

TOWN OF GYPSUM, COLORADO

**ORDINANCE NO. 04
(SERIES 2026)**

**AN ORDINANCE OF THE TOWN OF GYPSUM, COLORADO AUTHORIZING
THE TOWN MANAGER'S DECLARATION OF WATER SHORTAGE PHASES
WITHIN THE TOWN LIMITS OF GYPSUM AND REPEALING AND
READOPTING THE GYPSUM MUNICIPAL CODE SECTION 13.01.310
REGARDING WATER USE RESTRICTIONS**

A. The Town of Gypsum ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town's Home Rule Charter effective October 21, 1982 (the "Charter").

B. The Members of the Town Council ("Council") have been duly elected and qualified for office.

C. Pursuant to Article 1.3 of the Charter, the Town has all power of local self-government and home rule and all possible power for a home rule municipality to have under the Constitution and laws of the State of Colorado.

D. Section 13.01.130 of the Gypsum Municipal Code ("Code") regulates water use restrictions.

E. Colorado's variable climate, regional hydrology, and water supply conditions can result in periods of drought or reduced water availability that necessitate timely and adaptive water management within the Town.

F. The Council finds it prudent to establish a clear, phased water shortage response framework and to authorize the Town Manager to declare, implement, modify, and terminate water shortage phases to respond promptly to evolving conditions.

G. The Council further finds that updating and clarifying the Town's water-use restrictions is necessary to enhance the adaptability and responsiveness of its water operations.

H. The Council determines that repealing and readopting Code Section 13.01.310 is necessary and appropriate to affect these updates and provide the Town Manager with the necessary administrative authority to implement the phased response.

I. The Council has considered Town staff's information and recommendations on current and anticipated water-supply conditions and the adaptive procedures required to address them.

J. The adoption of this Ordinance is necessary for the protection of the public health, safety, welfare, and property within the Town.

K. The Council hereby finds it necessary to repeal and readopt Section 13.01.310 of the Code to make general updates to the water use restrictions and provide this necessary authorization.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

Section 1. Incorporation. The recitals set forth above are incorporated and ordained as if set forth in this section in full.

Section 2. Repeal and Readopt Section 13.01.310 of the Gypsum Municipal Code. Section 13.01.310 of the Code, as set forth in Exhibit A, attached hereto and incorporated herein, is repealed and readopted with the double underlined and capitalized text being added and stricken text being deleted.

Section 3. Public Inspection. Copies of this Ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.

Section 4. Public Hearing. A public hearing on this Ordinance shall be held on the 14th day of April, 2026 at 7:00 p.m. at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum Colorado.

Section 5. Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 14th day of April, 2026, at 7:00 p.m. at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

Section 6. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Exhibit A

To Ordinance No. 04 (Series 2026)

13.01.310 WATER USE RESTRICTIONS

In case of water shortage or scarcity, BASED ON AN EVALUATION OF WATER SHORTAGE OR SCARCITY CONDITIONS, THE TOWN MANAGER MAY DECLARE, AMEND, RESCIND, OR REINSTATE WATER USE RESTRICTIONS WITHIN THE TOWN. SUCH RESTRICTIONS SHALL BE IMPOSED IN PHASES APPROPRIATE TO THE LEVEL OF WATER SHORTAGE OR SCARCITY. THE TOWN MANAGER SHALL ISSUE AN ORDER THAT IDENTIFIES THE APPLICABLE PHASE, THE EFFECTIVE DATE WHICH MAY BE IMMEDIATE UPON SIGNATURE, THE DURATION WHICH MAY BE UNTIL REPEALED, AND ALL RESTRICTED, CONDITIONED, OR PROHIBITED ACTIVITIES. THE ORDER SHALL IMMEDIATELY BE PUBLISHED ON THE TOWN'S WEBSITE AND POSTED AT THE TOWN HALL. THE ORDER SHALL PROMPTLY BE PLACED ON THE AGENDA FOR THE NEXT REGULAR MEETING OF THE TOWN COUNCIL, AT WHICH TIME THE COUNCIL SHALL BY RESOLUTION EITHER CONFIRM, MODIFY, OR RESCIND THE ORDER. ~~the town council may, upon proclamation, place any restrictions which they deem necessary upon the use of water in accordance with the following staged water restriction program.~~ It shall be the responsibility of the property owner to check the town website after 9:00 a.m. every second and fourth Wednesday of every month, between April 1 and October 31, to determine what phase of watering restrictions may be in place.

