

ASPEN WATER DEPARTMENT – CHANGE ORDER ON PROJECT WITH PREVIOUSLY ISSUED UCP
427 RIO GRANDE PLACE, ASPEN, CO 81611

Utility Connection Review Permit (UCP) Number: _____ Master/Primary Building Permit Number: _____

UTILITY CONNECTION PERMIT AND WATER SERVICE AGREEMENT (form 20170617)

PROJECT OR BUILDING	UCP PERMIT ISSUANCE DATE	TAP DATE	
OWNER OF SUBJECT PROPERTY ("Property Owner")	MAILING ADDRESS		
PROPERTY ADDRESS	LOT	BLOCK	SUBDIVISION
ACCOUNT NUMBER	PARCEL ID NUMBER	# OF METERS	SERVICE AREA

Subject property located in City Boundaries?
Size of fire line:

Irrigated Area Sq Ft:
Size of domestic line:

New Tap?

COMPUTATION OF CHARGE	Detail	Total
UTILITY INVESTMENT CHARGE		
PAYMENT IN LIEU OF WATER RIGHTS PER ECU		
WELL DEVELOPMENT CHARGES PER ECU		
Total connection charge due:		

City of Aspen CSI Reviewer: (print name) _____ (sign) _____ (date) _____

We, the undersigned owner(s) of the subject property and our representatives, confirm and attest that all of the following is true:

1. Water service from the City of Aspen to the subject property is provided via a non-single family residential (non-SFR) connection and is therefore not subject to the 4.00 maximum ECU-rating limitation provided for in City of Aspen Municipal Code Section 25.08.090.16(d); Or, if water service to the subject property is provided via an SFR connection, the fixture count proposed in this Change Order is no greater than 3.75 ECUs, including all ECUs required for irrigation, and/or is at no risk of violating Section 25.08.090.16(d).
2. A Review UCP for the project and subject property has already been executed, and the property owner wishes to forego additional Engineering-Water, Utilities, and/or WELS Reviews on this Change Order and settle any Fees and Charges or Credits Due at Final Inspection.
3. Any fixtures that increase the ECU rating currently shown on the account's Utility Bill—including those for irrigation—discovered at Final Inspection or otherwise shall be subject to the assessment of Utility Investment Charges (aka tap fees) according to rates described in City of Aspen Municipal Code or will be removed.
4. Any fixtures/ECUs in excess of the current ECU rating on the subject account are subject to assessment of appropriate Utility Investment Charges whether those fixtures/ECUs were added as part of the currently proposed project or were otherwise not accounted for/assessed in previous fixture counts/Utility Connection Permits.
5. We have read the Standard Additional Terms and Conditions of City of Aspen Potable Water Service attached to this Affidavit as Addendum A and agree to abide by the terms and conditions set forth therein and further acknowledge that these are binding as conditions of approval. Failure to comply with these terms and conditions may result in penalties, fines, or other legal remedies as authorized by law.
6. To the extent the City determines, either during inspections or otherwise, that the subject property or utility account has a Single Family Residential (SFR) connection and that the fixture count/ECU rating on the account exceeds 4.0 ECU's, said property owner or account holder may be subject to fines, fees, penalties, and fixture removal pursuant to Title 25 of the City of Aspen Municipal Code.

Compliance with all applicable local building, energy, and municipal codes and standards is required and will be field verified at inspection. By waiving a traditional permit review the applicant and owner accept full responsibility for code compliance and understand that any noncompliant work discovered at inspection will need to be corrected. Misrepresentation of project scope or failure to correct noncompliant installation shall be cause for progressive code enforcement.

PROPERTY OWNER (SIGNATURE MUST BE NOTARIZED):

PROPERTY OWNER (PRINT): _____ SIGNATURE: _____

NOTARY PUBLIC:

Subscribed and sworn to before me this _____ day of _____, 20____, by _____ (Owner Signature)

