


**PUBLIC WORKS DEPARTMENT
MEMORANDUM #2017 – 41**

DATE: July 10, 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: **Council Discussion Item**
Waste of Water Ordinance - Update

PURPOSE

The purpose of this discussion item is to inform Council of the City's current water supply conditions and to propose the enactment of additional terms under the City's Waste of Water Ordinance (Chapter 16, Article 24).

BACKGROUND

In April, staff came to Council to recommend enactment of the City's Waste of Water Ordinance. Since May, residents have been encouraged to conserve water by voluntarily limiting their water use, by following a set of recommended guidelines. These guidelines included:

1. Watering three days per week
2. Watering between the hours of 6:00 PM and 10:00 AM
3. Limiting water in gutters
4. Eliminating the use of water for outdoor cleaning activities.

Since that time, Water Resources Staff has continued to work diligently to monitor the City's water supply situation, and bring as much water into the City's useable storage as possible. As of May 31, 2017 the City had the following water supply:

Total Standley Lake Storage: 8,746.95 AF
Storage Available through Approved Water Rights: 1,567.34 AF

This is the storage that was available on the first of June for use in the City's municipal system after having demand from residents and businesses in March through May that was higher than in 2016. June's demand is expected to be around 600 AF. Despite our efforts to encourage voluntary conservation to our residents and businesses, we have not seen a decrease in water consumption.

Run off has been very good this spring, and there continues to be a fair amount of snow pack in the mountains. However, with normal increases in temperature through July and August, we can anticipate that the water available to Northglenn by run off will decrease. This means that we will see a condition where our demands for water from residents and businesses will increase, and the amount of water that the City can bring in will be less than the demands. Monthly demands from Standley Lake during July through September generally average around 750 to 800 AF per month. This would result in a total demand for July through September between 2,250 and 2,400 AF. Current supplies, combined with historical inflows to Standley indicate that we likely do not have enough water to meet demands through September. Updated supply and demand graphs are provided for reference.

Additional water sources – Knowing that the water supply for Northglenn was likely to be less than our normal demands, Staff has been working with other water users in the area to develop a plan for leased or exchange water. At this time, Staff is working with the City of Westminster and Molson-Coors to bring additional water to the City’s supply. This should allow us to meet demands through the summer.

CHURCH DITCH WATER RIGHTS (change case) UPDATE

The City is still waiting for the State Division of Water Resources to review and approve accounting for the 906 inches of Church Ditch water that were sent through water court, and approved for municipal use. These 906 inches of water cannot be used by the City, though approved through the courts, until the State has approved the accounting. The availability of this water could represent an additional supply of water for the City should it come available.

PARKS WATER USAGE/CONSERVATION UPDATE

Due to the City’s limited water supply, Water Resources staff has been working closely with Parks staff to develop a plan of action to reduce irrigation demands from the City’s parks. At this time, we have seen a 30 percent decrease in use of irrigation water from city parks. This goal was developed between the Parks and Water Resources staff, and has been easy to achieve and there has been little impact on the condition of City parks.

RECOMMENDATION

In an effort to preserve storage, and to curb demand, so that the City’s supply can support continued municipal use through the summer and into the fall, staff recommends that the rules and regulations in the Waste of Water Ordinance that were implemented, May 1, 2017 be continued and modified as noted below.

1. Outdoor watering should be limited to the hours of 6:00 PM through 10:00 AM.
2. Watering should be limited to **two** 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 fines be implemented to further protect the City’s water supply. Fines would be applied to the resident’s water billing account. The recommended fine schedule is as follows:

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

The goal in implementing these fines, is to further encourage residents to conserve water, and to curb water use by the City’s highest users. Staff anticipates that these actions will result in a 30% decrease in water use.

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).

COMMUNITY OUTREACH

It is important to convey a message that will be perceived as urgent but will not cause excessive alarm. Messaging will explain why the city is asking for a 30 percent reduction in water consumption and will contain tips on what the resident can actively do to participate and reduce water consumption at their residence. Due to the urgency of the situation, the message will need to reach residents immediately.

