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TOWN OF LAKE CITY

To: Town Board of Trustees

From: Caroline Mitchell, Town Manager

Date: April 4, 2018

RE: 2018 Water Availability and Drought Status and Draft Water Conservation and Management Plan

February 2018 Drought Update* (see attachment for full report; highlights for our area are below):

Statewide Update:

“Despite recent precipitation, it is unlikely that many basins in the southern half of the state will be able to reach average snow accumulation this season. 71 percent of the state is in some level of drought classification.” Southwest Colorado is the driest area of the State and forecasts remain dry, with the Gunnison Basin (Ridgway) at 55% of normal for precipitation.

**State of Colorado Department of Natural Resources Water Availability Task Force.*

<http://cwc.state.co.us/public-information/flood-water-availability-task-forces/Documents/DroughtUpdate.pdf>

As of March 14, the Gunnison Basin is showing 57% of normal for snowpack (the bottom dark blue line).

https://www.nrcs.usda.gov/wps/portal/nrcs/detail/co/snow/products/?cid=nrcs144p2_063323

As a comparison YTD, below is the 2003 Water Year Graph, showing WY 2018 tracking early on with WY 2000, which bumped up in early February, and now tracking more with WY 2002 (a difficult water year) as of March.

DRAFT: Water Conservation and Management Plan for Board consideration:

Stage	Trigger Condition	Actions
Stage I	Voluntary Restrictions: Statewide Drought Status (Begin May 1)	<ul style="list-style-type: none"> • Does not apply to drip systems and use of hand watering containers. • No irrigating between the hours of 9:00 am and 6:00 pm, or when windy >15 mph, in order to minimize evaporation, and anytime on Mondays. • Odd addresses on odd numbered days • Even addresses on even numbered days • Outreach on water use, fixing leaks and limited gardening
Stage II	Mandatory Restrictions: Demand exceeds system capacity (water from the town storage reservoir is the only source)	<ul style="list-style-type: none"> • Odd addresses on odd numbered days – irrigate only on Tuesdays and Saturdays. • Even addresses on even numbered days – irrigate only on Wednesdays and Sundays. • Town Parks irrigation limited to Mondays and Thursdays
Stage III	Demand remains above system capacity and tank levels are not sustained after Stage I and Stage II actions	<ul style="list-style-type: none"> • Maintain all Stage II curtailments plus: • Largest outdoor water users significantly curtailed. Restaurants only serve water upon customer request.
Stage IV	Demand remains above system capacity and tank levels are not sustained after Stage III actions	<ul style="list-style-type: none"> • Maintain all Stage III curtailments plus: • Odd addresses on odd numbered days – irrigate only on Tuesdays and Saturdays.– irrigate only on Tuesdays and Saturdays on the 2nd and 4th weeks of the month. • Even addresses on even numbered days – irrigate only on Wednesdays and Sundays.– irrigate only on Wednesdays and Sundays

		<p>on the 1st and 3rd weeks of the month</p> <ul style="list-style-type: none"> • Town Parks irrigation limited to Mondays and Thursdays.
Stage V	Demand remains above system capacity and tank levels are not sustained after Stage IV actions	<ul style="list-style-type: none"> • Maintain all Stage IV curtailments plus: <ul style="list-style-type: none"> ○ No outdoor irrigation. ○ No car washing, pond, or pool filling. ○ No sidewalk washing. ○ No use of potable water in water features (e.g., fountains).
Stage VI	Demand remains above system capacity and tank levels are not sustained after Stage V actions	<ul style="list-style-type: none"> • Maintain all Stage V curtailments plus: <ul style="list-style-type: none"> ○ Allow no new connections to system until fall or relief from drought.

Administrative Enforcement of the Town of Lake City Municipal Code:

This is an existing code option for enforcement. The Board may consider and set other regulations pursuant to LC 21.35:

Sec. 21-35. - Restriction on water use.

(a) The board of trustees may limit the use of town water to specific times, days, and uses. (Ord. No. 2015-03, § 1(16.1-17), 2-4-2015)

Sec. 8-48. - Prohibited.

(a) It shall be unlawful for any person to create, cause, or maintain any nuisance, or to permit any nuisance to exist upon or in connection with any premises owned by him or under his control.

(b) The following are hereby declared to be a nuisance:

(1) Anything or activity which unreasonably annoys or interferes with the use or enjoyment of public or private property or which constitutes a health or safety hazard.

- **Sec. 8-49. - Abatement.**

(a) In addition to any other powers granted to the town by law to abate nuisances, any nuisance may be abated in accordance with the provisions of this section.

(b) The town may maintain an action in a court of competent jurisdiction to enjoin or abate a nuisance.

(c)The town may prosecute any person maintaining or allowing a nuisance to exist in municipal court and, upon conviction, the court may enter an order on such items as it deems appropriate for the abatement of the nuisance in addition to any fine or jail sentence.

(d)The town may give notice, in writing, to any person responsible for the maintenance of a nuisance, which notice shall allow a reasonable time for such person to correct and eliminate the nuisance. If such person shall fail to correct or eliminate the nuisance by the time specified in the notice, the town may take action for the correction or elimination of the nuisance and shall have the right to enter upon private property for such purpose. The town may collect the cost of doing so in accordance with [section 8-50](#). Prior to entering upon private property, the town shall request the permission of the owner or party in possession of the premises. If such permission is denied or such persons are not located, the town shall not enter onto private property until the municipal court issues an order authorizing entry, which may be issued upon a showing of probable cause and compliance with the notice requirements of this subsection.

(e)The town may take all necessary steps, including the entry upon private property, to abate or eliminate a nuisance without notice when such nuisance constitutes an immediate health or safety hazard. In such event, the cost incurred by the town may be collected in accordance with [section 8-50](#). Prior to entry, the town shall obtain an order from the municipal court authorizing entry, which order the court may issue on a showing of probable cause.

(Ord. No. 1984-2, § 2(5.2-2), 6-6-1984)

- **Sec. 8-50. - Cost of abatement.**

(a)The town may recover all costs, including reasonable attorney's fees, interest and penalties, it incurs in abating any nuisance as provided in this article.

(b)The town may maintain an action in a court of competent jurisdiction for such costs incurred in abating a nuisance.

(c)Such costs incurred shall be an assessment and lien upon the property affected, which may be foreclosed by the town in accordance with state and other applicable law, which shall have priority over all other liens except general taxes and prior special assessments.

(d)Such costs incurred by the town may be certified to the county treasurer to be collected as delinquent charges, together with interest and penalties authorized by law in a manner similar to property taxes against the property upon which the nuisance was maintained.

(Ord. No. 1984-2, § 2(5.2-3), 6-6-1984)