



## Legislation Text

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**File #:** 14-0077, **Version:** 1

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Ordinance No. 14-23 amending Sections 1303 (Definitions); 1306 (Stage I Shortage); 1307 (Stage II Shortage); 1310 (Duration of Water Use Restrictions); 1311 (Alternative Water Management Plans); and 1313 (Special Contract Service) of Part 13 (Water Shortage) of Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to water shortage.

**Summary:** The Water Shortage Ordinance (WSO) has been in place since 2002 and is the policy which enacts Colorado Springs Utilities' (Utilities) demand side drought response. In 2013, Utilities prepared an update to the WSO to reflect past experience, best management practices, and community values. Based on experience gained during the drought of 2013, Utilities has prepared additional revisions to the WSO to address several housekeeping matters and requests by the Utilities Board.

**Previous Council Action:** City Council approved the WSO via Ordinance No. 02-59 on May 14, 2002 and the following ordinances amending the WSO: Ordinance No. 02-121 dated August 13, 2002, Ordinance No. 02-133 dated August 27, 2002, Ordinance No. 02-154 dated September 13, 2002, Ordinance No. 03-41 dated March 25, 2003, Ordinance No. 03-85 dated June 24, 2003, Ordinance No. 05-46 dated April 12, 2005 and Ordinance No. 13-10 dated February 26, 2013.

**Background:** The WSO, which has been in place since 2002, is the policy which enacts Utilities' demand side drought response. The WSO provides the criteria under which City Council can declare a water shortage and defines the measures that Utilities can take in response to a declared shortage, including restrictions on the use of water by customers. The WSO is a key means for City Council and Utilities to protect water supply, maintain water service essential for public health and safety, and minimize adverse impacts to economic activity during a water shortage. The WSO was substantially updated in 2013. Utilities has prepared proposed housekeeping revisions to the WSO to reflect lessons learned during the 2013 drought. As directed by the Utilities Board, Utilities has also prepared a proposed revision to the WSO that allows customers to choose the three days per week they can water landscapes during a Stage II Level A shortage. All of these revisions are set forth in the attached ordinance.

Key proposed revisions to the existing WSO provided in the attached ordinance are set forth below.

### **KEY REVISIONS TO THE WATER SHORTAGE ORDINANCE:**

- §12.4.1303 is revised to add definitions for the following terms: Hose End Sprinkler, Pop Up Fixed Spray Sprinkler, Pop Up Fixed Rotary Type Spray Sprinkler, Spray Irrigation, Sprinkler System, and Sprinkler Zone.
- §12.4.1306(A) is revised to extend the period of irrigation watering only between the hours of 6:00 p.m. and 10:00 a.m. from October 1 to October 14.

- §12.4.1306(B) is revised to provide that customers should water landscaped areas no more than three days per week during a Stage 1 shortage.
- §12.4.1306(J) is revised to no longer recommend that restaurants display notice that drinking water will not be served unless requested.
- §12.4.1307(A)(1) is revised to provide for customers to choose the three days per week they can water landscapes during a Stage II Level A shortage.
- §12.4.1307(A)(2) is revised to reflect new time limits for irrigation using sprinkler systems.
- §12.4.1307(A)(3) is revised to provide that irrigation of landscaped areas shall not occur between the hours of 10:00 a.m. and 6:00 p.m. between May 1 and October 14, instead of May 1 through October 1.
- §12.4.1307(D) is revised to provide specific days for washing vehicles and other equipment during a Stage II Level A shortage since assigned watering days have been removed.
- §12.4.1307(F) is revised to provide that the use of water in water features run time is no longer limited to 14 hours with a sign noting the use of recirculating water.
- §12.4.1307(G) is deleted.
- §12.4.1307(H) is revised to no longer require restaurants to display notice that drinking water will not be served unless requested.
- §12.4.1310 is revised to provide that unless a declared shortage has been withdrawn by City Council or the Utilities CEO, it will automatically reset to a Stage I shortage on October 15 instead of December 31.
- §12.4.1311 is revised to remove the provision that Utilities intends to acknowledge previously approved conservation measures.
- §12.4.1313 is revised to clarify that only the use of Utilities' water supplies by regional water customers, not use of the customer's own water, is subject to the terms and conditions of the WSO.

Utilities requests that City Council approve the attached ordinance amending the WSO on first reading on April 8<sup>th</sup> and on second reading on April 22<sup>nd</sup>.

**Financial Implications:** N/A

**Board/Commission Recommendation:** N/A

**Stakeholder process:** N/A

**Alternative**

- (1) Approve the ordinance Amending the WSO;
- (2) Not approve the ordinance Amending the WSO;
- (3) Modify the ordinance Amending the WSO; and
- (4) Refer the matter back to Utilities for future consideration

**Recommendation:** Approve the attached ordinance amending the WSO on first reading.

**Proposed Motion:** Approve the attached ordinance amending the WSO on first reading.