

**TOWN OF PARACHUTE
ORDINANCE NO.795-2021**

**AN EMERGENCY ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO,
ENACTING WATER USE RESTRICTIONS.**

WHEREAS, the Town of Parachute (“Parachute” or the “Town”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter;

WHEREAS, western Colorado is in a period of unprecedented drought, and the 2021 irrigation season is projected for run-off and stream flows that are far below average;

WHEREAS, compounding matters, western Colorado is faced with the increased risks of wildfires, which pose potential threats to the safety of Town residents and property;

WHEREAS, the Town supplies its Water Enterprise domestic and irrigation water to users located inside and outside the corporate limits of the Town;

WHEREAS, to ensure the Town has enough water available for fire protection and consumer use within the Town, the Town Council wishes to immediately enact water use restrictions and grant the Town Manager the authority to impose such restrictions;

WHEREAS, the Town Council further directs Staff to prepare comprehensive water use regulations for consideration for adoption in the future; and

WHEREAS, the Town Council declares the subject matter of this ordinance to be an emergency due to the risk to life, health, and safety related to the Town’s water supply and risk of wildfire.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as findings of the Town Council.

Section 2. Water Use Restrictions. The Town Council hereby adopts the following water use restrictions which shall be applicable to all users of water supplied by the Town:

A. Stage 1 Restrictions:

1. Water users whose property address ends in an odd number may irrigate outdoors, wash streets, sidewalks, driveways, patios and other concrete or paved surfaces with water from a hose equipped with a nozzle which completely shuts off the flow of water when the hose is not in use on Wednesdays, Fridays, and Sundays

only.

2. Water users whose property address ends in an even number may irrigate outdoors, wash streets, sidewalks, driveways, patios and other concrete or paved surfaces with water from a hose equipped with a nozzle which completely shuts off the flow of water when the hose is not in use on Tuesdays, Thursdays and Saturdays only.
3. No outside watering whatsoever shall be allowed on Mondays.
4. The Town Manager may exclude newly landscaped areas from the provisions of Stage 1 water use restrictions if the Town Manager determines that a failure to exclude would result in the destruction of the newly landscaped area.
5. Outdoor watering shall only occur between the hours of 8PM and 6AM on such days when permitted.

B. Stage 2 Restrictions:

1. All outdoor watering is prohibited.
2. The Town Manager may exclude newly landscaped areas from the provisions of Stage 2 water use restrictions if the Town Manager determines that a failure to exclude would result in the destruction of the newly landscaped area.

C. Town Manager Authority; Notice.

1. The Town Manager, upon consultation with Fire Chief and Public Works Director, is hereby authorized to determine which stage of water use restrictions are in effect, if any.
2. Notice of such water use restrictions in effect (and when no longer in effect) shall be made by posting to the Town's website, posting at Town Hall, and, to the extent possible, direct mailing to water users, placement of door placards, and placement of signs in Town.

D. Violations and Penalties.

1. In the event of a violation of the water use restrictions, the Town shall provide notice of such violation to the water user describing the violation and order that it be corrected, cured or abated immediately. Such notice may provided by mail, posting on the property, or personal service. The Town may impose fines for such

violations as set forth below and, in the Town's discretion, disconnect water service to the water user.

2. Penalties:

- i. First Violation: warning.
- ii. Second Violation: \$25 fine.
- iii. Third Violation: \$50 fine.
- iv. The fine for subsequent violations shall double until the fine is equal to \$1,000.
- v. A fee of \$100 shall be assessed for reconnection of any water service disconnected for violation.

Section 3. Immediate Effect; 2021 Season. The foregoing water use restrictions shall only remain in effect for the 2021 calendar year. Upon approval of this Ordinance, Stage 1 Water Use Restrictions shall go into effect June 1, 2021. Further, the Town Council hereby directs Town Staff to prepare comprehensive water use regulations for consideration by the Town Council to be included in the Town Code.

Section 4. Pursuant to the Town of Parachute Home Rule Charter, Section 1-12, it is hereby declared that, in the opinion of the Parachute Town Council, an emergency exists; and, the water use restrictions enacted are reasonably necessary for the immediate preservation of the public peace, health, and safety of the Town and its residents.

Section 5. This ordinance shall become effective immediately upon passage and shall be terminated only by subsequent ordinance of the Parachute Town Council or initiative of the Town's voting electors.

Section 6. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.

INTRODUCED AS AN EMERGENCY ORDINANCE, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 5 to 0 of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 17 day of June, 2021 and approved by the Mayor on the 7 day of June, 2021.

**TOWN COUNCIL OF THE TOWN OF
PARACHUTE, COLORADO**

By: *Roy B McClung*
Roy McClung, Mayor

ATTEST:

Lucy Spalenka
Lucy Spalenka, Town Clerk



PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

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was introduced before the Town Council on June 17, 2021; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on June 17, 2021, and approved by the Mayor on June 17, 2021.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 17 day of June, 2021.

TOWN OF PARACHUTE


Town Clerk