agreements referenced the appropriation of groundwater pursuant to the Code but the Code itself only addressed the boundaries of the City prior to 1985. Additionally, a state statute was incorrectly cited. This ordinance ratifies annexation of development agreements after 1985 that acknowledged the City would be appropriating groundwater upon annexing. The ordinance adds a section to clarify that when property annexes to the City, groundwater

is annexed, and it removes the incorrect reference to a state statute.

FINANCIAL IMPACT

None

STAFF RECOMMENDATION

Adoption of this ordinance.

OPTIONS FOR COUNCIL CONSIDERATION

Adopt the Ordinance as written.

Modify the Ordinance.

Deny passage of the Ordinance.

ATTACHMENTS

Ordinance