

TOWN OF SUGAR CITY

RESOLUTION NO. 461

WHEREAS, the Town of Sugar City obtains its domestic water from various wells; and

WHEREAS, the entire state of Colorado including Sugar City is suffering from a severe drought; and

WHEREAS, the water level in the Town of Sugar City's wells is low and unable to sustain the level of pumping required to provide domestic water for all purposes resulting in a water shortage; and

WHEREAS, the Board of Trustees must take action to reduce the demand for water to insure that all Sugar City domestic water consumers have access to domestic water; and

WHEREAS, Ordinance No. 237 provides that the Sugar City Board of Trustees may from time to time during periods of drought or water shortage adopt a resolution limiting, restricting, curtailing or cutting off water usage by system consumers.

NOW THEREFORE BE IT RESOLVED BY THE SUGAR CITY BOARD OF TRUSTEES THAT

1. All Sugar City domestic water users shall strive to reduce their domestic water use so as to use less than seventy percent of the water used in a similar period during 2001.
2. RESTRICTIONS AND SURCHARGE FOR DIRECT USERS OF TOWN OF SUGAR CITY DOMESTIC WATER.
 - a. The following water use restrictions and surcharges are effective immediately upon publication of Ordinance No. 237 for all Sugar City domestic water consumers who receive their water directly from the Town of Sugar City and not through a third party company, organization or other entity that has contracted with the Town of Sugar City for domestic water.
 - A. EVEN NUMBERED ADDRESSES. Town of Sugar City residents whose structures have even numbered addresses may use Sugar City domestic water for irrigation, recreation or other uses outside their structure from 6:00 a.m. to 10:00 a.m. and from 7:00 p.m. to 11:00 p.m. each Monday and shall not use Sugar City domestic water for said purposes at any other time.
 - B. ODD NUMBERED ADDRESSES. Town of Sugar City residents whose structures have even odd numbered addresses may use Sugar City domestic water for irrigation, recreation or other uses outside their structure from 6:00 a.m. to 10:00 a.m. and from 7:00 p.m. to 11:00 p.m. each Thursday and shall not use Sugar City domestic water for said purposes at any other time.

C. EXCEPTIONS. The following use shall not be restricted by the regulations so long as no waste occurs.

- i. Swamp cooler use is not restricted so long as no leaks or overflow result from the swamp cooler use or connection to the consumer's water system.
- ii. Water leaks and water overflow from swamp coolers constitute waste of water and are prohibited uses of water at all times without regard to day of week or time of day.

b. SURCHARGE. In order to provide an economic incentive to conserve water, the following surcharge shall be in effect through the last day of the billing cycle during which the Sugar City Board of Trustees determines by resolution that continued imposition of water use restrictions is no longer required or until such time, if any, that the Sugar City Board of Trustees shall increase or decrease the amount of surcharge by resolution. The surcharge shall be in addition to all other previously approved water rates and schedules.

- ✓ A. A Surcharge of four dollars (\$4) shall be charged for each one-thousand gallons or part of one-thousand gallons used in excess of seventy percent of the average amount of domestic water purchased by domestic water consumers of the Town of Sugar City who receive their water directly from the Town of Sugar City and not through a third party company, organization or other entity that has contracted with the Town of Sugar City for domestic water during the equivalent month in 2001. Each consumer shall be notified of the number of gallons that each household may use each month without incurring the surcharge. A single notice may include the amounts for each month of the year in which case no additional notice shall be required. Notice is delivered upon entry of the notice into first class mail, proper postage affixed, and addressed to the last known address of the individual or entity responsible for payment of the water bill. Notice shall also be given by posting in the office of the Sugar City Town Clerk and shall be considered sufficient notice where a consumer fails to receive individual notice.

3. RESTRICTIONS FOR THIRD PARTY ENTITIES CONTRACTING WITH THE TOWN OF SUGAR CITY FOR PURCHASE OF DOMESTIC WATER.

- a. The following water use restrictions and surcharges are effective immediately upon publication of Ordinance No. 237 for each third party entity ("Entity") contracting with the town of Sugar City for purchase of domestic water to be delivered to consumers through the third party's own delivery system.
 - A. An Entity contracting with the Town of Sugar City for the purchase of domestic water to be delivered to consumers through the third party's own delivery system shall not use more than seventy percent of the average water purchased per month by that entity during the equivalent 2001 calendar quarter.
 - B. A Surcharge of four dollars (\$4) shall be charged for each one-thousand gallons or part of one-thousand gallons used in excess of seventy percent of the average amount

of water purchased per month by that entity during the equivalent 2001 calendar quarter. The surcharge shall be in addition to all other previously approved water rates and schedules.

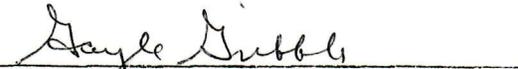
- C. The Town of Sugar City shall give notice to each third party entity of the number of gallons that constitutes seventy percent of the average amount of water purchased per month by that entity during the equivalent calendar quarter in 2001. The notice shall include this information for each quarter of the year. Notice is delivered upon entry of the notice into first class mail, proper postage affixed, and addressed to the last known business address of the entity.
- D. This surcharge shall be in effect through the last day of the billing cycle during which the Sugar City Board of Trustees shall determine by resolution that continued imposition of water use restrictions is no longer required or until such time, if any, that the Sugar City Board of Trustees shall increase or decrease the amount of surcharge by resolution.

PASSED, ADOPTED AND APPROVED this 11th day of July, 2002.



John LeBrec, Mayor Town of Sugar City

ATTEST:



Town Clerk