(1) *Phase I: Voluntary restrictions on water use.*

- (a) Property owners and managers are not permitted to irrigate lawns that are serviced by the town potable water supply more frequently than every other day and shall not apply more than one inch of water.
- (b) Property owners and managers are advised to irrigate lawns between 6:00 p.m. and 89:00 a.m.
- (c) Vehicle owners shall limit the use of water to wash motor vehicles and/or off-road vehicles and equipment to once per week.
- (d) Property owners and managers should refrain from using water for cleaning driveways, parking lots, streets, etc.
- (e) Restrictions (a) through (c) are mandatory for the town except where restriction (c) would substantially degrade air quality. Uses by the town will be restricted by administrative order to set an example and also to effect water savings. Areas in which the town should restrict its own use of water include:
 - (i) Irrigation of town lawns, open space and parks.
 - (ii) Washing of town vehicles, equipment, etc.
 - (iii) Street general maintenance.
 - (iv) Hydrant testing and sewer line cleaning other than what is required to meet state health standards.

- (f) Residential/industrial/commercial consider in-house steps to encourage water efficiency.

(2) *Phase II: Mandatory limited restrictions on water use.*

- ~~-(a)~~ Restriction on lawn watering to every other day (odd/even schedule). Homes with odd-numbered addresses may only water on TUESDAY, THURSDAY AND SATURDAY. WHILE~~odd-numbered calendar days~~ and homes with even-numbered addresses may only water on SUNDAY, WEDNESDAY AND FRIDAY. NO OUTDOOR WATERING ON MONDAY~~even-numbered calendar days~~.
- (b) Watering shall only take place between 6:00 p.m. and 8:00 a.m. ON YOUR PROPERTY'S DESIGNATED DAY.
- (c) Extensions may be permitted for brand new lawns.
- (d) Restrictions on motor vehicle and/or off-road vehicle/equipment washing to once per week.
- ~~(e) Moratorium on hydrant use permits for all nonessential uses.~~
- ~~(f)~~ Moratorium on the issuance of new irrigation taps.
- ~~(g)~~ Institute fines and penalties for water use PER SECTION 13.01.070.
- ~~(h)~~ Private swimming pools and spas are limited to only adding water to the pool to make up for evaporation and splash, but may not empty the pool for cleaning and replacement of water. Private pools not already filled by the time this phase is implemented by the town may not be filled.
- ~~(i)~~ Restrictions on town uses. To be accomplished by administrative order.
 - (i) Limit water main flushing, hydraulic sewer cleaning, and hydrant flow testing to minimum required to meet state health standards.
 - (ii) Town water use for general maintenance limited to essential levels.
- ~~(j)~~ Drought surcharges on customer water use will be billed to each customer class based on the usage and amounts specified in section 13.01.070 FOR ALL TIER 3 USERS. Drought surcharges are billed in addition to the customer's applicable monthly service fee and usage charge.

(3) *Phase III: Mandatory restrictions on water use.*

- ~~-(a)~~ Moratorium on lawn irrigation.
- (b) Moratorium on car/motor vehicle and/or off-road vehicle/equipment washing.
- (c) Moratorium on sale of new water taps, where the tap would result in water usage within the period of Phase III restrictions in the year in which the tap is issued.
- (d) Moratorium on evaporative cooling of commercial buildings.
- (e) Moratorium on use of any water for private swimming pools and spas.
- (f) Voluntary in-house restrictions. Encourage water efficiency.

- (g) Voluntary industrial/commercial restrictions. Goal is no water waste.
 - (h) Institute fines and penalties for water use violations PER SECTION 13.01.070.
 - (I) MORATORIUM ON FIRE HYDRANT PERMITS FOR ALL CONSTRUCTION USE.
 - (Ji) Drought surcharges on customer water use will be billed to each customer class, based on usage and amounts specified in section 13.01.070 FOR TIER 1, 2, AND 3 USERS. Drought surcharges are billed in addition to the customer's applicable monthly service fee and usage charge.
- (4) *Phase IV: Curtailment of nonessential water use.*
- (a) Restriction of all water supplies to inside domestic, commercial, and sanitary use.
 - ~~(b) Moratorium on delivery of water to users outside the boundaries of the town.~~
 - (Be) Drought surcharges on customer water use will be billed to each customer class based on usage and amounts specified in section 13.01.070 FOR TIER 1, 2, AND 3 USERS. Drought surcharges are billed in addition to the customer's applicable monthly service fee and usage charge.