



**PUBLIC WORKS DEPARTMENT
MEMORANDUM #2017 – 44**

DATE: July 24, 2017
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: James A. Hayes, AICP – City Manager 
David H. Willett – Director of Public Works 
SUBJECT: **CR-81 Waste of Water Revised Fee Schedule**

PURPOSE

City Council will be considering a Resolution that will revise the existing fee schedule for the waste of water ordinance from the fees set in 2003 to a new set of fees to be effective immediately.

BACKGROUND

Staff has been updating City Council over the last few months regarding the city's water supply. In April, waste of water guidelines were recommended by Staff and approved by council, but did not include an approved fee structure. Staff monitored city demand during the month of May and determined that while residents were being encouraged to conserve water, demands for May 2017 were higher than the previous year.

On July 10, 2017 Council was presented with an updated list of waste of water guidelines and two fine structures to consider. Staff at that time was recommending that council approve updated guidelines and allow fees to be assessed for customers that did not follow the waste of water guidelines. Council has directed staff to implement and enforce a new fee schedule for the waste of water ordinance guidelines.

RECOMMENDATION

Staff recommends that the rules and regulations in the Waste of Water Ordinance that were implemented, May 1, 2017 be continued, as follows:

1. Outdoor watering should be limited to the hours of 6:00 PM through 10:00 AM.
2. Watering should be limited to **three** days per week.
3. Excessive water running in gutters will be prohibited.
4. No watering during rain events or high winds.
5. Outdoor water use shall be limited to lawn and garden irrigation only. Other outdoor uses including washing cars and washing of sidewalks, siding or outdoor features is prohibited.

Because demands in May were higher than those recorded in 2016, despite the implementation of Waste of Water rules, staff recommends that fees be implemented to further protect the City's water supply. Fees would be applied to the customer's (both residential and commercial) water billing account. This fee structure will apply to both residential and commercial customers. The recommended fee schedule is as follows:

1. **First Offense: Warning**
2. **Second Offense: \$50**
3. **Third Offense: \$300**
4. **Fourth and Subsequent Offenses: \$999**

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The goal in implementing these fees, is to further encourage residents to conserve water, and to curb water use by the City's highest users.

Should these activities be insufficient to curb demands staff may recommend more prohibitive restrictions for watering, later in the season, which may need formal (Resolution) approval by City Council, in accordance with municipal code section 16-23 (Mandatory Water Restrictions).

COUNCIL ACTION

Attached to this memorandum is a Resolution that, if approved, would update the fee schedule for the waste of water ordinance.

STAFF REFERENCE

Kent Kisselman, PE, Engineering Manager
Tamara Moon, Water Resources Administrator

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ATTACHMENTS

None.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-81
Series of 2017

Series of 2017

A RESOLUTION ADOPTING A WASTE OF WATER PENALTY FEE SCHEDULE PURSUANT TO SECTION 16-24-6 OF THE NORTHGLENN MUNICIPAL CODE

WHEREAS, the City Council of the City of Northglenn desires to prevent the waste of water resulting from excess watering, inefficient water use or release of excess water into the public right-of-way;

WHEREAS, the City Council desires to reduce irrigation water usage without compromising landscape quality by re-enforcing improved watering practices;

WHEREAS, a schedule of warnings and/or fees for violations of Article 24 of Chapter 16 of the Northglenn Municipal Code was previously approved by the City Council by the adoption of Resolution No. 03-56, Series of 2003; and

WHEREAS, the City Council desires to revise the existing penalty fee schedule pursuant to Section 16-24-6 of the Northglenn Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Waste of Water Penalty Fee Schedule, attached hereto as Exhibit A, is hereby approved, effective immediately upon approval of this Council Resolution.

Section 2. Resolution No. 03-56, Series of 2003, is hereby repealed.

DATED at Northglenn, Colorado, this ____ day of _____, 2017.

JOYCE DOWNING
Mayor

ATTEST:

APPROVED AS TO FORM:

JOHANNA SMALL, CMC
City Clerk

COREY Y. HOFFMANN
City Attorney

**WASTE OF WATER
PENALTY FEE SCHEDULE**

I. General

Penalties for violations of Article 24 of Chapter 16 of the Northglenn Municipal Code, prohibiting the waste of water, shall be assessed through the City utility bill for the responsible party's billing account. The responsible party is defined as the owner, manager, supervisor or person who receives the water utility bill, or the person in charge of the property, facility or operation during the period of time when the violation(s) is/are observed.

Penalties must be paid within the normal payment period allowed by the City utility billing system.

The customer of record or the registered agent of the owner (pursuant to 20-2-1 of the Municipal Code) will receive a copy of all penalty notices.

II. Penalty Fee Schedule

First observed violation shall result in a warning notice. No penalty is assessed for the first violation. A five day grace period is granted to allow the responsible party, who may or may not be the customer, to come into compliance before a second violation is issued.

NOTE: The warning notice remains in effect for a period of one (1) year from the date of issuance.

Second observed violation shall result in a ~~\$100.00~~ \$50.00 penalty for residential accounts and a ~~\$500.00~~ penalty for commercial accounts. No grace period is granted and subsequent violations may be observed and recorded on a daily basis.

Third observed violation shall result in a ~~\$500.00~~ \$300.00 penalty for residential accounts and a ~~\$999.00~~ penalty for commercial accounts. No grace period is granted and subsequent violations may be observed and recorded on a daily basis.

Fourth and subsequent observed violations shall result in a \$999.00 penalty for each violation for residential and commercial accounts. No grace period is granted and subsequent violations may be observed and recorded on a daily basis.

III. Effective Date

This fee schedule is effective as of July 24, 2017 pursuant to City Council approval by Resolution No. _____.