



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: 07-09-2026 Staff Member/Dept: Ben Whipple / Public Works

Agenda Item: Ordinance 1280 – Water Restrictions Stages 1, 2 & 3 approval

Recommended Motion:

MOTION #1: "I motion to consolidate first, second, and third readings by title only for Ordinance 1280"
MOTION #2: "I motion to adopt Ordinance 1280 - Water Restrictions Stages 1, 2 & 3"

Reasons for Recommendation:

- Per Council's direction on June 28th Council Meeting, Staff drafted Ordinance 1280 to detail municipal water restriction protocols.
- Additional outreach for Stages 2 & 3 was conducted and resulted in no significant concerns

Policy Analysis and Background (non-consent items only):

Sustainability Impact:

The propose protocols work to greatly improve the City's water conservation protocols and provide triggers for escalating during mild to severe drought scenarios as the city looks to become more sustainable in our water usage.

Financial Impact:

None OR Adequate funds exist in account: None

Attachments:

- Ordinance 1280

CITY OF KETCHUM, IDAHO
ORDINANCE NO. 1280

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING KETCHUM CITY CODE 13.08.130 RELATING TO MUNICIPAL WATER USAGE CONSERVATION MEASURES; REPEALING THE EXISTING SINGLE-TIER SEASONAL WATERING RESTRICTION AND ENACTING IN ITS PLACE A NEW THREE-STAGE WATER CONSERVATION AND DROUGHT RESPONSE PROGRAM APPLICABLE TO RESIDENTIAL, COMMERCIAL, AND GOVERNMENT WATER CUSTOMERS; ESTABLISHING STAGE 1 (NORMAL OPERATIONS), STAGE 2 (MODERATE DROUGHT), AND STAGE 3 (EXTREME DROUGHT / DECLARED WATER SHORTAGE) RESTRICTIONS; ESTABLISHING A PROCEDURE FOR DECLARING AND TERMINATING CONSERVATION STAGES; ESTABLISHING DEFINITIONS, EXCEPTIONS, ENFORCEMENT PROCEDURES, AND A TIERED SCHEDULE OF PENALTIES; AUTHORIZING CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum (the “City”) owns and operates a municipal water system serving residential, commercial, and government customers; and

WHEREAS, the City Council previously adopted a prohibition on outdoor landscape watering between the hours of 10:00 a.m. and 5:00 p.m. daily during the period beginning June 15 and ending September 1 of each year, subject to a discretionary exception for drip or bubbler irrigation systems and new plantings, and an exclusion for commercial nurseries, codified at Ketchum Municipal Code 13.08.130; and

WHEREAS, the City has experienced periods of increased seasonal demand and drought conditions that a single, undifferentiated restriction is not adequately designed to address; and

WHEREAS, the City Council finds that the public health, safety, and welfare are best served by a graduated, three-stage water conservation and drought response program that scales restrictions to actual water supply conditions, together with a corresponding enforcement and penalty structure; and

WHEREAS, the City Council has determined that the penalties established herein are consistent with the penalties authorized under Idaho Code section 50-302;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AS FOLLOWS:

SECTION 1. AMENDMENT.

Ketchum Municipal Code 13.08.130 – Implementation of municipal water usage conservation measures is hereby repealed in its entirety and replaced with a new Section 13.08.130, to read as follows:

“ 13.08.130. WATER CONSERVATION AND DROUGHT RESPONSE PROGRAM.

A. PURPOSE AND APPLICABILITY.

This Section establishes a three-stage water conservation and drought response program applicable to all residential, commercial, and government customers of the City’s municipal water system. The program is intended to ensure an adequate water supply for domestic, irrigation, and fire-protection purposes during periods of normal operation, moderate drought, and extreme drought or declared water shortage.

B. DEFINITIONS.

For purposes of this Section, the following definitions apply:

- “Conservation Stage” — means Stage 1, Stage 2, or Stage 3, as declared or in effect pursuant to subsection 13.3.
- “Construction water” — means water used for dust control, soil compaction, concrete mixing or curing, or other construction-related purposes.
- “No-volume non-spray device” — means a hand-held hose-end shutoff nozzle that stops the flow of water when released and does not dispense water in a spray, mist, or sprinkler pattern.
- “Drip/bubbler irrigation” — means a micro-irrigation method that delivers localized, high-volume water directly to the soil, providing direct watering at the plant’s base, saturating deep root zones efficiently without overspray or runoff.
- “Outdoor landscape irrigation” — means the sprinkling, spraying, or watering of grass, lawns, gardens, ground cover, shrubbery, trees, or other vegetation located outdoors, by any method, including automatic irrigation systems, hose-end sprinklers, and hand watering.
- “Address parity” — means the classification of a property as odd-numbered or even-numbered based on the last digit of its assigned street address number.