Communication means considered:

- A hand-delivered flyer or direct mail card to each residence.
- On the website, www.northglenn.org
- The city's primary social media- Facebook, Twitter, Instagram and Nextdoor.
- Other city departments will be asked to share the message on their social media pages and websites.
- Possibly a utility billing statement in lieu of the hand-delivered flyer or direct mail card, dependent on scheduling of utility bills.

COUNCIL ACTION/OPTIONS

City Council could take no action or pass a motion to enact all or specific elements of the staff recommendations.

STAFF REFERENCE

Kent Kisselman, PE, Engineering Manager	kkisselman@northglenn.org	303.450.4005
Tamara Moon, Water Resources Administrator	tmoon@northglenn.org	303.450.4070

ATTACHMENTS

- Ordinances: Mandatory Water Restrictions, Waste of Water Prohibited
- Available Storage Chart
- Inflow and Demand Chart

CHAPTER 16
PUBLIC PROPERTY, UTILITIES AND SERVICES

Article 23. MANDATORY WATER RESTRICTIONS.

16-23-1. Drought and Other Water Shortages.

16-23-2. Rules and Regulations.

16-23-3. Publication of Rules and Regulations.

16-23-4. Violations and Penalty.

CHAPTER 16
PUBLIC PROPERTY, UTILITIES AND SERVICES

ARTICLE 23. MANDATORY WATER RESTRICTIONS.

Section 16-23-1. Drought and Other Water Shortages. In the event of a drought or other water shortage or emergency, as declared by the City Council by resolution, the City Manager shall have the authority to promulgate rules and regulations governing water usage by all customers of the Northglenn water system.

[Source: Ord. 1333, 2003]

Section 16-23-2. Rules and Regulations. Rules and regulations promulgated by the City Manager, pursuant to the authority of Section 16-23-1 above, shall include but not be limited to:

- (a) Limiting lawn watering to certain times of the day, days of the week or times of the month;
- (b) Prohibiting the waste of water;
- (c) Prohibiting or limiting the times of day or days per week for washing of cars and other vehicles at residential properties;
- (d) Prohibiting the use of water for the washing of sidewalks, driveways, patios or similar impervious surfaces;
- (e) Prohibiting power-washing of housing, fences, windows, decks or other similar impervious surfaces;
- (f) Prohibiting or regulating new lawns being planted or installed;
- (g) Regulating the amount of water that can be used by each customer, household and/or business;
- (h) Prohibiting or limiting any outside irrigation use of water;
- (i) Prohibiting serving water at restaurants prior to a request for the service of water;
- (j) Implementing a major public education program on the need to conserve water;
- and
- (k) Prohibiting or regulating water for construction uses

(l) Other similar restrictions designed to conserve water and reduce excess water usage within the boundaries of the City.

[Source: Ord. 1333, 2003]

Section 16-23-3. Publication of Rules and Regulations. Upon the promulgation of such Rules and Regulations pursuant to this Article, the City Manager shall publish, post or otherwise make available copies of the Rules and Regulations in the manner determined by the City Manager as best calculated to reach the largest number of water consumers.

[Source: Ord. 1333, 2003]

Section 16-23-4. Violations and Penalty. Any person violating any provision of this Article, or of the Rules and Regulations promulgated by the City Manager pursuant to this Article, shall, upon conviction, be punished by a fine not to exceed \$999.00 for each violation. The assessment of fines for violations of this Article or the Rules and Regulations promulgated hereunder will be through the City utility bill for the responsible party's billing account. The responsible party shall be defined as the owner, manager, supervisor or person who receives the water utility bill, or person in charge of the property, facility or operation during the period of time the violation is observed. All fines must be paid within the normal payment period allowed by the City utility billing system. The City Manager may, as part of the Rules and Regulations promulgated pursuant to this Article, establish a progressive schedule of warnings and/or fines subject to approval of such schedule by the City Council by resolution or motion.

