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## ORDINANCE NO. 92

### AN ORDINANCE ADOPTING WATER CONSERVATION MEASURES AND RESTRICTIONS, WITH PROVISIONS FOR STAGED RESPONSES AND FOR FINES FOR VIOLATIONS, IN THE TOWN OF HILLROSE, COLORADO

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HILLROSE, COLORADO:

WHEREAS, Ordinances 89 and 90 were previously adopted authorizing water conservation measures and restrictions, with provisions for staged responses and for fines for violations; and

WHEREAS, due to continued existing drought conditions throughout the State of Colorado, the water supply quota to the Town may be curtailed in the future by the State Engineer which would result in limitations on the availability of groundwater to the Town; and

WHEREAS, greater water conservation measures may be required in the future in order to conserve available supplies; and

WHEREAS, the Town's water supply serves as an essential resource for the health and safety of the citizens, local fire protection, residential and commercial landscaping support, and is a critical link in economic development for the community; and

WHEREAS, the Board of Trustees finds and determines that specific water conservation measures and strategies, including staged responses to differing conditions, must be adopted at this time to ensure an adequate municipal water supply in the future.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HILLROSE, COLORADO:

#### RESTRICTIONS ON OUTSIDE USE OF WATER

1. It shall be unlawful and an offense for any person to allow municipally supplied water for outside sprinkling or irrigation or other outside uses at hours and days other than permitted by the provisions of this ordinance as then in effect as provided by resolution of the Board.
2. Any person who violates the restrictions imposed by this section shall be punished by a fine of not less than \$50.00 but no more than \$300.00 dollars for each offense. Fines shall be progressive for repeat offenders with a prior conviction or convictions.
3. By resolution passed from time to time, the Board may declare a response to the then existing conditions concerning water supplies and implement one of the following staged responses:

**Stage 0:** No restrictions on outside watering, whether by hose or some other form of sprinkler system, are needed. Stage 0 is in effect unless another stage is specifically implemented.

**Stage 1:** Grass, turf, or lawn watering, whether by hose or some form of sprinkler system, is limited to the following schedule:

All premises, residential, commercial, and public buildings located North of the centerline of Charles Street (North side) shall water on odd numbered days only;

All premises, residential, commercial, and public buildings located South of the centerline of Charles Street (South side) shall water on even numbered days only;

No premises, residential, commercial, or public buildings, shall water on the 31st day of any month.

Total grass, turf, or lawn watering time for each premises shall be limited to 3 hours each watering day and must occur before 9 a.m. or after 6 p.m. on the designated watering days. Drip irrigation systems, bubblers, or soaker hoses may be used for up to 1 hour for each area on the same days and hours designated for grass, turf, and/or lawn watering.

Trees, shrubs, perennials, and vegetable gardens may be watered by hand or through a drip irrigation system in accordance with the Stage 1 schedule and shall be limited to a total of 1 hour each watering day.

**Stage 2:** Grass, turf, or lawn watering, whether by hose or some form of sprinkler system, is limited to 2 days per week in accordance with the following schedule:

All premises, residential, commercial, and public buildings located North of the centerline of Charles Street (North side) shall water on Wednesdays and Saturdays only;

All premises, residential, commercial, and public buildings located South of the centerline of Charles Street (South side) shall water on Thursdays and Sundays only.

Total grass, turf, or lawn watering time for each premises shall be limited to 3 hours each watering day and must occur before 9 a.m. or after 6 p.m. on the designated watering days. Drip irrigation systems, bubblers, or soaker hoses may be used for up to 1 hour for each area on the same days and hours designated for grass, turf, and/or lawn watering.

Other restrictions: Outdoor fountains and pools shall not be filled. Personal vehicles may be washed only on the watering day designated for the address of the registered owner. The washing of sidewalks, driveways, patios, or similar landscapes with water is prohibited, unless required by public health regulations. Restaurants may serve water only upon request. The repair of a leaking irrigation system shall be completed within 1 hour of the discovery of the leak.

Trees, shrubs, perennials, and vegetable gardens may be watered by hand or through a drip irrigation system only 2 days per week in accordance with the Stage 2 schedule and shall be limited to a total of 1 hour each watering day.

**Stage 3:** Grass, turf, or lawn watering, whether by hose or some form of sprinkler system, is limited to one day per week in accordance with the following schedule:

All premises, residential, commercial, and public buildings located North of the centerline of Charles Street (North side) shall water only on Saturdays;

All premises, residential, commercial, and public buildings located South of the centerline of Charles Street (South side) shall water only on Sundays.

Total grass, turf, or lawn watering time for each premises shall be limited to 3 hours each watering day and must occur before 9 a.m. or after 6 p.m. on the designated watering days. Drip irrigation systems, bubblers, or soaker hoses may be used for up to 1 hour for each area on the same days and hours designated for grass, turf, and/or lawn watering.

