

## Mt Crested Butte Water & Sanitation District

### IRRIGATION POLICY RESOLUTION - Revised

BE IT RESOLVED by the Board of Directors of the Mt. Crested Butte Water and Sanitation District, a Special District, that in order to insure the proper functioning of the District's water system, the District hereby establishes restrictions on irrigation by any means, of lawns, gardens and other exterior landscaping features and use as follows:

**STANDARD RESTRICTIONS.** Due to demands through the District's water distribution system, high costs of treating water, and the District's desire to be a good steward of this limited resource the following irrigation restrictions shall apply year-round:

1. **LENGTH OF RESTRICTION:** The irrigation restriction shall be in effect year-round.
2. **HOURS OF RESTRICTION:** Irrigation shall only be permitted between 6:00 a.m. to 10:00 a.m. and between 6:00 p.m. to 10:00 p.m.
3. **ADDRESS RESTRICTIONS:** In addition to restricted hours,
  - a. Irrigation shall be restricted to **EVEN NUMBERED DATES for EVEN NUMBERED PROPERTY ADDRESSES.**
  - b. Irrigation shall be restricted to **ODD NUMBERED DATES for ODD NUMBERED PROPERTY ADDRESSES.**

#### **EXEMPTIONS.**

**LANDSCAPE EXEMPTION.** The District Manager may, in his sole discretion, issue not more than one landscape exemption permit to a customer from the standard water restrictions set forth immediately above for the purpose of irrigation of newly installed landscaping, lawns and trees. The exemption may be from the even/odd schedule or hours of the day, however in no case will the exemption apply to both restrictions. The customer shall prominently display a copy of the exemption permit in the area to be irrigated.

**EMERGENCY RESTRICTIONS.** Due to existing or threatened water conditions, the Board of Directors may decide to further restrict irrigation to alternate days in geographic areas within the service area as follows:

1. Irrigation shall only be permitted between 6:00 a.m. to 10:00 a.m.
2. Irrigation for property with an **EVEN** numbered address shall be limited to **MONDAY** and **THURSDAY**.
3. Irrigation for property with an **ODD** numbered address shall be limited to **TUESDAY** and **FRIDAY**.
4. No Irrigation of any kind shall be permitted on **WEDNESDAY, SATURDAY and SUNDAY**.
5. Washing of vehicles, recreational vehicles, heavy construction equipment, driveways, walkways, etc shall not be permitted at any time.
6. In the event of a worsening emergency situation these restrictions may be further modified.

Such emergency restrictions shall immediately be in full force and effect upon publication. The District will make efforts to communicate the emergency restrictions via newspaper, radio, public messaging and other means available. Such restrictions shall remain in full force and effect until the earlier of (1) the date the same is rescinded by the District's Manager, or (2) the next regular or special

**Mt Crested Butte Water & Sanitation District**

**IRRIGATION POLICY RESOLUTION - Revised**

board meeting, called for the purpose of evaluating such restrictions, unless continued by action of the Board.

**VIOLATIONS.**

**VIOLATION OF WATER CONSERVATION RESTRICTIONS.** Upon violation of any of the standard or emergency restrictions set forth above, the District Manager shall cause a written Notice of Violation to be mailed or delivered to the customer who has been found to be violating these Restrictions. The Notice of Violation shall specifically state the manner of the violation, with reference to the Irrigation Policy Resolution, the applicable Restrictions, and the penalty for such violation as set forth below.

**PENALTIES FOR VIOLATIONS.** Any person violating any of the standard or emergency restrictions set forth above shall be subject to the following fines:

Violation of Standard Restrictions:

First Violation:	Written Warning
Second Violation:	\$50
Third Violation:	\$100
Fourth Violation:	\$250
Subsequent Violations:	\$500

Violation of Emergency Restrictions:

First Violation:	\$100
Second Violation:	\$200
Third Violation:	\$500
Subsequent Violations:	\$1,000

**OBJECTION TO NOTICE OF VIOLATION.** Any customer objecting to any Notice of Violation, or the penalty imposed thereby, may, within 10 days after such notice is mailed to the customer, file a written objection with the District Manager. Failure to timely object to any Notice of Violation shall be deemed a waiver of any objection to such notice or the penalty imposed thereby.

**HEARING ON OBJECTION.** Upon filing of such written objection, the Board shall at its next regular or special meeting, hear such evidence that the District Manager and customer may present concerning such violation in accordance such rules as the Board may establish. If the Board finds that the evidence supports a finding that the alleged violation occurred and the penalty imposed was appropriate, then the Notice of Violation shall stand and the penalty shall be imposed. Otherwise, the Board may strike or modify the Notice of Violation and/or penalty imposed in accordance with the evidence presented.

**REPEATED OFFENSES.** Upon issuance to any customer of a third Notice of Violation, the Board shall, at the next possible regular or special meeting, determine whether, and upon what conditions, the District should initiate discontinuation of water services. Notice of such hearing shall be mailed to the customer by certified mail to the customer's last known address at least 7 days before such hearing. In making such determination, the District shall consider any special needs of the customer, and the detriment to the District from the continual violations of the District's irrigation restrictions. At such hearing, the District Manager and customer may present evidence concerning such determination in accordance with the rules that the Board may establish and which may be amended from time-to-time. Notice of any determination shall be mailed to the customer by certified mail, return receipt requested and first-class mail, to the customer's last known address, and a copy shall be posted on the premises. Any disconnection shall be initiated and exercised in the manner provided by the District's Rules and Regulations.

**Mt Crested Butte Water & Sanitation District**

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The foregoing resolution was adopted by the Board of Directors of the Mt. Crested Butte Water and Sanitation District, a Colorado Special District, at its regular meeting held at 5:00 p.m. on **June 12, 2017** at the District's offices at 100 Gothic Road, Mt. Crested Butte, Colorado, at which a quorum was present.

The REVISED resolution pertaining to Emergency Restriction irrigation days was adopted by the Board of Directors of the Mt. Crested Butte Water and Sanitation District, a Colorado Special District, at its regular meeting held at 5:00 p.m. on **June 12, 2018** per a motion made at the May 8, 2018 regular meeting, both at the District's offices at 100 Gothic Road, Mt. Crested Butte, Colorado, at which a quorum was present.

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Chairman of the Board

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Date

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