C. DECLARATION OF CONSERVATION STAGE.

1. The Water Superintendent shall monitor water supply, demand, and drought conditions and shall recommend the declaration, escalation, de-escalation, or termination of a Conservation Stage.
2. Stage 1 is in effect as the baseline conservation standard during the irrigation season described in subsection 13.4, without need for further declaration.
3. Stage 2 is triggered upon a 25% drop at the Northwood Well over a 7-day rolling period.
4. Stage 3 shall be declared, escalated, de-escalated, or terminated by resolution of the City Council, except that in the case of a sudden emergency threatening the public water supply, the Mayor may declare Stage 3 by written order, effective immediately and subject to ratification by the City Council at its next regular meeting.

5. The City shall provide public notice of any declaration, escalation, de-escalation, or termination of a Conservation Stage through the City's website, social media, and such other means as are reasonably calculated to inform water customers.

D. STAGE 1 — NORMAL OPERATIONS CONSERVATION STANDARDS (Residential,

The following standards apply during the annual irrigation season beginning May 1 and ending September 15 of each year, absent a declaration of Stage 2 or Stage 3:

1. Outdoor landscape irrigation is prohibited between the hours of 10:00 a.m. and 5:00 p.m. daily.
2. Outdoor landscape irrigation is limited to three (3) days per week, between the hours of 5:00 p.m. and 10:00 a.m., as follows:
 - a. Properties with odd-numbered addresses may irrigate on Mondays, Thursdays, and Saturdays only.
 - b. Properties with even-numbered addresses may irrigate on Tuesdays, Fridays, and Sundays only.
 - c. Outdoor landscape irrigation is prohibited at all hours on Wednesdays.
3. Residential and commercial water customers are encouraged, but not required, to (1) limit irrigation run time to thirty (30) minutes or less per station, and (2) reduce indoor water consumption by ten percent (10%).

E. STAGE 2 — MODERATE DROUGHT RESTRICTIONS (Residential, Commercial, and Government).

Upon a 25% drop at the Northwood Well over a 7-day rolling period a declaration of Stage 2 will be triggered. The following restrictions apply during the irrigation season described in subsection 13.4, in addition to, and where in conflict, in place of, the Stage 1 standards:

1. Outdoor landscape irrigation is prohibited between the hours of 10:00 a.m. and 5:00 p.m. daily.
2. Outdoor landscape irrigation is limited to three (3) days per week, between the hours of 5:00 p.m. and 10:00 a.m., according to the odd/even address schedule set forth in subsection 13.4.B, and is prohibited at all hours on Wednesdays.
3. Irrigation run time is limited to fifteen (15) minutes or less per station.
4. Installation of new sod, seeding, or other vegetative landscaping is prohibited. Exemptions shall be evaluated by the Mayor on a case by case basis.
5. Power washing or spraying of impervious surfaces, including driveways and sidewalks, is prohibited.
6. Residential yard fountains and ponds must be turned off.
7. Washing of personal vehicles is prohibited except at commercial car washes complying with subsection 13.5.H.

8. Commercial car washes shall implement best management practices and shall limit water use to no more than twenty (20) gallons per vehicle.
9. Filling of private swimming pools and hot tubs is discouraged.
10. Use of construction water is prohibited unless necessary to address air-quality or construction-safety requirements, as determined by the [Building Official / Utilities Director].
11. Residential and commercial water customers are encouraged, but not required, to reduce indoor water consumption by twenty percent (20%).

**F. STAGE 3 — EXTREME DROUGHT / DECLARED WATER SHORTAGE
RESTRICTIONS (Residential, Commercial, and Government).**

Triggers for Stage 3 include but not limited to; State mandates (i.e., curtailments, severe drought measures), Catastrophic system failures (i.e., loss of well, major pump and electrical component failures), and Natural Disaster Events.

