

ORDINANCE NO. 2018-045

**AN ORDINANCE AMENDING SECTION 13.12.111 OF THE CASTLE ROCK
MUNICIPAL CODE CONCERNING WATER BUDGET ALLOCATION
FOR LANDSCAPE TYPES**

WHEREAS, water is a precious resource in Castle Rock; and

WHEREAS, Castle Rock Water has a water budget type rate structure that allocates this precious resources for supplemental irrigation of outdoor landscapes by the customer's amount of landscape; and

WHEREAS, different landscapes require different amounts of supplemental irrigation; and

WHEREAS, it is appropriate to set these water budgets according to a customer's landscape type and amount.

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

Section 1. Amendment. Section 13.12.111 entitled Definitions, is amended to (i) add a new definition for "Landscape type," and (ii) amend the definition of "Water budget" as follows:

Landscape type shall mean the predominate type of irrigated vegetation in the irrigated area.

Water budget shall mean tailored water use allocations developed for each customer with rates that increase as the allocation is exceeded.

1. Water budget base rates shall be established to:
 - a. Identify customer-specific monthly budgeted amounts of water that vary by landscaped area, landscape type, and monthly historical evapotranspiration (ET); and
 - b. Charge volume rates per unit of water use that vary by consumption tier.
2. A monthly water budget is equal to the AVMC and the calculated amount of water allocated to a customer based on that customer's landscaped area in square feet determined by the Town and eighty percent (80%) of the monthly required watering needs for the landscape type per square foot of landscaped area based on the historical evapotranspiration rate in accordance with Castle Rock Water procedures. For single-family customers, the landscaped area is subject to an irrigated area cap of seven thousand (7,000) square feet for calculation of the water budget. The monthly irrigation requirements for the landscape type vary throughout the year; therefore, the monthly budgets will vary while the landscaped area is held constant. Customers are billed for the amount of water used each month in comparison to the monthly water budget. If a customer's water use exceeds the monthly budget, the amount billed per one thousand (1,000) gallons of water used increases for the amount over the budget.
3. The water budget-based thresholds define the tiers of consumption for calculating an individual customer's monthly bill. The threshold represents the maximum usage in each consumption tier for which a customer will be billed a specific rate per one thousand (1,000) gallons of use.

4. For all customers with irrigation, excluding irrigation-only customers, there are two (2) tier thresholds during the irrigation season: the AWMC and the monthly irrigation budget. There are three (3) consumption tiers for these customers: AWMC, budget and excess as defined in this Section. During the winter season, there is one (1) tier threshold, the AWMC; there are two (2) consumption tiers, AWMC and excess.
5. For all customers: with indoor use only, there is one (1) tier threshold during both irrigation and winter seasons: AWMC. There are two (2) consumption tiers for these customers: AWMC and excess.
6. Irrigation-only customers are subject to one (1) tier threshold during the irrigation season, which is the individual monthly irrigation budget. Irrigation customers are subject to two (2) consumption tiers during the irrigation season: budget and excess. During the winter season, there is one (1) consumption tier excess.

Water Budget-Based Tier Thresholds

<i>Irrigation Season - April 1 through October 31 Consumption</i>			
<i>Class</i>	<i>Tier 1 - AWMC</i>	<i>Tier 2 - Irrigation</i>	<i>Tier 3 - Excess</i>
Residential	AWMC	Budget	Excess
Multi-family indoor use only	AWMC	N/A	Excess
Multi-family with irrigation	AWMC	Budget	Excess
Commercial indoor use only	AWMC	N/A	Excess
Commercial with irrigation	AWMC	Budget	Excess
Irrigation	N/A	Budget	Excess

<i>Winter Season - November 1 through March 31 Consumption</i>			
<i>Class</i>	<i>Tier 1 - AWMC</i>	<i>Tier 2 - Irrigation</i>	<i>Tier 3 - Excess</i>
Residential	AWMC	N/A	Excess
Multi-family indoor use only	AWMC	N/A	Excess
Multi-family with irrigation	AWMC	N/A	Excess
Commercial indoor use only	AWMC	N/A	Excess
Commercial with irrigation	AWMC	N/A	Excess
Irrigation	N/A	N/A	Excess

Section 3. 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 4. 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 November, 2018 by a vote of 6 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 4th day of December, 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