

**ORDINANCE NO. 1013
SERIES 2004**

**AN ORDINANCE ESTABLISHING WATER USE RESTRICTIONS
DUE TO SEVERE DROUGHT CONDITIONS**

WHEREAS, the City of Cortez and the surrounding community is currently undergoing severe drought such as to create an emergency for the City and its citizens, and

WHEREAS, the City Council has the authority under Chapter 27, Section 6, of the Cortez City Code to impose emergency or conservation water use restrictions; and

WHEREAS, the City has the right to disconnect the service of anyone who violates the restrictions; and

WHEREAS, the City has the right to establish, by ordinance, re-connect fees after water has been shut off.

NOW THEREFORE, be it ordained by the City Council of the City of Cortez, Colorado, that Chapter 27, Section 6, Imposition of emergency or conservation restrictions, shall read:

I. DAYTIME WATERING RESTRICTIONS

- A. Watering of yards will not be allowed between the hours of 10:00 a.m. and 5:00 p.m.
- B. These watering restrictions will be enforced between May 15th and September 15th of each year.
- C. Anyone violating Ordinance No. 1013, Series 2004, will be given a warning notice upon observation of the first offense.
- D. Upon a second observed offense, the person who is violating this Ordinance shall have his/her water shut off.
- E. After water service has been shut off, there shall be a re-connect fee set by the current fee resolution, to restore service to the offending home or business.

II. LAWN WATERING PERMITS

- A. Any person installing a new lawn that needs to be watered every day and during the restricted time of 10:00 a.m. to 5:00 p.m. needs to obtain a "New Lawn Permit" from the Public Works Department.
- B. The permit will be valid for twenty-one (21) days of watering for newly-seeded lawns and fifteen (15) days of watering for sod.

- C. The City strongly recommends using alternative grass types such as fescues, wheatgrasses, and Blue Grama in-lieu of Kentucky Bluegrass.
- D. The "New Lawn Permit" fee will be set according to the current fee resolution. The permit shall be displayed in a prominent, visible area in the front lawn. Watering violations will be enforced for new lawns that do not have a permit.

PUBLIC HEARING. This ordinance shall be considered for second and final reading on the 27th day of April, 2004, at the hour of 7:30 p.m. in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

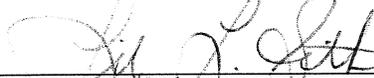
PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 13TH DAY OF APRIL, 2004.

CITY OF CORTEZ



CHERYL BAKER, MAYOR

ATTEST:



LINDA L. SMITH, CITY CLERK

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 27th DAY OF APRIL, 2004.

CITY OF CORTEZ



Mayor

ATTEST:



LINDA L. SMITH, CITY CLERK

APPROVED AS TO FORM:



JAMES HATTER, City Attorney