

CITY OF ENGLEWOOD

**NOTICE OF APPROVAL
OF A BILL FOR AN ORDINANCE**

On the 20th day of April 2026, the City Council of the City of Englewood, Colorado, approved on first reading the following Council Bill:

**BY AUTHORITY
COUNCIL BILL NO. 35
INTRODUCED BY
COUNCIL MEMBER BETHEL**

A BILL FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AMENDING CHAPTER 1 OF TITLE 12 OF THE ENGLEWOOD MUNICIPAL CODE CONCERNING WATER USE RESTRICTIONS, ENFORCEMENT, AND APPLICABILITY TO EXTRATERRITORIAL CUSTOMERS.

Copies of the aforesaid council bill are available for public inspection in the office of the City Clerk, City of Englewood, Civic Center, 1000 Englewood Parkway, Englewood, Colorado 80110 or it can be found at <http://www.englewoodco.gov>, Government, Legal/Public Notices.

PUBLISHED: April 21, 2026
Official Website of the City of
Englewood, Colorado

ORDINANCE NO.
SERIES OF 2026

COUNCIL BILL NO. 35
INTRODUCED BY COUNCIL
MEMBER

A BILL FOR

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AMENDING CHAPTER 1 OF TITLE 12 OF THE ENGLEWOOD MUNICIPAL CODE CONCERNING WATER USE RESTRICTIONS, ENFORCEMENT, AND APPLICABILITY TO EXTRATERRITORIAL CUSTOMERS

WHEREAS, the City of Englewood (“City”) owns and operates a municipal water system for the benefit of its residents and customers; and

WHEREAS, the City has a responsibility to manage and protect its water supply, infrastructure, and system reliability; and

WHEREAS, periodic drought conditions, system demands, and operational considerations may require the City to implement water use restrictions; and

WHEREAS, the Water and Sewer Board reviewed the proposed Code amendments at its April 14, 2026 meeting and recommended Council approval; and

WHEREAS, the City Council finds that it is necessary and appropriate to establish clear authority for mandatory water use restrictions, enforcement mechanisms, and applicability to all customers receiving water service from the City, including those located outside the City limits; and

WHEREAS, the City Council further finds that water service is provided subject to reasonable conditions necessary to protect public health, safety, and welfare.

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

Section 1. Amendment of Title 12, Chapter 1A, Section 12-1A-6. Englewood Municipal Code Title 12 Chapter 1A, Section 12-1A-6 shall be amended to read as follows (new provisions underlined):

12-1A-6: Irrigation Privileges and Water Use Restrictions.

- A. Unless treated water is used through a City meter, a License shall be required to irrigate lawns, shrubs and gardens.
- B. City Council (or the City Manager's designee, in times of emergency) ~~may~~ is authorized to impose restrictions on treated water usage and/or irrigation when necessary to protect the City’s water supply, infrastructure, or public health, safety, and welfare ~~to maintain a water supply adequate to meet all needs of the inhabitants of the City.~~

1. All restrictions imposed under this Section shall be mandatory and enforceable, and any violation shall constitute a violation of this Chapter and a form of waste of water under EMC § 12-1A-7.
 2. Restrictions may be implemented by adoption by resolution or administrative order, and shall become effective upon publication by reasonable means, including the City's website, press release, or direct customer notice.
 3. Restrictions may include but are not limited to limits on days or times of outdoor irrigation, prohibitions on certain irrigation methods, complete bans on nonessential outdoor water use, and any other measures necessary to reduce demand.
- C. The City may establish staged levels of water use restrictions. The specific requirements applicable to each stage may be established by resolution or administrative order, and may be modified as conditions warrant.
- D. The Utilities Director or their designee is authorized to enforce this Section. The person billed for water service to a property, whether owner or occupant, shall be responsible for compliance with this Section and shall be subject to any penalties for violations assessed.