[Source: Ord. 1333, 2003]

CHAPTER 16
PUBLIC PROPERTY, UTILITIES AND SERVICES

Article 24. WASTE OF WATER PROHIBITED.

16-24-1. Misuse Prohibited.

16-24-2. Intent.

16-24-3. Preventing Waste of Water.

16-24-4. Rules and Regulations.

16-24-5. Notification.

16-24-6. Violations and Penalties.

CHAPTER 16
PUBLIC PROPERTY, UTILITIES AND SERVICES

ARTICLE 24. WASTE OF WATER PROHIBITED.

Section 16-24-1. Misuse Prohibited.

(a) It is prohibited for any person to flagrantly or wantonly misuse or waste, or cause to be misused or wasted, water supplied by the City, or conveyed through the City's water transmission facilities. For purposes of this section, the following are specifically determined to constitute flagrant misuse and waste:

(1) Any irrigation of lawns or plants which, due to excess application of water, results in an excessive and/or prolonged flow of water off the property being irrigated;

(2) Use of any plumbing system, irrigation system, connection or fixture, which by reason of misuse, damage, disrepair, inadequate maintenance or dilapidation, wastes City water.

[Source: Ord. 1347, 2003]

Section 16-24-2. Intent.

(a) To reduce the waste of water resulting from excess watering, inefficient water use or release of excess water into the public right-of-way.

(b) To reduce irrigation water usage without compromising landscape quality by using improved watering practices.

(c) To reduce the waste of water by reason of neglect of indoor plumbing and outdoor irrigation systems and/or devices, connections or fixtures thereto.

(d) To maximize the useful benefits of water for Northglenn citizens and reduce the need for future capital investment to purchase and store additional water.

[Source: Ord. 1347, 2003]

Section 16-24-3. Preventing Waste of Water. In order to prevent the waste of water, the City Council authorizes the City Manager to promulgate rules and regulations intended to prevent the waste of water. Said rules and regulations shall apply to all customers of the Northglenn water system.

[Source: Ord. 1347, 2003]

Section 16-24-4. Rules and Regulations. Rules and regulations promulgated by the City Manager, pursuant to the authority of Section 16-24-3 above, shall include but not be limited to:

- (a) Regulating outdoor watering as to times of day, days of week or month and months of year;
- (b) Prohibiting excess watering practices that result in the waste of water;
- (c) Regulating outdoor water usage for the washing of cars and other vehicles;
- (d) Regulating outdoor water usage for the washing or power-washing of sidewalks, driveways, patios, housing, fences, windows, decks and other impervious surfaces except for reasons of health and safety or other approved reasons;
- (e) Regulating irrigation practices associated with the installation of new lawns;
- (f) Requiring the repair of indoor plumbing and outdoor irrigation systems and/or devices, connections or fixtures thereto;
- (g) Regulating the use of water for construction purposes;
- (h) Regulating other water usage practices as may be necessary to prevent the waste of water.

[Source: Ord. 1347, 2003]

Section 16-24-5. Notification. Upon the promulgation of Rules and Regulations pursuant to this Article, the City Manager shall publish, post, issue notice to individuals observed to be engaged in the waste of water, or otherwise make available copies of said Rules and Regulations in the manner determined by the City Manager or his/her designee as most appropriate to prevent the waste of water.

[Source: Ord. 1347, 2003]

Section 16-24-6. Violations and Penalties.