_____ (Notary Public Signature) My commission expires: _____.

ATTACHMENT A

TO UTILITY CONNECTION AGREEMENT: ADDITIONAL TERMS AND CONDITIONS OF CITY OF ASPEN WATER SERVICE

1. Connection to City Water System. City water service will be connected to the Subject Property in accordance with all requirements and procedures of the Aspen Municipal Code and Aspen Water Department, including but not limited to all applicable standards and specifications for materials and meters, and all required Water Department inspections.
2. Payment for Water Service. Water use charges will be billed on a monthly basis from date of tap unless the Property Owner has received the Water Department's written permission to have the curb valve closed. Should the curb valve be found open without Water Department permission, water charges will be billed back to the date of tap. If the Subject Property is not occupied and construction is being undertaken on the Subject Property, the account for the Subject Property will be billed at a construction rate for nine months from the date the tap is made. At the end of such nine-month period, the higher flat rate will be assessed until a water meter has been installed and passes inspection and the Certificate of Occupancy is issued. Upon issuance of the Certificate of Occupancy, the account will then be billed at the City's water service rates applicable to the Subject Property, as such rates may be changed from time to time.
3. Utility Investment Charge. Utility Investment Charge (Tap Fees) based on water using fixtures will be calculated initially based on the attached worksheet and are subject to revision upon survey of the fixtures in the completed structure. Within 60 days of final survey, Property Owner shall pay any increase in Utility Investment Fees required by the survey, or the City shall refund any overpayment made prior to the final survey. ADDITIONAL WATER-USING FACILITIES INSTALLED FOLLOWING THE FINAL SURVEY SHALL BE REPORTED TO THE WATER DEPARTMENT AND ARE SUBJECT TO ADDITIONAL UTILITY INVESTMENT CHARGES AS DETERMINED BY THE WATER DEPARTMENT.
4. Landscaping. The total amount of irrigated lawns and gardens authorized by this Utility Connection Permit will be determined by the final ECU survey. Irrigation in excess of the amount allowed by this Utility Connection Permit will require Water Department approval, amendment of this permit and additional connection charges. If outdoor irrigation is permitted by this Utility Connection Permit, and if the Subject Property is subject to the City of Aspen Water Efficient Landscaping Standards (or the pilot project for such standards) ["Aspen Landscaping Standards"], all landscaping will be designed, installed and maintained in accordance with, and subject to the requirements of the Aspen Landscaping Standards.
5. No Independent Water Systems. Aspen shall be the sole provider of all treated and untreated water service to the Subject Property for all purposes, including irrigation. Without Aspen's prior written permission, there shall be no use on the Subject Property of raw or treated water from wells, ditches or other sources. The owner of the Subject Property will not develop, allow, or utilize an independent treated or untreated water system, or any wells within or serving the Subject Property.
6. Abandonment of Existing Wells and Use of Wells. Prior to issuance of a Certificate of Occupancy, the Property Owner shall have all wells located on the Subject Property properly plugged, sealed, and abandoned as required by the rules and regulations (including any amendments or revisions thereof) of the Colorado State Engineer for abandonment of wells. If any well serves the Subject Property but is not owned by Property Owner, or is not located on the Subject Property, or serves properties in addition to the Subject Project, Property Owner shall permanently disconnect well service to the Subject Property from such well. A certificate of well abandonment or evidence of permanent disconnection, as the case may be, shall be provided to Aspen prior to issuance of the Certificate of Occupancy. Property Owner will record the Certificate of Abandonment and provide a copy of the recorded Certificate to Aspen within 90 days of abandonment.
7. Well Permits and Water Rights Associated with Wells. Well permits and any decrees for exempt wells associated with any wells located on the Subject Property shall be cancelled. Water rights decreed to wells on or serving the Subject Property, other than decrees for exempt wells located on the Subject Property, shall be assigned or conveyed to Aspen, or relinquished by the Property Owner, at Aspen's discretion. The Property Owner shall relinquish any water rights to wells shared with others, which serve the Subject Property. Such transfers, or relinquishments shall be completed before a Certificate of Occupancy is issued.
8. Water Rights or Payment in Lieu of Water Rights; Annexation. If the Subject Property is considered an extraterritorial connection as defined in Section 25.12.020(b) of the Aspen Municipal Code, or any amendment or revision thereof, the Property Owner must, as a condition of receiving Aspen water service (a) either convey water rights acceptable to Aspen or make a payment in lieu thereof as provided in the Aspen Municipal Code, and (b) agree to annex the Subject Property to the City of Aspen when requested by Aspen to do so. Property Owner acknowledges and agrees that the Subject Property will be annexed to the City of Aspen at such time as Aspen requests annexation and Property Owner will pay all costs associated with such annexation.
9. Well System Development Fee. A well system development fee will be assessed if applicable and must be paid upon issuance of this Utility Connection Permit.
10. Abandonment of Existing Taps, Lines and Meters. All existing Aspen water taps to the Subject Property that are to be abandoned must be physically severed from the City water system, and all service lines and meters to be abandoned must be disconnected in accordance with Water Department procedures. Property Owner shall contact the Aspen Water Department to schedule Water Department inspection of all taps, service lines, and meter installations, as well as all abandoned wells on the Subject Property, prior to receiving City water service under this Utility Connection Permit.
11. Subject to Laws, City Charter, and Code. The water service provided pursuant to this Utility Connection Permit is subject to, and the Property Owner, Subject Property, and all occupants thereof, are bound by, all applicable state and federal laws, and all applicable provisions of the Charter of the City of Aspen, the Aspen Municipal Code, and all applicable rules, regulations, policies and ordinances of the City of Aspen now in effect or as may hereafter be adopted.
12. Binding Effect and Enforcement. The terms and conditions of this Utility Connection Permit and Agreement shall be binding upon the Applicant and their successors and assigns, and any sale of the subject property or any portion thereof shall be subject to the terms and conditions of this Utility Connection Permit and Agreement. Pursuant to Chapter 25.12 of the City's Municipal Code, it shall be unlawful to make any connection to any main of the water utility or for any unauthorized person to connect to the water utility or to add a water demand factor or fixture or to change service contrary to the provisions of a Utility Connection Permit.
13. Authorization. By signing this Utility Connection Permit and Water Service Agreement, Property Owner represents to Aspen he/she/it is the owner of the Subject Property and that all procedures necessary to validly contract and execute this Utility Connection Permit have been performed, and that the person signing for Property Owner is duly authorized to do so.