RESOLUTION 2026-07

CHEROKEE METROPOLITAN DISTRICT

A RESOLUTION OF THE BOARD OF DIRECTORS ADOPTING SCHEDULE OF FINES RELATED TO DROUGHT AND OUTDOOR WATERING RESTRICTIONS

WHEREAS, the Cherokee Metropolitan District (the "District") was organized pursuant to §§ 32-1-101 *et seq.*, C.R.S. (the "Special District Act"), as amended, and is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, the District provides water, sanitary sewer, park and recreation and streetlight services to the occupants and property owners within its jurisdiction; and

WHEREAS, C.R.S. § 32-1-1001(1)(j)(i) authorizes and empowers the Board to fix and from time to time increase or decrease fees, rates, tolls, penalties, or charges for service, programs or facilities furnished by the District; and

WHEREAS, due and proper notice was published and posted on the District's website stating that the Board would be considering action to fix or increase certain fines and stating the date, time and place of the meeting at which the action would be considered, pursuant to C.R.S. §32-1-1001(2)(a); and

WHEREAS, the proposed fines were considered at a duly noticed public meeting held on August 18, 2026, at which time any objections of the electors of the District were considered.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cherokee Metropolitan District, El Paso County, Colorado:

1. Fine Schedule. The Cherokee Metropolitan District's Schedule of Fines Related to Drought and Outdoor Watering Restrictions ("Fine Schedule"), attached as Exhibit A, is hereby adopted and effective as of September 1, 2026.

2. Authorization and Enforcement. The Board hereby directs its General Manager to implement and otherwise enforce the Fine Schedule.

ADOPTED this 18th day of August, 2026.

CHEROKEE METROPOLITAN DISTRICT

By: _____
Dan Wall, President

ATTEST

_____
Jeff Bandy, Secretary

EXHIBIT A

Water Restrictions Fine Schedule
Effective September 1, 2026

Violations must be observed by a designated District employee or agent. The first offense at any stage results in a written warning. Fines for subsequent violations are assessed once per month and added to the customer's water bill. **Unpaid fines may result in service disconnection.**

Stage	Violation Type	1st Offense	2nd & Subsequent
Stage 0 — Baseline	Watering rule violation	Written warning	**$100** residential **$500** commercial
Stage 1 — Watch	Watering rule violation	Written warning	**$300** residential **$500** commercial
Stage 2A — Warning	Watering rule violation	Written warning	**$300** residential **$1,000** commercial
Stage 2B — Warning	Watering rule violation	Written warning	**$500** residential **$1,000** commercial
Stage 3 — Severe	Watering rule violation	Written warning	**$1,000** residential **$2,000** commercial
Stage 4 — Critical	Watering rule violation OR commercial/industrial failure to reduce use ≥20%	Written warning	**$1,000** residential **$2,000** commercial
Any stage	Known leak not repaired within 14 days	Written notice	Fine per applicable stage; service disconnection after 28 days
Any stage	Private water main leak not repaired / no plan within 72 hrs	$200/day until repaired	District may hire contractor and bill owner

For repeated or ongoing violations, the District may also **disconnect water service or restrict flow to the premises** until compliance is achieved.

*Demand reduction goal is based on 50% of water being used for irrigation and reductions in this amount corresponding to the number of days restricted. Realistically reductions may be lower than this goal if customers water on fewer days and if water saving messaging is successful.

Fines may be assessed once per month of violation following the first written warning. Fines are assessed on the monthly bill and if unpaid will result in disconnection pursuant to Cherokee's payment and disconnection policy. Commercial, irrigation, single-meter multi-family and other high usage account types have higher fines due to higher average water use and higher bills. The intensity of water use patrols will scale based on the watering restriction stage with earlier stages focusing on high users and irrigation only accounts and more restrictive stages contemplating randomized after hours patrols of the whole service area.