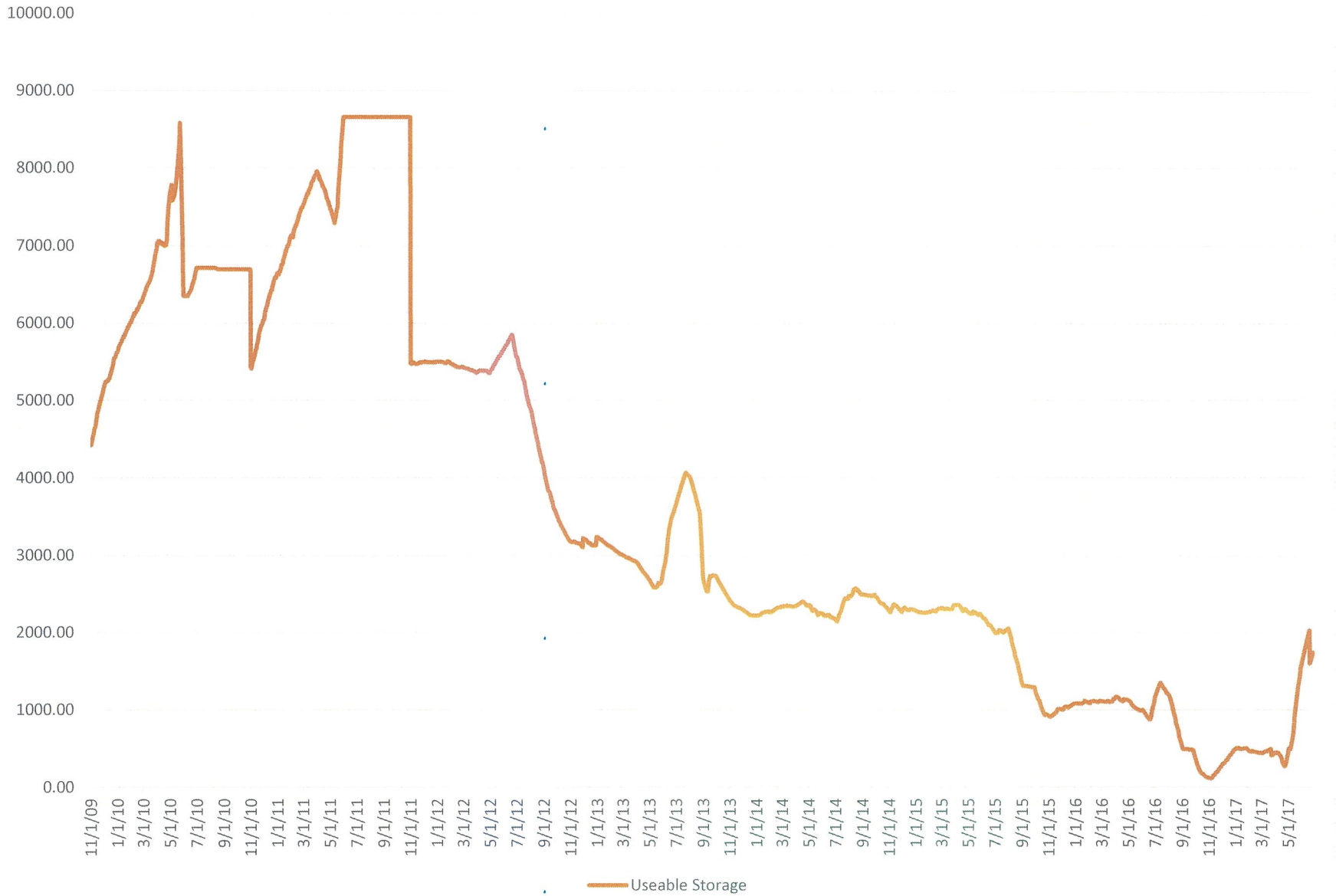
- (a) Any person violating any provision of this Article, or of the Rules and Regulations promulgated by the City Manager pursuant to this Article, shall, upon confirmation of violation, be subject to a fee not to exceed \$999.00 for each violation.
- (b) The assessment of fees for violations of this Article or the Rules and Regulations promulgated hereunder will be through the City utility bill for the responsible party's billing account.
- (c) The responsible party is defined as the owner, manager, supervisor or person who receives the water utility bill, or person in charge of the property, facility or operation during the period of time the violation is observed.

(d) All fees must be paid within the normal payment period allowed by the City utility billing system.

(e) The City Manager may, as part of the Rules and Regulations promulgated pursuant to the Article, establish a progressive schedule of warnings and/or fees subject to the approval of such schedule by City Council by resolution or motion.

[Source: Ord. 1347, 2003]

Northglenn Available Storage



Available Inflows vs. Demand

