



**TOWN OF WIGGINS
WORK SESSION AGENDA**

May 11, 2022, at 7:00 P.M.

**304 CENTRAL AVENUE
WIGGINS, CO 80654**

**NOTE: THE PUBLIC IS HIGHLY ENCOURAGED TO ATTEND THE MEETING
VIA ZOOM OR WATCH ON YOUTUBE DUE TO LIMITED SEATING CAPACITY**

GO TO FOLLOWING SITE <https://us06web.zoom.us/j/88202736268> FOR THE MEETING LINK

MEETING AGENDA

<u>AGENDA TOPIC</u>	<u>ESTIMATED TIME</u>
1. Discussion of Change to Water Conservation Policy/Outside Watering Rules	45 minutes
2. Other Items/Updates <ul style="list-style-type: none">• November Election Ballot Questions• Body Worn Camera Update• FAMILI Opt-Out• All Park Clean-Up 8:30-11:30 a.m. Meet @ Teets Park – Lunch Afterward• Projects Update	45 minutes
3. Future Agenda Topics	5 minutes

The Board of Trustees may adjourn for a brief Special Meeting after the Work Session



STAFF SUMMARY

Board of Trustee Work Session May 11, 2022

DATE: May 4, 2022

AGENDA ITEM NUMBER: 1

TOPIC: Discussion Regarding the Amendment of the Wiggins Water Conservation Policy

STAFF MEMBERS RESPONSIBLE: Tom Acre, Town Manager
Beau Warden, Public Works Supervisor
Hope Becker, Planning & Zoning Administrator

BAKGROUND:

The Town Board of Trustees have approved and amended Water Conservation Policies dating as far back as 2003 and last amended the policy on March 25, 2015. The Water Conservation Policy is necessary to achieve water conservation and enhance the Town's ability to supply water to its users at any given time.

The Town currently maintains a 500,000-gallon water storage tank that serves over seven hundred water accounts. The Town has obtained a sufficient quantity of water necessary to serve its current customers and future growth, but can only successfully serve its customers when the demand for water is not at the same time. The Town previously received a USDA grant and loan for enhancing the Town's water system including an additional elevated 500,000-gallon water storage tank. These funds are obligated for Wiggins by USDA; however, they have not been released for expenditure.

The Town must also have sufficient water supply to serve the fire department in the event a high demand for water is necessary to fight a fire. The water system must have enough time to establish sufficient level before the next demand on water is requested.

SUMMARY:

As the Town's water users put demand pressure on the Town's water system, staff must make modifications to the system operation to maintain adequate water storage levels and pressures to provide water to residents. Wiggins is located in an arid environment and water is a precious resource and we need to be good stewards of the resource. The implementation of set watering schedules and conservation measures proposed in the amended Water Conservation

Policy provide certainty to water users and enable the Town to have some control of water demands to meet residents needs while maintaining a sufficient water level in the storage tank.

Staff recommends amending the Water Conservation Policy by setting a fixed water schedule to allow the water system ample time to recover in order to maintain adequate water levels in the water storage tank. This amendment will streamline watering rules, providing property owners in Town clarity on when outdoor water usage is allowed, enforcement and how modifications in the standard watering schedule will be communicated to the public if warranted.

FISCAL IMPACT:

The Town of Wiggins adopted budget will not be directly impacted.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

The Town desires to maintain transparency and to streamline rules and regulations where possible. The proposed modifications support the goal of being good stewards of the Town's resources.

QUESTIONS/INFORMATION REQUESTED FROM THE BOARD OF TRUSTEES:

- Do the Trustees have comments or suggestions on the approach proposed?
- Does the Board of Trustees want staff to move forward with the Water Conservation Policy amendment?
- Does the Board of Trustees have any questions of staff?

**TOWN OF WIGGINS
ORDINANCE NO. 07-2022**

AN ORDINANCE AMENDING THE WATER CONSERVATION POLICY FOR THE TOWN OF WIGGINS

WHEREAS, the Board of Trustees previously adopted Ordinance No. 03-2015, which set forth water conservation restrictions for Town residents; and

WHEREAS, the Board of Trustees has determined that portions of the Water Conservation Policy should be amended to update the water conservation policy guidelines; and

WHEREAS, such amendment is necessary to achieve further water conservation and protect the Town's water supply system and its ability to supply water to its users; and

WHEREAS, the watering schedules and conservation measures set forth in the Water Conservation Policy provide certainty to water users and enable the Town to better control of water use, ability to provide adequate supply of water, and to develop and implement water management measures in a fair and orderly manner for the benefit of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS, COLORADO:

Section 1.

