

CITY OF GREELEY, COLORADO

ORDINANCE ___, 2021

**AN ORDINANCE AMENDING SECTIONS 14.08.090 AND 14.08.160
OF THE GREELEY MUNICIPAL CODE (CONCERNING WATER USE RESTRICTIONS
AND DROUGHT RESPONSE)**

WHEREAS, the City of Greeley ("City") is a Colorado home rule municipality empowered pursuant to Sections 1 and 6 of Article XX of the Colorado Constitution to, *inter alia*, construct, purchase, acquire, lease, add to, maintain, conduct, and operate water works and everything required therefor, within or without its territorial limits, for use of the City; and

WHEREAS, Section 17-1 of the Greeley City Charter authorizes the Greeley Water and Sewer Board to qualify the Water and Sewer functions and operations as an "enterprise" as that term is contained in Article X, Section 20 of the Colorado Constitution, and to provide for every function and operation of an enterprise, including but not limited to, bond issuance and all other necessary and ordinary functions of the Water and Sewer operations; and

WHEREAS, Section 17-4(c) of the Greeley City Charter and Section 14.04.110 of the Greeley Municipal Code authorize the Greeley Water and Sewer Board to acquire, develop, convey, lease and protect the water and sewer assets, supplies and facilities needed to fully use the water supplies decreed, adjudicated or contracted for the City; and

WHEREAS, Sections 14.08.090 and 14.08.160 of the Greeley Municipal Code prescribe the particular means by which City residents may irrigate their property and make other uses of City water during periods of adequate water supply and during periods of drought; and

WHEREAS, the Water and Sewer Board at its January 20, 2021 regular meeting adopted an updated Drought Emergency Plan to guide the City's identification of potential drought conditions and subsequent response measures; and

WHEREAS, in conjunction with its adoption of the updated Drought Emergency Plan, the Water and Sewer Board at its January 20, 2021 regular meeting also recommended a variety of associated revisions to the Greeley Municipal Code regarding water conservation and use restrictions; and

WHEREAS, the imposition of watering restrictions that are responsive to the adequacy of available water supply and potential drought conditions continues to be in the best interests of the citizens of the City of Greeley, for the preservation and protection of their health, property, water resources, and safety.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. Sections 14.08.090 and 14.08.160 of the Greeley Municipal Code shall be repealed and replaced in their respective entireties as shown on Exhibit A, attached hereto and incorporated herein.

Section 2. Except as explicitly modified on Exhibit A, all other provisions of Chapter 14.08 in the Greeley Municipal Code shall remain in full force and effect.

Section 3. This Ordinance shall take effect on the fifth day following its final publication, as provided by Section 3-16 of the Greeley City Charter.

**PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF
_____, 2021.**

ATTEST

CITY OF GREELEY, COLORADO

City Clerk

Mayor