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TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: March 3, 2025

SUBJECT: Public Hearing – First Reading Ordinance 2025-266 Adding Section 13-10(g) to the Johnstown Municipal Code Concerning Access to Indoor Water Meters and Repealing and Readopting Article VI of Chapter 13 of the Johnstown Municipal Code Concerning Water Conservation

ACTION PROPOSED: Consider Ordinance 2025-266 on First Reading

ATTACHMENTS: 1. Ordinance 2025-266

PRESENTED BY: Matt LeCerf, Town Manager

AGENDA ITEM DESCRIPTION:

Enclosed for your review and consideration is Ordinance No. 2025-266. The ordinance presented provides for two specific modifications as part of Chapter 13 of the Johnstown Municipal Code (JMC) titled Municipal Utilities.

The first item amends Article 1 adding Section 13-10 Right to Entry. Adding this new Section into the JMC provides us with the ability to more effectively manage water meters inside of homes. Water meters are owned by the Town and tend to fail, by not communicating with our telemetry system to provide readings of water usage. More often than not, this is due to a dead battery. When the meters fail to report, Town Staff works with customers to access the homes and replace the meter and/or the battery components that communicate with our system. In some instances, residents fail to respond back to our requests to access the meter. If the customer continues to disregard the inquiries by Town Staff to access the meter, this tool allows us to charge an additional fee to the customer when prohibiting access exceeds 30 days. The fee to be assessed when this occurs is \$10.00 per month.

The second item included in Ordinance No. 2025-266 is a modification to the Water Conservation Ordinance. In April 2024, Council implemented water restrictions. As part of the

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approval of the irrigation restrictions, Council requested that Staff revisit the ordinance and work to modify some of the terminology. Accordingly, an updated Article VI is presented and removes several references to “Levels of drought condition” conditions to “Levels of water conservation”. Additionally, changes include an increase in levels of water conservation from 3 to 4. The most notable is the addition of Level 2 which provides for homes and property watering 3 days per week. All other levels either shifted down or stayed the same when evaluating watering levels.

The other notable change is the ability to disconnect service to Homeowner Associations in the instances that they fail to comply with water restrictions after formal notification. We experienced this several times in 2024 and effective enforcement was extremely difficult to navigate the process to issue citations.

As a foreshadowing, it is likely that in April a resolution will be presented to Council which would authorize implementation of Level 2 watering restrictions. The current administration believes using a resolution creates better awareness as well as better illustration of the constraints we have at our water treatment plant.

STRATEGIC PLAN ALIGNMENT:

- Organizational Excellence & Public Trust
 - *Strengthen public trust and confidence*
- Natural & Built Environment
 - *Invest in, enhance, and conserve our parks, open spaces, agricultural areas and natural environment*
- Quality Infrastructure & Facilities
 - *Ensure future viability of infrastructure and facilities*
 - *Repair and maintain existing infrastructure, facilities and equipment*

LEGAL ADVICE:

The Town Attorney drafted Ordinance 2025-266 as presented.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve Ordinance 2025-266 upon first reading.

SUGGESTED MOTIONS:

For Approval: I move to approve Ordinance No. 2025-266, as presented upon first reading.

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For Denial: I move to deny Ordinance No. 2025-266, as presented upon first reading.

Reviewed and Approved for Presentation,

A handwritten signature in blue ink, appearing to be 'W. J. C.', is written over a horizontal line.

Town Manager