**Town of Wiggins
Water Conservation Policy**

- I. Purpose; Intent.
- II. Definitions
- III. Declaration of Water Conservation Levels.
- IV. Landscape Irrigation Schedule
- V. Extreme Water Conservation Schedule
- VI. Additional Requirements
- VII. Wasting of Water Prohibited
- VIII. Enforcement Officials
- IX. Penalties

I. PURPOSE; INTENT.

- A. It is the purpose and intent of this Ordinance to proactively establish procedures for managing water demand in order to conserve the Town's available water supply and protect the integrity of the Town's water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public

health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergencies.

- B. This Ordinance establishes regulations to be implemented during times of typical water conditions, declared water shortages, or declared water shortage emergencies. It establishes levels of water conservation, with corresponding water conservation measures, which increase in response to worsening drought conditions and decreasing available supplies.

II. DEFINITIONS.

- A. "Address" means the house number of a physical location of a specific property. If a lot number in a mobile home park or similar community is used by the U.S. Postal Service to determine a delivery location, the lot number shall be the property's address. An "even numbered address" means an address ending in the numbers 0, 2, 4, 6, 8 or the letters B, D, F, H, J, L, N, P, R, T, V, X, Z. An "odd numbered address" means an address ending in the numbers 1, 3, 5, 7, 9 or the letters A, C, E, G, I, K, M, O, Q, S, U, W, Y.

"Person" means any person, firm, partnership, association, corporation, company, business, or organization of any kind.

"Landscape irrigation" means the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, and other such flora that are situated in such diverse locations as residential areas, public, commercial, and industrial establishments, and public medians and rights-of-way.

"Landscape irrigation" does not include agricultural crops, nursery plants, and vegetation associated with intensive recreational areas such as public playgrounds, football, baseball, and soccer fields.

"Residential landscape irrigation" means the irrigation of landscape associated with any housing unit having sanitary and kitchen facilities designed to accommodate one or more residents, including multiple housing units and mobile homes.

"Non-residential landscape irrigation" means the irrigation of landscape not included within the definition of "residential landscape irrigation," such as that associated with public, commercial, and industrial property, including commercial or transient housing units, hotel and motel units, and public medians and rights-of-way.

III. DECLARATION OF WATER CONSERVATION LEVELS.

- A. In case of an emergency water shortage or potential emergency (i.e., extreme persistent drought, large fire, or water system issue) the Board of Trustees may, declare that an

“Extreme” water conservation situation (Condition Red) shall apply in the Town of Wiggins. The Town’s declaration of an emergency water shortage situation shall be in effective until modified or withdrawn by the Board of Trustees.

- B. Upon declaration of Extreme Water Conservation Situation (Condition Red) extreme water conservation measures being required as determined by the Board of Trustees, the Town shall notify its water customers by one or more of the following means:
- Post the declaration at Town Hall; or
 - Post the declaration on the Town’s website and Facebook page; or
 - Send text or email to those who the Town has contact information.

IV. LANDSCAPE IRRIGATION SCHEDULE.

- A. Landscape Irrigation shall occur only in accordance with the following schedule:
1. Properties bearing even-numbered street addresses shall water only on Tuesday, Thursday, and Saturday.
 2. Properties bearing odd-numbered street addresses shall water only on Monday, Wednesday, and Friday.
 3. No residential watering is allowed on Sunday.
 4. No outdoor watering shall occur between the hours of 9:00 a.m. and 6:00 p.m. on any given day. The exception to this rule may be granted for the watering of public parks, ball fields or school owned ball fields.
 5. Watering of flowers and gardens is permitted on non-watering days if done by hand or ground soaker hoses for a maximum of ten minutes per day.
- B. Exception to the Landscape Irrigation Schedule.
Landscape irrigation shall be subject to the following irrigation schedule exceptions
1. Irrigation of new landscape is allowed with a permit provided by the Town Hall, at any time of day on any day for the initial 30 days. The permit may be extended by Town Hall staff to every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.
 2. Irrigation systems may be operated at any time of day on any day for maintenance and repair purposes not to exceed 5 minutes per hour per zone.

3. Limited “spot” irrigation using a hand-held hose equipped with an automatic shut-off nozzle is allowed prior to 9:00 a.m. and after 6:00 p.m. on no-watering days.
4. Discharge of water from a water-to-air air-conditioning unit or other water-dependent cooling system is not limited.
5. The Town of Wiggins may water at any given time and on any given day for its public parks and the school district for its athletic fields.

