

DILLON VALLEY DISTRICT

Resolution Adopting Definitions and Rates for Secondary Living Units.

The Silverthorne/Dillon Joint Sewer Authority EQR Schedule is adopted for Dillon Valley District, with the following clarification of the definition of a secondary living unit:

1. A dwelling structure will be subject to tap and service fees based on multi-family residential unit rates if it contains a "secondary living unit".

2. A "secondary living unit" exists wherever a structure contains secondary living quarters containing at least kitchen (facilities for cooking, refrigerating, and dishwashing), bathroom, and sleeping facilities, which are either (a) physically separated from the primary living quarters in the structure, or (b) are actually rented to a party or parties not residing in the primary living quarters.

3. "Physically separated" means both of the following must be present:

- (a) The secondary living quarters have an entrance to the garage or the exterior of the structure which is not shared by the primary living quarters; and
- (b) The secondary living quarters are separated from the primary living quarters by a combination of floors, walls, and doors.

If access from the primary to the secondary living quarters can be had without passing through a doorway, then the living quarters are not physically separated. If the primary and secondary living quarters are separated by a doorway, it makes no difference whether the door is lockable or not, or whether there is a door installed in the doorway.

4. A "doorway" is an opening between two different parts of a structure that is built for installation of a door. A door may be wood, metal, fabric, or any other material, and is designed to fill the doorway.

5. No change in a customer's equipment, service, or use of the property served shall be made without the prior notification of and approval of the District. Any such change which will change the customer's EQR rating shall require payment by the customer of any additional tap fee and monthly service charge resulting from the change effective the first day of the billing period following the change. In no event shall the District be

obligated, as a result of a reduction in the EQR rating, to refund tap fees already due or paid the District.

6. Any customer who the District determines has been the subject of a change in EQR rating shall be notified of the District's intent to assess additional tap or service fee, and shall be given sixty days after mailing the notice in which to demonstrate to the District that the change has not occurred. The decision of the Board of Directors shall be final as to the determination of EQR rating.

7. Any customer who is assessed additional tap fees on July 1, 1990, as a result of the audit of the District's customers shall have the right to pay the tap fee in either one lump sum or in six equal installments over six quarterly billing periods, starting third quarter 1990.

Adopted Thursday, June 28, 1990.

  
Charles E. Koran, President

  
Marvin J. Flom, Secretary

11566-1\slu.6p