Upon declaration of Stage 3, the following restrictions apply and supersede the Stage 1 and Stage 2 standards to the extent of any conflict:

1. Outdoor landscape irrigation is prohibited between the hours of 10:00 a.m. and 5:00 p.m. daily.
2. Outdoor irrigation outside the hours described in subsection (A) is limited to a hand-held hose, a no-volume non-spray device, or drip/bubbler irrigation.
3. Installation of new sod, seeding, or other vegetative landscaping is prohibited.
4. Power washing or spraying of impervious surfaces, including driveways, sidewalks, and parking lots, is prohibited.
5. Washing of personal vehicles is prohibited except at commercial car washes, which shall be limited to no more than twenty (20) gallons per vehicle.
6. Filling of private swimming pools and hot tubs is prohibited.
7. Filling of private ponds, water features, and fountains is prohibited.
8. Hydrant washing and flushing is prohibited unless necessary for public-safety reasons.
9. Use of water for fire training, and use of water from a hydrant, is prohibited unless essential for public-safety reasons.
10. Use of water for street sweeping is prohibited.
11. Use of construction water is prohibited.
12. Filling of water trucks and trailers is prohibited unless necessary for public-safety reasons.

13. Residential and commercial water customers are encouraged, but not required, to reduce indoor water consumption by thirty percent (30%).

G. EXCEPTIONS.

1. Commercial nurseries are excluded from the irrigation-day, irrigation-hour, and irrigation-method restrictions of subsections 13.4, 13.5, and 13.6 with respect to watering conducted on their own nursery sites in the ordinary course of business.
2. The Stage 2 provisions above prohibit new sod, seeding, and vegetative landscaping, unless a waiver is provided by the Mayor. Stage 3 provisions above prohibit new sod, seeding, and vegetative landscaping outright.
3. Nothing in this Section limits the use of water necessary to address an immediate threat to public health or safety, including use by the Ketchum Fire District in response to an active emergency.

H. ENFORCEMENT AND PENALTIES.

1. Enforcement. This Section shall be enforced by the Public Works Department, the Ketchum Police Department, or such other City officials as the Mayor may designate (“Enforcement Officer”).
2. General Penalty Schedule. Except as otherwise provided in this subsection, a violation of a mandatory provision of subsection 13.4, 13.5, or 13.6 shall be subject to the following progressive penalties, applied per offense, per property, within a rolling twelve (12)-month period:
 - a. First offense: a warning, delivered by phone, by door-hanger notice, or by letter sent via certified mail, with a seven (7)-day grace period to achieve compliance before further enforcement action.
 - b. Second offense: a non-negotiable fine of one hundred dollars (\$100.00).
 - c. Third offense: a non-negotiable fine of three hundred dollars (\$300.00) and referral for misdemeanor prosecution.
 - d. Fourth and subsequent offenses: a non-negotiable fine of three hundred dollars (\$300.00) per offense, referral for misdemeanor prosecution, and termination of water service, subject to a non-negotiable two hundred dollar (\$200.00) reinstatement fee.
3. Each day a violation continues, and each separate act of irrigation, washing, filling, or other prohibited water use occurring on a separate calendar day, constitutes a separate offense.
4. Service Termination. Termination of water service under this subsection shall be carried out in accordance with the City’s standard utility disconnection procedures set forth at [KMC citation — to be confirmed], including notice and opportunity to cure where required by Idaho law.

5. Nothing in this subsection limits the City's authority to seek injunctive or other equitable relief to enforce this Section.

I. SEVERABILITY OF PROGRAM PROVISIONS.

If any stage, restriction, or other provision of this Section is held invalid, such holding shall not affect the validity of the remaining stages, restrictions, or provisions, which shall remain in full force and effect.”

SECTION 2. CODIFICATION.

The City Clerk is hereby authorized and directed to codify the foregoing Section 13, as amended, at its appropriate location within the Ketchum Municipal Code, and to make such non-substantive numbering, formatting, and cross-reference changes as may be necessary to integrate this Section into the Code.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

All ordinances, resolutions, or parts thereof in conflict with this Ordinance, including but not limited to the watering restriction provisions of Ordinance No. 587, are hereby repealed to the extent of such conflict.

SECTION 4. SAVINGS AND SEVERABILITY CLAUSE.

It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance are severable. If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be in full force and effect after its passage, approval, and publication according to law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF KETCHUM, IDAHO, this ____ day of _____, 2026.

CITY OF KETCHUM, IDAHO

Peter Prekeges, Mayor

(SEAL)

ATTEST:

Tret Donat, City Clerk