V. EXTREME WATER CONSERVATION SCHEDULE.

- A. An Extreme Conservation Watering Situation schedule applies in case of an emergency water shortage or potential emergency (i.e., extreme persistent drought, large fire, or water system issue).
- B. During a declared Extreme Conservation Watering Situation, the following watering schedule shall apply to all customers using water provided by the Town of Wiggins:
 1. Watering of lawns is prohibited. Watering of flowers and gardens is permitted if done by hand (watering can or hose with automatic shutoff only) for a maximum of five (5) minutes per day.
 2. Washing of personal vehicles, vehicle fleets and vehicles in auto dealerships is prohibited.
 3. Temporary new lawn permits will be revoked.
 4. If Extreme Conservation Watering Situation conditions persist, the Town may adopt additional restrictions on domestic, commercial, and industrial use of water.

VI. ADDITIONAL REQUIREMENT.

- A. Any person who purchases and installs an automatic landscape irrigation system must properly install, maintain, and operate technology that inhibits or interrupts operation of the system during periods of sufficient moisture.
- B. Any person who purchases and installs an automatic landscape irrigation system must properly install a backflow prevention device as pursuant to Town ordinances.

VII. WASTING OF WATER PROHIBITED.

- A. Wasting of water is prohibited, and all consumers shall prevent unnecessary waste of water and keep all water outlets closed when not in actual use.

- B. Wasting of water shall include, but not be limited to, the following uses:
1. Failing to repair a controllable leak, including a broken sprinkler head, leaking valve, or leaking faucet.
 2. Operating a permanently installed irrigation system with a broken head, a head that is out of adjustment and spraying more than 10 percent of the spray on a street or parking lot or that is misting.
 3. During irrigation,
 - (i) allowing a substantial amount of water to run off a property; or
 - (ii) allowing water to pond in the street or parking lot to a depth greater than 'A of an inch.
 4. Allowing a hose to be left running on the ground when washing a vehicle.
- C. Hose bibs, hydrants, toilets, bathtubs, and other openings must not be left running for any purpose other than the use for which they were intended.

VIII. ENFORCEMENT OFFICIALS.

- A. Law enforcement officials having jurisdiction in the area governed by this Ordinance are hereby authorized to enforce the provisions of this Ordinance. In addition, the Town Manager may also delegate enforcement responsibility for this ordinance to other departments or personnel of the Town of Wiggins government.

IX. PENALTIES.

- A. Any person violating any provision of this Ordinance shall be punished by a minimum fine of two hundred and fifty dollars (\$250.00). Each day that a violation of this Ordinance occurs is a separate offense.
- B. Upon a third and each subsequent conviction for such an offense, and in addition to such fine, the Town may discontinue water service to the property served, or the Town may install a flow restriction device, at the expense of the customer, upon the service line to the property served to limit water service to that necessary for health and sanitary purposes only. No such discontinuance of or restriction upon water service shall extend for more than ten days for each conviction. At least ten days' notice and an opportunity to be heard before the Town Manager shall be given prior to each discontinuance or restriction of water service pursuant to this Ordinance.

Section 2. All previously approved ordinances pertaining to Wiggins Water Conservation Policies are hereby repealed in their entirety.

Section 3. This Ordinance shall take effect immediately upon adoption.

Section 4. If any portion of this Ordinance is held to be invalid for any reason, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 5. The repeal or modification of any portion of any ordinance of the Town of Wiggins by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 6. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED BY TITLE ONLY, BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS, COLORADO THIS 25TH DAY OF MAY 2022.

TOWN OF WIGGINS, COLORADO

Christopher Franzen, Mayor

ATTEST:

Deborah Lee, Town Clerk

I, Deborah Lee, Town Clerk of the Town of Wiggins, Colorado, hereby certify and attest that the foregoing Ordinance No. 07-2022 was introduced, read, adopted, and ordered published by title only, at a regular meeting of the Board of Trustees of the Town of Wiggins, Colorado on the 25th day of May 2022. This Ordinance was published in The Fort Morgan Times on _____, 2022.

