

ORDINANCE NO. 2018-005

AN ORDINANCE AMENDING SECTIONS 13.15.010, 13.15.020 AND 13.15.030 OF THE CASTLE ROCK MUNICIPAL CODE CONCERNING WATER RESTRICTIONS

WHEREAS, the Town of Castle Rock and Castle Rock Water wishes to make these changes in order to comply with the Water Use Management Plan; and

WHEREAS, the changes included provide clarification and consistency with the requirements outlined in the Landscape and Irrigation Performance Standards Criteria manual

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Amendment. Section 13.15.010 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.15.010 - Definitions.

The following terms used in this Chapter are defined as follows:

Irrigation season means the period between April 1 and October 31, inclusive, of each year.

Owner means the person or entity who is the owner of the real property receiving utility services, as shown in the public records of the County Assessor; provided, however, that if title is held in representative capacity, or the right to possession, use, and control of the property has been judicially vested in another party, such equitable owner(s) shall have the rights and responsibilities afforded and imposed by this Chapter.

Program Administrator means the Director of Castle Rock Water, or his or her designee.

Responsible party means the person or group identified by the owner as such, including property manager, or homeowner's association representative.

Restriction period means the period of time during the irrigation season which restrictions on lawn and landscaping irrigation is restricted to a defined/designated irrigation schedule.

Utility bill means the periodic statement of utility charges issued in accordance with Section 13.14.040.

Section 2. Amendment. Section 13.15.020 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.15.020 - Regulations.

The following regulations shall apply to the time and date for use of water for lawn and landscaping irrigation during the restriction period:

A. Irrigation schedules shall be established by the Program Administrator prior to the commencement of the restriction period.

B. In order to stagger the demand on the Town's water delivery system during the restriction period, residential lawn and landscape irrigation shall be restricted to every third day in accordance with the following procedure:

1. Residential properties with an assignment address ending in digit zero (0) through three (3) is designated by a square (□), digit four (4) through six (6) by a circle (○) and digit seven (7) through nine (9) by a diamond (◇).

2. Those non-residential properties for which several taps, services and/or addresses exist, the appropriate designated schedule shall be determined by the Program Administrator prior to commencement of the restriction period.

C. Annually, not later than thirty (30) days prior to commencement of the restriction period, the Program Administrator shall designate in writing the permissible watering days for each circle, square and diamond address, which shall be kept on file with the Town Clerk, posted in a conspicuous place at the Town's administrative offices and published on the Town of Castle Rock websites (CRconserve.com and CRgov.com); provided however, that the failure to make such timely designation shall not impair the enforceability of the ordinance codified in this Chapter .

Section 3. Amendment. Section 13.15.030 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.15.030 - Alternative schedules.

In the event the Program Administrator determines a hardship/special circumstance exists for any owner, due to an irrigation requirement which cannot be met under the provisions of this Chapter, alternative schedules may be approved by the Program Administrator.

A. The owner shall request an alternative schedule, verbally or in writing, to the Program Administrator, detailing the purpose of the request for an alternative schedule.

B. If, upon review, the Program Administrator determines that granting an alternative schedule will not significantly impact the water system, the Program Administrator will notify the requestor of its determination and identify any conditions to the grant of the alternative schedule, and specifically identify the effective date, and the expiration date.

Section 4. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 5. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 6th day of March, 2018 by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 3rd day of April, 2018 by the Town Council of the Town of Castle Rock by a vote of___ for and against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jennifer Green, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Mark Marlowe, Director of Castle Rock Water