

ORDINANCE NO. 1166

1977 SERIES

AN ORDINANCE SETTING REGULATIONS AND RESTRICTIONS FOR THE USE OF WATER AND SEWER FOR THE TOWN OF EMPIRE, COLORADO, AND SUPPLEMENTING ORDINANCE NO. 165, PERTAINING TO THE SEWER SYSTEM AND WATER SYSTEM OF THE TOWN OF EMPIRE, COLORADO.

WHEREAS, the Town of Empire, Colorado, as well as the entire Western portion of the United States, are now experiencing a severe drought, which has drastically reduced the supply of water for municipal uses; and,

WHEREAS, the Town of Empire in particular experienced a shortage of water at times during the summer periods over the course of the last several years, and, in particular, in the North end of the Town of Empire, Colorado; and,

WHEREAS, the vast majority of the citizens of the Town of Empire, Colorado, and the areas adjacent to the Denver Metropolitan area that depend upon water supplies and facilities, recognize the severity of the drought, and the inability of the various municipalities to convert their presently owned and controlled supplies of water to potable water for distribution to users, such citizens have previously voluntarily cooperated with requests to restrict the use of water within the Town of Empire, Colorado; but, there continues to be an excessive use of water by certain users for the watering of lawns, gardens and other miscellaneous uses; and,

WHEREAS, the Board of Trustees of the Town of Empire must now institute water measures in a manner which will work the least negative impact upon users served by the Town of Empire, Colorado, and have the least negative impact on the economy

of the community, provide for the health, safety and welfare of the citizens of the Town of Empire, Colorado, and provide for adequate fire protection for the immediate and foreseeable future; and,

WHEREAS, regulations and restrictions for the use of water by hose, or otherwise, are deemed to be critical to the health, safety and welfare of the Town of Empire, Colorado,

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

Section 1. Commencing on the 1st day of July, 1977, and continuing for so long thereafter as water supplies for users are served by the water system of the Town of Empire, Colorado, are, or appear to be, below normal, no longer shall be used for lawn irrigation, gardening, or other purposes outside the residence, apartment building, commercial or other structure, (hereinafter referred to as the "building"), except as follows:

- (a) Those users residing on the North side of United States Highway 40, may use water for lawn irrigation, gardening, or other purposes outside the building on odd-numbered days of each month for a period of time not to exceed three (3) hours.
- (b) Those users residing on the South side of United States Highway 40, may use water for lawn irrigation, gardening, or other purposes outside the building on even-numbered days of each month for a period of time not to exceed three (3) hours.

Section 2. The owner or occupant of the premises shall be responsible for complying with the above conservation measures, and violators of said conservation measures will be subject to the following actions and penalties:

- (a) In the event of a first violation of the premises, the owner and/or occupant will be advised in writing of said violation and a Ten Dollar (\$10.00) charge will be added to the water bill for said premises for the succeeding billing period.
- (b) In the event of a second violation at the same premises, which receives water from the Town of Empire, Colorado, the owner and/or occupant will be advised in writing of the violation and a Thirty Dollar (\$30.00) charge will be added to the water bill for said premises for the succeeding billing period.
- (c) In the event of a third violation at the same premises, which is served by the water system of the Town of Empire, Colorado, the Town of Empire, Colorado, will take steps immediately to install a meter at said premises, and add the cost of such installation to the account for water service at said premises. Any subsequent violation at said premises will be treated as in subsection paragraph (b) above.

Section 3. The Board of Trustees of the Town of Empire is empowered through this Ordinance to adopt supplemental rules, regulations and restrictions which may be necessary to protect the health, safety and welfare of the citizens of the Town of Empire, Colorado, and of those areas to which water is supplied from the Town of Empire, Colorado. The Board of Trustees of the Town of Empire is empowered to make such rules, regulations and restrictions which are reasonable under the circumstances then existing.


Section 4. If, in the judgment of the Board of Trustees of the Town of Empire, Colorado, or the marshal of the Town of Empire, Colorado, that there is an accute water shortage problem, then, in that event, all use of water for lawn irrigation, gardening, or other purposes outside the building will be terminated indefinitely by Resolution of the Board of Trustees of the Town of Empire, Colorado. Further, if the water pressure on the North side of Sunny Avenue, and North above, is critical, the Marshal is empowered to order all users to stop the use of water by hose for the purpose of irrigation, gardening or other purposes, without Resolution of the Board of Trustees of the Town of Empire, Colorado.

Section 5. This Ordinance is necessary for the immediate preservation of the public health, safety and welfare, and shall take effect and be in force immediately upon passage.

INTRODUCED, READ AND PASSED, this 1 day of June, 1977.

  
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Mayor

ATTEST:

  
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Town Clerk Deputy

APPROVED AS TO FORM:

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Robert O. Newton, Town Attorney

ORDINANCE NO. 166

1977 SERIES

AN ORDINANCE SETTING REGULATIONS AND RESTRICTIONS FOR THE USE OF WATER AND SEWER FOR THE TOWN OF EMPIRE, COLORADO, AND SUPPLEMENTING ORDINANCE NO. 165, PERTAINING TO THE SEWER SYSTEM AND WATER SYSTEM OF THE TOWN OF EMPIRE, COLORADO.

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WHEREAS, the Town of Empire in particular experienced a shortage of water at times during the summer periods over the course of the last several years, and, in particular, in the North end of the Town of Empire, Colorado; and,

WHEREAS, the vast majority of the citizens of the Town of Empire, Colorado, and the areas adjacent to the Denver Metropolitan area that depend upon water supplies and facilities, recognize the severity of the drought, and the inability of the various municipalities to convert their presently owned and controlled supplies of water to potable water for distribution to users, such citizens have previously voluntarily cooperated with requests to restrict the use of water within the Town of Empire, Colorado; but, there continues to be an excessive use of water by certain users for the watering of lawns, gardens and other miscellaneous uses; and,

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of the community, provide for the health, safety and welfare of the citizens of the Town of Empire, Colorado, and provide for adequate fire protection for the immediate and foreseeable future; and,

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Section 2. The owner or occupant of the premises shall be responsible for complying with the above conservation measures, and violators of said conservation measures will be subject to the following actions and penalties:

- (a) In the event of a first violation of the premises, the owner and/or occupant will be advised in writing of said violation and a Ten Dollar (\$10.00) charge will be added to the water bill for said premises for the succeeding billing period.
- (b) In the event of a second violation at the same premises, which receives water from the Town of Empire, Colorado, the owner and/or occupant will be advised in writing of the violation and a Thirty Dollar (\$30.00) charge will be added to the water bill for said premises for the succeeding billing period.
- (c) In the event of a third violation at the same premises, which is served by the water system of the Town of Empire, Colorado, the Town of Empire, Colorado, will take steps immediately to install a meter at said premises, and add the cost of such installation to the account for water service at said premises. Any subsequent violation at said premises will be treated as in subsection paragraph (b) above.

Section 3. The Board of Trustees of the Town of Empire is empowered through this Ordinance to adopt supplemental rules, regulations and restrictions which may be necessary to protect the health, safety and welfare of the citizens of the Town of Empire, Colorado, and of those areas to which water is supplied from the Town of Empire, Colorado. The Board of Trustees of the Town of Empire is empowered to make such rules, regulations and restrictions which are reasonable under the circumstances then existing.

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INTRODUCED, READ AND PASSED, this 1st day of June, 1977.

[Signature]  
Mayor

ATTEST:

Margaret M. Clarke  
Town Clerk  
Deputy

APPROVED AS TO FORM:

[Signature]  
Robert O. Newton, Town Attorney