

Moratorium; Established 11/15/2021 **Water Moratorium**: At various times during the year, i.e., excessive heat or if the District is experiencing problems with the well(s), the Board may find it necessary to institute a moratorium on water usage for the benefit of all customers in the District. During these times, water usage will be limited to personal residential use only. The term residential encompasses all interior household use of water. Watering of livestock, plants and/or gardens is not Residential. Residential use does not include irrigation or extensive agricultural use, per the terms of the Groundwater Management Act. Water use must conform to all provisions contained in the Groundwater Management Act and any other applicable statutes. Water is not to be used for filling swimming pools, ponds and troughs. If you have a swimming pool, you must call a water hauling service.

During the time a moratorium is in place:

* households with Excessive Use over 12,000 gallons of water a month will be charged \$50.00 for every 1,000 gallons.

*If the district needs to haul water, the Excessive users will be charged a percent of the cost of hauling the water.

Proposed Moratorium updates: July 2023

The Moratorium is a means for the District to delay adding additional water meters for customers as of the result of loss of well production. Limited water resources due to drought and demand creates the need for conservation measures to be implemented and enforced to ensure continued water availability for current users.

The Moratorium may last for months or years depending on the District's ability to restore existing wells to meet capacity or implement an interconnection to another water source.

The District requests customers reduce water consumption due to the demand being greater than the production. During time of Moratorium, customers must conserve water under the following guidelines:

- Irrigation of outdoor lawns, trees, shrubs, or any plant life is prohibited.
- Washing of any vehicle is prohibited.
- The use of water for dust control or any outdoor cleaning uses is prohibited.
- The use of outdoor drip or misting systems of any kind is prohibited.
- The filling of any swimming pool, spas, fountains or ornamental pools is prohibited.
- The use of water for construction is prohibited.
- Troughs over 50 gallons capacity are to be filled with hauled water from another source.
- All other water intensive or recreational water activities are prohibited.
- Households with Excessive Use over 9,000 gallons of water a month will be charged \$50.00 for every 1,000 gallons. Threshold change Effective Aug. 1, 2023
- If the district needs to haul water, the Excessive users will be charged a percent of the cost of hauling the water.

Customers are encouraged to use the following alternative resources.

- Gray water use is encouraged for Irrigation of outdoor lawns, trees, shrubs, or any plant life.
- Rain collection barrels are encouraged for Irrigation of outdoor lawns, trees, shrubs, or plant life.
- Water hauling for livestock that use more than 50 gallons per day.
- Utilize Drinking water provided at Rob's Convenience Store on Papago Rd. at no cost to customers. Customer's must provide their own container and show proof of eligibility status with a current water bill to store staff.

Policy for adoption of moratorium; extensions; limitations; definitions.

1. Providing notice to the public that is published once in a newspaper of general circulation in the community at least 30 days before a Public Hearing is held to consider the adoption of the moratorium.

2. Make written findings justifying the need for the moratorium as provided.

3. Holds a Public Hearing on the adoption of the moratorium and the findings that support the moratorium.

B. A moratorium may only be justified by demonstration of a need to prevent a shortage of essential public facilities that would otherwise occur during the effective period of the moratorium. This demonstration shall be based on reasonably available information and shall include at least the following findings:

1. The actual capacity of the existing essential public facilities based on current use.
2. The extent of need beyond the estimated capacity of existing essential public facilities expected to result from construction or new land development, including identification of any essential public facilities currently operating beyond capacity and the portion of this capacity already committed to development.
3. The moratorium is reasonably limited to the district where a shortage of essential public facilities would otherwise occur and on property that has not received development approvals based on the sufficiency of existing essential public facilities.
4. The housing and economic development of the area affected have been accommodated as much as possible in any program for allocating any remaining essential public facility capacity.

C. A moratorium adopted pursuant to this section:

1. Does not affect any express provision in a development agreement entered into governing the rate, timing and sequencing of development.
2. Does not affect rights acquired pursuant to a vested development right.
3. Shall provide a procedure for an individual landowner to apply for a waiver of the moratorium's applicability to the landowner's property by claiming rights obtained pursuant to a development agreement, a protected development right or any vested right, or by providing the public facilities that are the subject of the moratorium at the landowner's cost.

D. A moratorium shall remain in effect until the district adopting the moratorium holds a public hearing. The district shall provide notice to the general public published once in a newspaper of general circulation in the community at least thirty days before the hearing on the proposed extension. After the hearing, the district may extend the moratorium if it makes written findings that:

1. The problem requiring the need for the moratorium to be extended.
2. Demonstrate that reasonable progress is being made to alleviate the problem resulting in the moratorium.
3. Set a specific duration for the renewal of the moratorium.

E. This section does not prevent the district from complying with any state or federal law, regulation or order issued in writing by an authorized governmental entity.

F. A landowner aggrieved by the district's adoption of a moratorium pursuant to this section may file, at any time within 30 days after the moratorium is adopted.

G. For the purposes of this section:

1. "Essential public facilities" means improvements to the extent that these improvements provide service to the domestic water district.

2. "Moratorium on water use for construction or land development":

(a) Means engaging in a pattern or practice of delaying or stopping issuance of permits, authorizations or approvals necessary for a subdivision and partitioning of, construction on, or provision of service to, any land in the district.

(b) Does not include denial or delay of permits or authorizations because they are inconsistent with applicable statutes, rules or ordinances.

Moratorium Update Revision: July 31, 2023

Board signature *Jessith E. Brundage* Date: 7/31/2023

Board signature *Madam Felippone* Date: 7/31/2023