



AN ORDINANCE PROVIDING AUTHORITY TO LIMIT OR CURTAIL WATER  
USE IN EMERGENCIES AND PERIODS OF WATER SHORTAGE AND  
PROHIBITING WASTING OF WATER

WHEREAS, the Board of Trustees of the Town of Sugar City, Colorado operates a domestic water system; and

WHEREAS, various conditions arise from time to time that reduce the supply of water available to the domestic water system or increase the demand on the system; and

WHEREAS, decreased water supply or increased water demand may make it difficult or impossible for the domestic water system to provide a normal supply of water to all consumers.

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

SECTION 1. Definition.

- A. Emergency. An emergency exists where a condition or event exists that decreases the available water supply or increases the demand for water so that the Town of Sugar City's domestic water system is unable to supply consumers with water for all purposes.
- B. System. The Town of Sugar City's domestic water system that provides water to town residents and certain non-residents.

SECTION 2.

- A. Where an emergency exists, the mayor is authorized to restrict or limit water use or cut off the supply for any purpose, excepting that water required for drinking and domestic use, until such time that the system is capable of supplying the town for all purposes.
- B. A special meeting of the Board of Trustees shall be called within forty-eight hours of any determination by the Mayor that an emergency exists. The Town Board shall either ratify the determination of an emergency by the mayor or determine that no emergency exists. Such ratification or determination of no emergency shall be made upon the facts as they existed at the time of the determination by the mayor. Where a determination of no emergency is made by the Board of Trustees any restriction, limitation or action to cut off the water supply made as a result of the mayor's determination of emergency shall be vacated and all restrictions and limitations shall be lifted and any consumer cut off shall be reconnected effective immediately upon said action of the Board of Trustees.

- C. Notice from the Town Clerk or other town official that such an emergency exists and has been so proclaimed by the Mayor shall be sufficient notice to consumers.

**SECTION 3.** The 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.

**SECTION 4.** Any person found using water in violation of a ratified proclamation of the mayor or a town board resolution limiting, restricting, curtailing or cutting off water usage, after being so notified by the town clerk or other town official, shall be deemed guilty of a violation of this chapter.

**SECTION 5.** No system consumer shall use, or permit to be used, leaking water connections, lines or other facilities, nor irrigate without a sprinkling device or through and by use of an open hose, for lawn irrigation, nor use water for irrigation in such a manner as to cause water to flow down streets and gutters, nor use or permit to be used water for purposes or at times forbidden by resolution of the board of trustees of the Town of Sugar City, nor use or permit to be used water during an emergency for purposes or at times forbidden by proclamation of the mayor of the Town of Sugar City.

**SECTION 6.**

- A. Where a consumer refuses to comply with any provision of this Ordinance after being given notice of the violation, the mayor or other town official may cause the service to that consumer to be cut off until such time as the consumer comes into compliance.
- B. Service of a summons and complaint for violation of this Ordinance shall constitute notice of the violation.
- C. Failure to comply with the Ordinance within twenty-four hours of being given notice of the violation shall constitute *prima facie* evidence of the consumer's refusal to comply with the Ordinance.
- D. The consumer shall have the right to appeal the mayor's decision to cut off service to the Town Board and shall exercise the right of appeal by giving a written notice of appeal to the Town Clerk not more than ten-days after receipt of the notice of violation.

**SECTION 7.** Violation of the provisions of this Ordinance shall be a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not less than fifty dollars nor more than three-hundred dollars for each offense. Each day such violation continues shall be deemed a separate offense.

**SECTION 8. Emergency Clause.** The Board of Trustees of the Town of Sugar City, Colorado hereby finds, determines, and declares that an emergency exists and that

this Ordinance is necessary for the immediate preservation of the public health or safety and the same shall be in full force and effect after publication and final passage as provided by law.

INTRODUCED, READ IN FULL, PASSED, ADOPTED, APPROVED AND ORDERED PUBLISHED in a newspaper having general circulation within the Town of Sugar City, this 11<sup>th</sup> day of July 2002.



Mayor

Attest:



Town Clerk