

ORDINANCE NO. 2503
INTRODUCED BY: Green

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTIONS OF ARTICLE 13-4 OF THE BRIGHTON MUNICIPAL CODE REGARDING WATER DEDICATION AND SERVICE OUTSIDE OF THE CITY, AND SECTION 13-12-55 REGARDING WASTEWATER SERVICE OUTSIDE OF THE CITY

WHEREAS, pursuant to Section 14.1 of the *City of Brighton Home Rule Charter*, authority is granted to the City Council over matters pertaining to City-owned utilities, including water rights and acquisition thereof; and

WHEREAS, the City engaged its water engineer to perform a review of water use data to determine whether water dedication requirements are appropriate based on consumption trends; and

WHEREAS, based on consumption trends, the water engineer recommends lowering the water dedication amounts for higher density single-family residential dwellings, as set forth herein; and

WHEREAS, the City Council desires to require that any future extraterritorial water and wastewater service be subject to review and approval by the City Manager; and

WHEREAS, the City Council finds it is in the best interests of the City of Brighton and its residents to amend the *Brighton Municipal Code* to adjust water dedication requirements and clarify extraterritorial service requirements.

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

Section 1. Section 13-4-10(c) is hereby amended as follows:

(c) The water rights dedication or fee-in-lieu amount for single-family detached dwellings shall be assessed in accordance with the schedule of fees, rates, and charges as adopted by the annual fee resolution, ordinance, or otherwise. The water dedication amount shall be assessed as follows:

Units/Acre	Acre-Feet/Unit Dedication Amount Required for Changed Water	Acre-Feet/Unit Dedication Amount Required for Unchanged Water
0 to 3	0.58	0.64
>3 to 4	0.56	0.62
>4 to 5	0.47	0.52
>5 to 6	0.46	0.51
>6 to 7	0.42	0.46
>7 to 8	0.40	0.44
>8 to 9	0.35	0.39
>9 to 10	0.33	0.36
>10 to 11	0.28	0.31
>11 to 12	0.28	0.31
>12 to 13	0.25	0.28
>13 to 14	0.22	0.24
>14 to 15	0.22	0.24
>15 to 16	0.20	0.22
>16 to 17	0.19	0.21
>17 to 18	0.19	0.21
>18	0.17	0.19

Section 2. Section 13-4-140 is hereby amended as follows:

Sec. 13-4-140. Service outside the City.

Any existing water service outside the City limits is hereby approved. Monthly water rates for existing service shall be one and one-half times (1.5x) the rate for service within the City. No new service outside the City limits will be provided without a written agreement approved and executed by the City Manager. New service may be denied if the provision of such service would constitute an undue burden on the City. The written agreement will be subject to the following conditions:

- (1) Payment of any fees or other charges or water dedication shall be required that would normally be charged or required for property to be provided water service within the City.
- (2) The agreement may require that the property owner submit a petition for annexation at such time as the served property becomes eligible for annexation to the City in accordance with Colorado law.
- (3) The City Manager may impose additional conditions as deemed necessary and/or appropriate.

- (4) All conditions and obligations imposed by the City for water service shall be binding on future property owners, successors, and assigns, and shall be recorded with the Clerk and Recorder, at property owner's expense.

Section 3. Section 13-12-55 is hereby amended as follows:

Sec. 13-12-55. Service outside the City.

Any existing wastewater service outside the municipal boundaries shall pay one and one-half times (1.5x) the rate for service within the City. No new service outside the City limits will be provided without a written agreement approved and executed by the City Manager. New service may be denied if the provision of such service would constitute an undue burden on the City. The written agreement will be subject to the following conditions:

- (1) Payment of any fees or other charges shall be required that would normally be charged or required for property to be provided wastewater service within the City.
- (2) The agreement may require that the property owner submit a petition for annexation at such time as the served property becomes eligible for annexation to the City in accordance with Colorado law.
- (3) The City Manager may impose additional conditions as it deems necessary and/or appropriate.
- (4) All conditions and obligations imposed by the City for wastewater service shall be binding on future property owners, successors, and assigns, and shall be recorded with the Clerk and Recorder at property owner's expense.

Section 4. All sections, subsections, and definitions of Article 13 not expressly amended or modified herein remain in full force and effect.

Section 5. As provided by City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published full as it was adopted prior to taking final action. This Ordinance shall be in full force and effect five days after final publication, as provided in City Charter Section 5.8., except as set forth herein.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 17th DAY OF MARCH 2026.

INTRODUCED, PASSED ON FINAL READING AND ORDERED PUBLISHED THIS 7th DAY OF APRIL 2026.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney