

**RESOLUTION NO. 2021-04**

**A RESOLUTION OF THE TOWN OF ORCHARD CITY,  
COLORADO, DECLARING CRITICAL WATER SUPPLY  
SHORTAGE BY REASON OF DROUGHT AND SETTING  
MANDATORY WATER CONSERVATION MEASURES.**

**WHEREAS**, the Town of Orchard City's raw water supply is unable to satisfy daily water use demand by reason of drought; and

**WHEREAS**, the Board of Trustees has determined it is in the best interest of all water users to declare a drought and set mandatory water conservation measures; and

**WHEREAS**, it is the purpose of this resolution to regulate water use to promote the conservation of the Town's water resources, prevent waste, ensure adequate and consistent supplies of water for human consumption and fire suppression; and

**WHEREAS**, this resolution shall apply to all water users and properties served by the Town's potable water delivery system, whether located inside or outside the Town's municipal boundary limits.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Trustees of the Town of Orchard City, Colorado that the following mandatory use restriction measures are in place effective May 1, 2021:

**Section 1: Mandatory Use Restrictions**

- A) Any potable water for outdoor use, including but not limited to irrigation or to water any lawn, garden, tree, shrub or other outdoor vegetation must be done before 9:00 a.m. or after 7:00 p.m. on any given day.
- B) No new connections to the municipal water system will be authorized.
- C) Restrictions will not apply to those businesses dependent on potable water for daily operations consistent with their historical usage.

**Section 2: Drought Water Rates**

***Base Fees:*** Remain unchanged.

***First Billing Tier:*** Will be billed at:

- 1.96 per 1,000 gallons for the first 10,000 gallons inside town limits
- 2.28 per 1,000 gallons for the first 5,000 gallons outside town limits
- 1.96 per 1,000 gallons for the first 5,000 right-of-way customers

***Multiple Use Taps:*** for additional 6,000 gallons will be billed at:

- 1.96 per 1,000 gallons for inside town limits
- 2.28 per 1,000 gallons for outside town limits
- 1.96 per 1,000 gallons for right-of-way

**Second Billing Tier:** The next 5,000 gallons will be billed at \$5.00 per 1,000 gallons for all water rates.

**Final Billing Tier:** All additional gallons will be billed at \$25.00 per 1,000 gallons for all water rates.

**Public Water Vending Machine:** \$0.50 per 100 gallons.

**Section 3: Violations and Penalties for Wasting Water**

Whenever a violation of the mandatory use restrictions is observed or has occurred:

- 1) A written notice shall be posted in a conspicuous place on the property where the violation is occurring or has occurred. A letter will be simultaneously sent by certified mail to the person or entity identified in the records of the Town as being the water service customer for the property.
- 2) Said notice shall reasonably describe the violation and order that it be abated, corrected or cured within a twenty-four (24) hour period.
- 3) If the order is not complied with as specified in the notice, water service to the property upon which the violation occurred may be disconnected without further notice.
- 4) The property owner or entity of water service disconnection notice may appeal and seek a hearing concerning the same within ten (10) days.
- 5) The Town Administrator shall promptly schedule a meeting with the water committee on the appeal and a decision shall be rendered.

**Section 4: Termination of Water Conservation Measures**

Mandatory water conservation measures shall be reduced or terminated by the Board of Trustees by written resolution when the water supply shortage has been abated either in a Regular or Special meeting of the Board of Trustees.

**THIS RESOLUTION WAS READ AND ADOPTED** by the Board of Trustees of the Town of Orchard City on this 14th day of April 2021.

---

Ken Volgamore, Mayor

ATTEST:

---

Melissa Oelke, Town Clerk