

**First Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. R03-0874.01 Thomas Morris

**HJR03-1015**

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**HOUSE JOINT RESOLUTION 03-1015**

101     **CONCERNING THE ELIMINATION OF LEGAL IMPEDIMENTS REGARDING**  
102     **THE USE OF WATER CONSERVATION MEASURES.**

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1           WHEREAS, The state of Colorado is subject to drought cycles  
2           that result in water shortages; and

3           WHEREAS, These drought cycles and water shortages present  
4           hardships to current water users; and

5           WHEREAS, Water demands imposed by traditional landscaping  
6           using nonnative plant species may result in an unreasonable and  
7           unnecessary burden on future water resources; and

8           WHEREAS, Restrictive covenants, municipal ordinances, and  
9           county resolutions that prohibit or limit the use of xeriscape or that  
10          require cultivated vegetation to include turf grass may be contrary to the  
11          public good; and

12          WHEREAS, Individual homeowners, homeowners' associations,  
13          municipalities, and other local governmental entities should be  
14          encouraged to save water through the use of water-saving devices such

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

1 as landscaping plants, plumbing fixtures, and appliances when the use of  
2 such devices is a reasonable alternative as determined by such entities;  
3 and

4 WHEREAS, Water retailers and wholesalers should be encouraged  
5 to promote the sale and use of such water-saving devices through more  
6 prominent advertising, in-store displays, and sales; and

7 WHEREAS, Wise water policies are necessary to extend the  
8 existing supplies of water within this state; now, therefore,

9 *Be It Resolved by the House of Representatives of the Sixty-fourth*  
10 *General Assembly of the State of Colorado, the Senate concurring*  
11 *herein:*

12 That the General Assembly call upon homeowners' associations,  
13 municipalities, and counties:

14 (1) Within the next 90 days, to review their covenants,  
15 ordinances, resolutions, and procurement codes and contracts to evaluate  
16 their effects on landscaping and other activities that place a burden on the  
17 state's water resources; and

18 (2) Within the next 90 days, to revise and implement covenants,  
19 ordinances, resolutions, or procurement codes and contracts that  
20 encourage and promote responsible water conservation measures,  
21 including specifically xeriscaping.

22 *Be It Further Resolved,* That copies of this Joint Resolution be  
23 sent to the Colorado Municipal League, Colorado Counties, Inc., the  
24 Colorado Association of Commerce and Industry, and the Rocky  
25 Mountain and the Southern Colorado chapters of the Community  
26 Associations Institute.