

RESOLUTION NO. 841-20

A RESOLUTION IMPOSING MANDATORY WATER RESTRICTIONS

WHEREAS, two wells within the Town's water system recently experienced mechanical failures, which the Town is working diligently to repair; and

WHEREAS, minimal precipitation and warm temperatures this year have created drought conditions across the State of Colorado; and

WHEREAS, these drought conditions have resulted in higher water consumption within the Town and increased demand on the Town's water system; and

WHEREAS, the Board of Trustees finds that, in order to alleviate pressure on the Town's water system and to protect available and future water supply, it is necessary to adopt mandatory water restrictions as set forth herein; and

WHEREAS, Bennett Municipal Code (B.M.C.) § 13-3-410 authorizes the Board of Trustees to adopt a resolution limiting the days and hours of outdoor watering and otherwise limiting the use of water within the Town; and

WHEREAS, pursuant to B.M.C. § 13-3-440, any person who violates the terms of this resolution may be subject to a fine as set forth in Section 4 of this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BENNETT, COLORADO:

Section 1. Pursuant to B.M.C. § 13-3-410, the Board of the Trustees of the Town of Bennett hereby imposes the following mandatory water use restrictions, which shall apply to all persons receiving water service from the Town water system.

A. Irrigation of landscaped areas, including residential and commercial lawns, gardens, parks, and rights-of-way and medians, with hose-end sprinklers or automatic irrigation systems shall be limited to the following:

1. Mondays and Thursdays for customers with even number street addresses.
2. Tuesdays and Fridays for customers with odd numbered street addresses.
3. Irrigation of landscaped areas by all customers is prohibited between the hours of 10:00 a.m. and 6:00 p.m. on designated watering days, and shall not exceed four hours total. Hand watering (i.e., watering while holding a hose in your hand) of landscaped areas is permitted on any day, except between the hours of 10:00 a.m. and 6:00 p.m.

B. Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is prohibited except on designated watering days. Vehicle washing is prohibited between the hours of 10:00 a.m. and 6:00 p.m. Such washing shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. The Town finds the public health, safety, and welfare of the public is dependent upon frequent vehicle cleansing of garbage trucks and vehicles used to transport food and perishables; therefore, washing of such vehicles is exempted from the restrictions set forth in this subsection B.

C. The following uses of water are not permitted at any time during the restriction period:

1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. Flushing gutters or permitting water to run or accumulate in any gutter or street; and
4. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Section 2. Upon personal application for a special permit, the Town Clerk or her designee may issue a special permit for daily watering for thirty days for new seed, or twenty-one days for new sod, or for a time determined appropriate for other exceptional requirements. Those exceptions are limited to new landscaping, or those individuals or entities who may have common areas, grounds, or buildings served by a single sprinkler system.

Section 3. The mandatory restrictions shall commence on August 26, 2020 and expire on September 8, 2020; except that the Mayor and Town Administrator may jointly take action to extend the water restrictions for an additional period not to exceed 14 days or may repeal the water restrictions if they determine that circumstances warrant such extension or repeal. By enacting the mandatory water restrictions set forth herein, the Board of Trustee's goal is to ensure that adequate water is available for domestic use and that the Town's water system is able to maintain levels of service to the Town's customers for domestic use. Town staff shall review data and actual water usage, and shall report such usage along with the usage for the same period the previous year to the Board of Trustees, which may take action to extend, modify or repeal the water restrictions set forth herein.

Section 4. Pursuant to B.M.C. § 13-3-440, any person who is found to have violated this resolution may be punished as follows: by a warning for the first violation; a fine of one hundred dollars (\$100.00) for the second violation during the calendar year; two hundred fifty dollars (\$250.00) for the third violation during the calendar year; five hundred dollars

(\$500.00) for the fourth violation during the calendar year; and five hundred dollars (\$500.00) for the fifth violation during the same calendar year. Additionally, for the fifth violation, the Town may install a flow restrictor to limit water to indoor use only. Each day of violation shall constitute a separate offense.

PASSED AND ADOPTED this 25th day of August 2020.

TOWN OF BENNETT, COLORADO



Royce D. Pindell, Mayor

ATTEST:

Christina Hart

Christina Hart, Town Clerk