Other restrictions: Outdoor fountains and pools shall not be filled. Personal vehicles may be washed only on the watering day designated for the address of the registered owner. The washing of sidewalks, driveways, patios, or similar landscapes with water is prohibited, unless required by public health regulations. Restaurants may serve water only upon request. The repair of a leaking irrigation system shall be completed within 1 hour of the discovery of the leak.

Trees, shrubs, perennials, and vegetable gardens may be watered by hand or through a drip irrigation system only 2 days per week in accordance with the Stage 2 schedule and shall be limited to a total of 1 hour each watering day.

**Stage 4:** No watering of grass, turf, or lawn shall occur.

Other restrictions: Outdoor fountains and pools shall not be filled. Personal vehicles may be washed only on the watering day designated for the address of the registered owner. The washing of sidewalks, driveways, patios, or similar landscapes with water is prohibited, unless required by public health regulations. Restaurants may serve water only upon request. The repair of a leaking irrigation system shall be completed within 1 hour of the discovery of the leak.

Trees, shrubs, perennials, and vegetable gardens may be watered by hand or through a drip irrigation system only 2 days per week in accordance with the Stage 2 schedule and time restrictions. Hand watering means holding a hose in hand or using a watering can; it does not include any form of sprinkling. Other restrictions shall be the same as Stage 2.


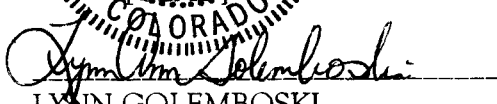
**Stage 5:** No outside use of water for any purpose is permitted.


4. A non-renewable special exemption permit to use municipally supplied water to sprinkle newly seeded or newly sodded grass lawns for one hour each day before 9:00 a.m. or after 6:00 p.m. for twenty (20) consecutive days may be issued by the Town Clerk only in the Stage 1 and Stage 2 conditions. A fee of \$25.00 for residential and \$50.00 for commercial shall be charged for such a permit to reimburse the Town for its expenses in issuing such permit.

5. Publicly or privately owned buildings and grounds, parks or other large sites shall be exempt from the watering restrictions imposed under Stage 1, 2 and 3, provided that appropriate watering restrictions are adopted for such properties by the owners thereof. Such restrictions may be more or less restrictive than those in effect under section 3 hereof and shall be approved in advance by the Town Clerk, and without such express approval, such sites should be limited to such outside use of water as provided for the stage then in effect.
6. Warnings to persons found to be in violation of this ordinance may be issued by a law enforcement officer, a code enforcement officer or other persons employed by the Town. At least one warning shall be issued to a specific property address before a summons and complaint is issued. A summons and complaint shall only be issued by a law enforcement officer or a code enforcement officer.
7. If there are continuing violations of any of the provisions of this ordinance, in addition to the fines provided for in such cases, the Town Clerk may order that a flow restrictor be installed on the water supply line to the property or that water service to the property be discontinued as provided in Ordinance No. 53. Once service is restricted or discontinued, it shall not be fully restored except by order of the Town Clerk, after payment of the actual expenses or costs for such restriction or discontinuance and resumption of service, and upon compliance with such terms and conditions as shall be necessary to assure that there will be no further cause for complaint against the offending consumer.
8. Ordinance 89 and Ordinance 90 are hereby repealed.

The Board of Trustees finds that this ordinance is necessary to the immediate preservation of the public health or safety in the Town of Hillrose, Colorado. Therefore, this Ordinance shall take effect upon adoption.


INTRODUCED, READ, ADOPTED, APPROVED, PASSED, AND ORDERED PUBLISHED BY TITLE ONLY by the Board of Trustees of the Town of Hillrose, Colorado, on April 26, 2004.

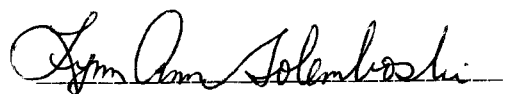
  
  
LYNN GOLEMBOSKI  
Town Clerk

  
DONALD I. DEWEY  
Mayor  
Town of Hillrose

### CERTIFICATION

I, Lynn Golemboski, Town Clerk of the Town of Hillrose, Colorado, hereby certify and attest that the foregoing Ordinance No. 92 was introduced, read, adopted, and ordered published by title only at a regular meeting of the Board of Trustees of the Town of Hillrose, Colorado on the 26th day of April, 2004. This Ordinance was published in The Brush News-Tribune on April 28, 2004.

DATED: April 26, 2004.  
[ SEAL ]  


  
LYNN GOLEMBOSKI  
Town Clerk

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DONALD I. DEWEY  
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