ATTEST:

Deborah Lee, Town Clerk

DRAFT

ORDINANCE NO. 03-2015

AN ORDINANCE ADOPTING A WATER CONSERVATION POLICY FOR THE TOWN OF WIGGINS

WHEREAS, the Board of Trustees previously adopted Ordinance Nos. 03-14, 03-13 and 3-12, which set forth water conservation restrictions for Town residents; and

WHEREAS, the Board of Trustees desires to repeal Ordinance Nos. 03-14, 03-13 and 3-12 and adopt a new Water Conservation Policy; and

WHEREAS, such Water Conservation Policy is necessary to achieve further water conservation and protect the Town's water supply system and its ability to supply water to its users; and

WHEREAS, the watering schedules and conservation measures set forth in the Water Conservation Policy provide certainty to water users and enable the Town to better control water use, provide water supplies, and plan and implement water management measures in a fair and orderly manner for the benefit of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS, COLORADO:

Section 1. The Board of Trustees hereby adopts the following provisions regarding water conservation within the Town of Wiggins, which provisions may be referred to as the "Town of Wiggins Water Conservation Policy:"

Town of Wiggins Water Conservation Policy

- | | |
|-------------------|--|
| Section 1 | Purpose; intent. |
| Section 2. | Declaration of water conservation levels. |
| Section 3. | Condition Green watering schedule. |
| Section 4. | Condition Yellow watering schedule. |
| Section 5. | Condition Red watering schedule. |
| Section 6. | Wasting of water prohibited |
| Section 7. | Penalties |

Section 1. Purpose; intent.

A. It is the purpose and intent of Ordinance to proactively establish procedures for managing water demand in order to conserve the Town's available water supply and protect the integrity of the Town's water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergencies.

B. This Ordinance establishes regulations to be implemented during times of typical water conditions, declared water shortages, or declared water shortage emergencies. It establishes three levels of water conservation levels, with corresponding water conservation measures, which increase in response to worsening drought conditions and decreasing available supplies.

Section 2. Declaration of water conservation levels.

A. The Board of Trustees shall from time to time declare (by motion or resolution) the appropriate water conservation level – **Condition Green, Condition Yellow or Condition Red** – that shall apply within the Town.

B. In case of an emergency water shortage, scarcity or drought, the Town Administrator may, after consultation with the Mayor or Mayor Pro Tem, declare that a **Condition Yellow or Condition Red** water conservation level shall apply within the Town. No such declaration by the Town Administrator shall be continued or renewed for a period in excess of fourteen (14) days unless the Board of Trustees takes action to extend such declaration.

C. Upon declaration of a Condition Green, Condition Yellow or Condition Red water conservation level by the Board of Trustees or Town Administrator, the Town shall notify its water customers by one or more of the following means: use its reverse 911 system; post the declaration at Town Hall; deliver notice of the watering restrictions to water customers' properties by mail or hand-delivery; mail the declaration with customers' water bills; or publish the declaration in a newspaper of general circulation within the Town.

D. The declared water conservation level and corresponding watering schedule set forth below shall apply until the Board of Trustees takes action to withdraw or change the water conservation level. Such watering schedules shall not apply to Town-owned parks.

E. Exhibit A, attached hereto and incorporated herein by reference, shows the water conservation levels and corresponding watering schedule that shall apply.

Section 3. Condition Green watering schedule.

A. The Condition Green watering schedule applies when water supply is deemed adequate to meet the Town's needs assuming that proper water conservation measures are being practiced.

B. During a declared Condition Green level, the following watering schedule shall apply to all customers using water provided by the Town:

(1) Properties bearing even-numbered street addresses shall water only on Tuesday, Thursday, Saturday and Sunday.

(2) Properties bearing odd-numbered street addresses shall water only on Monday, Wednesday, Friday and Sunday.

(3) No outdoor watering shall occur between the hours of 10:00 a.m. and 6:00 p.m.

(4) Watering of flowers and gardens is permitted on non-watering days if done by hand or ground soaker for a maximum of twenty minutes per day.

Section 4. Condition Yellow watering schedule.

A. The Condition Yellow watering schedule applies when conditions are or will make water in short supply. Additional water conservation measures are necessary to meet the Town's critical water needs.

B. During a declared Condition Yellow level, the following watering schedule shall apply to all customers using water provided by the Town:

(1) Properties bearing even-numbered street addresses shall water only on Tuesday and Saturday.

(2) Properties bearing odd-numbered street addresses shall water only on Wednesday and Sunday.

(3) No outdoor watering shall occur between the hours of 10:00 a.m. and 6:00 p.m.

(4) Watering of flowers and gardens is permitted on non-watering days if done by hand (water can or hose) for a maximum of ten minutes per day.

(5) Personal vehicles, vehicle fleets and vehicles in auto dealerships may not be washed more than one time per week.