Section 2. Amendment of Title 12, Chapter 1A, Section 12-1A-7. Englewood Municipal Code Title 12 Chapter 1A, Section 12-1A-7 shall be amended to read as follows (new provisions underlined):

12-1A-7: Unauthorized Use, Waste of Water.

- A. *Unauthorized Use.* Unauthorized use of water from the distribution system is prohibited, including using water before a meter is set, tampering with a meter, illegally diverting water, withdrawing water from a hydrant without a permit or meter, or withdrawing water the City has turned off under EMC § 12-1-D4 before the City restores service. In addition to any applicable liability or penalties under law, any unauthorized water use will be charged at the same rate as authorized use, the unauthorized use of water fee set by City Council, plus any additional costs incurred by the City arising out of the unauthorized use.
- B. *Waste.* Water shall be used only for beneficial purposes and shall never be wasted. Water for irrigation of lawns shall only be used during the hours and in the manner specified by the City Manager's designee. No spray or sprinkler shall be placed in a position to throw water on a public walk, driveway, street or alley while irrigating adjacent areas, unless absolutely necessary.
- C. *Violation of Water Use Restrictions.* Any use of water in violation of restrictions imposed pursuant to EMC § 12-1A-6 shall constitute waste of water and is subject to enforcement and penalties under this Chapter.

Section 3. Amendment of Title 12, Chapter 1A, Section 12-1A-9. Englewood Municipal Code Title 12 Chapter 1A, Section 12-1A-9 shall be amended to read as follows (new provisions underlined):

12-1A-9: Right to Shut Off Water for Repairs.

The City reserves the right at any time, but after reasonable notice to all concerned, to shut off water for the purpose of making repairs, extension or for other useful or necessary purposes, including but not limited to discontinuance of water service for violations of this Chapter,

including violations of water use restrictions or waste of water. In case of emergency, reasonable notice is waived. No water user shall be entitled to any damages or to have any portion of payment refunded for any stoppage of water supply. All persons having boilers or other appliances on their premises, depending on pressure of water in pipes, or upon a continual supply of water, shall provide at their own expense suitable safety appliances to protect their property in case of stoppage of water supply or loss or pressure.

Section 4. Amendment of Title 12, Chapter 1A, Section 12-1C-8. Englewood Municipal Code Title 12 Chapter 1C, Section 12-1A89 shall be amended to read as follows (new provisions underlined):

12-1C-8: Applicability of Water Use Restrictions to Extraterritorial Customers

All water use restrictions imposed within the City limits of Englewood including EMC §§ 12-1A-6 (Irrigation and Water Use Restrictions), 12-1A-7 (Unauthorized Use and Waste of Water), and 12-1A-9 (Right to Shut Off Water) shall apply to all persons, properties, and premises receiving water service that originates from the City of Englewood's water system to users located outside the City, unless expressly provided otherwise by written agreement approved by the City.

Section 5. The following general provisions and findings are applicable to the interpretation and application of this Ordinance:

A. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

B. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

C. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

D. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper

legislative object sought to be obtained. This Safety Clause is not intended to affect a Citizen right to challenge this Ordinance through referendum pursuant to City of Englewood Charter 47.

E. Publication. Publication of this Ordinance may be in the City's official newspaper, the City's official website, or both. Publication shall be effective upon the first publication by either authorized method.

F. Actions Authorized to Effectuate this Ordinance. The Mayor is hereby authorized and directed to execute all documents necessary to effectuate the approval authorized by this Ordinance, and the City Clerk is hereby authorized and directed to attest to such execution by the Mayor where necessary. In the absence of the Mayor, the Mayor Pro Tem is hereby authorized to execute the above-referenced documents. The execution of any documents by said officials shall be conclusive evidence of the approval by the City of such documents in accordance with the terms thereof and this Ordinance. City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has authority to correct formatting and/or typographical errors discovered during codification.

G. Enforcement. To the extent this ordinance establishes a required or prohibited action punishable by law, unless otherwise specifically provided in Englewood Municipal Code or applicable law, violations shall be subject to the General Penalty provisions contained within EMC § 1-4-1.