

**TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. 2026-2**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NEW
CASTLE, COLORADO AMENDING PROVISIONS OF CHAPTER 13.28
OF THE TOWN MUNICIPAL CODE REGARDING WATER
CONSERVATION**

WHEREAS, the Town of New Castle, Colorado (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town of New Castle Home Rule Charter of 1995, as amended (“Charter”); and

WHEREAS, Town and its surrounding watershed is experiencing drought conditions of significant concern, which the Town anticipates will result in lower than normal water supplies and a need for all users of the Town’s municipal water system to reduce water usage while the drought conditions continue; and

WHEREAS, by Resolution TC 2026-09, the Town has adopted an Emergency Drought Response Plan (“Drought Policy”) to establish a proactive, effective, and systematic approach to reduce the impacts of water shortages associated with drought conditions; and

WHEREAS, Chapter 13.28 of the Town Municipal Code imposes water conservation requirements in connection with the use of the Town’s municipal water system; and

WHEREAS, Town Council now desires to amend certain provisions of Chapter 13.28 to align with the newly-adopted Drought Policy and to promote the health, safety, and welfare of the citizens of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

Section 1. **Recitals.** The foregoing recitals are incorporated by reference herein as findings and determinations of the Town Council.

Section 2. **Amendment.** The following provisions of Chapter 13.28 of the Town Municipal Code hereby amended as set forth below, with removed language ~~stricken~~ and new language in **bold** and **underlined**:

13.28.010 Wasting of water prohibited

...

C. Suspension of Service. . . . Such service shall not be restored until the cause of waste has been corrected or the violation of such rules and regulations has been abated and until the consumer has paid the ~~sum of five dollars (\$5.00) to cover the cost of~~ **charge set forth in the Town’s Directory of Fees and Charges for** reestablishing service.

D. Penalties. A person found guilty of violating any provision of this section **13.28.010** shall be **fined in accordance with the fine schedule set forth in Section 13.28.020.H.1 – 4.** ~~punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment. Upon first conviction, the fine imposed shall not be less than five dollars (\$5.00); upon second conviction, the fine imposed shall not be less than ten dollars (\$10.00); and on the third conviction, the fine imposed shall not be less than fifteen dollars (\$15.00). A person shall be guilty of a separate offense for each and every day during any portion of which a violation of any provision of this section is committed, continued or permitted by such person.~~

13.28.020 Summer water use restrictions.

...

B. Application. The watering restrictions **in this Section 13.28.020** only apply to use of the Town's potable **and raw** water. Property owners who ~~have a private well, raw water system, or some other alternative water source~~ **utilize a private water source including, but not limited to, a private well or other private water source not supplied by or connected to the Town water system,** are not **subject to this Section 13.28.020**~~restricted in their use of that water.~~

Section 3. Severability. The provisions of this Ordinance are severable, and the invalidity of any phrase, clause, or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 4. Effective Date. This Ordinance shall be effective fourteen days after final publication to Section 4.3 of the Town Charter.

INTRODUCED on first reading on March 3, 2026, at which time copies were available to the Town Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Town Council of the Town of New Castle, Colorado, on March 17, 2026, read by title and number, passed without amendment, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO, A
HOME-RULE MUNICIPALITY

By: _____
Art Riddile, Mayor

ATTEST:

Mindy Andis, Town Clerk