Section 5. Condition Red watering schedule.

A. The Condition Red watering schedule applies when a water emergency exists or drought conditions are prime for a water emergency to exist.

B. During a declared Condition Red level, the following watering schedule shall apply to all customers using water provided by the Town:

(1) Watering of lawns is prohibited. Watering of flowers and gardens is permitted if done by hand (watering can or hose) for a maximum of five minutes per day.

(2) Washing of personal vehicles, vehicle fleets and vehicles in auto dealerships is prohibited.

(3) If drought conditions persist, the Board may adopt additional restrictions on domestic, commercial and industrial use of water.

Section 6. Wasting of water prohibited.

A. Wasting of water is prohibited, and all consumers shall prevent unnecessary waste of water and keep all water outlets closed when not in actual use.

B. Wasting of water shall include, but not be limited to, the following uses:

(1) Failing to repair a controllable leak, including a broken sprinkler head, leaking valve or leaking faucet.

(2) Operating a permanently installed irrigation system with a broken head, a head that is out of adjustment and spraying more than 10 percent of the spray on a street or parking lot or that is misting.

(3) During irrigation, (i) allowing a substantial amount of water to run off a property; or (ii) allowing water to pond in the street or parking lot to a depth greater than $\frac{1}{4}$ of an inch.

(4) Allowing a hose to be left running on the ground when washing a vehicle.

C. Hose bibs, hydrants, toilets, bathtubs, and other openings must not be left running for any purpose other than the use for which they were intended.

Section 7. Penalties.

A. Any person violating any provision of this Ordinance shall be punished by a minimum fine of two hundred and fifty dollars (\$250.00). Each day that a violation of this Ordinance occurs is a separate offense.

B. Upon a third and each subsequent conviction for such an offense, and in addition to such fine, the Town may discontinue water service to the property served, or the Town may install a flow restriction device, at the expense of the customer, upon the service line to the property served to limit water service to that

necessary for health and sanitary purposes only. No such discontinuance of or restriction upon water service shall extend for more than ten days for each conviction. At least ten days notice and an opportunity to be heard before the Town Administrator shall be given prior to each discontinuance or restriction of water service pursuant to this Section 7.

Section 2. Ordinance Nos. 03-14, 03-13 and 3-12 are hereby repealed in their entirety.

Section 3. If any portion of this Ordinance is held to be invalid for any reason, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 4. The repeal or modification of any portion of any ordinance of the Town of Wiggins by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or

**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED
BY TITLE ONLY, by the Board of Trustees of the Town of Wiggins, Colorado this 25th day
of March, 2015.**

TOWN OF WIGGINS, COLORADO



Mac Leon, Mayor

ATTEST:



Patricia Sweet, Town Clerk

I, Patricia Sweet, Town Clerk of the Town of Wiggins, Colorado, hereby certify and attest that the foregoing Ordinance No. 03-2015 was introduced, read, adopted and ordered published by title only, at a regular meeting of the Board of Trustees of the Town of Wiggins, Colorado on the 25th day of March 2015. This Ordinance was published in The Fort Morgan Times on March 28th, 2015.

EXHIBIT A

Town of Wiggins Water Conservation Policy Table

Town of Wiggins

Water Conservation Policy

Condition Green

Water supply is adequate to meet the Town's needs. This is subject to everyone participating in proper conservation.

Even numbered houses may water on Tuesday, Thursday, Saturday, and Sunday only

Odd numbered houses may water on Monday, Wednesday, Friday, and Sunday only.

No watering between the hours of 10:00 a.m. and 6:00 p.m.

Watering of garden and flowers is permitted on non-watering days if done by hand or ground soaker for a maximum of 20 minutes.

Condition Yellow

Conditions make water in short supply. Further conservation measures are necessary to meet the critical water needs.

Even numbered houses may water on Tuesday and Saturday only.

Odd Number houses may water on Wednesday and Sunday Only

No watering between the hours of 10:00 a.m. and 6:00 p.m.

Watering of garden and flowers is permitted on non-watering days if done by hand for a maximum of 10 minutes per day.

Condition Red

A Water Emergency or Drought condition exists.

No Watering of Lawns

No Washing of Cars

No wasting of any water

If conditions persist, rationing of water to homes may be necessary in accordance with Town Policies

The Water Conservation Policy will be Strictly Enforced – Violations will result in a minimum fine of \$250.00 per violation. Any wasting of water, such as excessive watering that causes water to run in the street shall be prohibited.