

Sec. 6-4C.05. - Authorization

The City Council may declare the conservation stage based on a determination made by the City Manager in conjunction with the Chief Plant Operator of the water treatment plant, or based upon any interruption in water supply or delivery that the City Council determines in its sole discretion necessitates water conservation pursuant to this chapter. The City Council may determine and order water prohibitions and restrictions as outlined herein in the three (3) stages:

Stage 1. Standard Conservation Alert

Stage 2. High Conservation Alert

Stage 3. Emergency Conservation Alert

(Ord. No. 746, § 1, eff. March 19, 2009)

Sec. 6-4C.06. - Stage I Prohibitions and restrictions—Standard conservation alert.

The following restrictions shall be applicable throughout the year unless the City Council determines that an increased conservation effort shall be implemented (stage 2 or 3):

- (a) There shall be no hose washing of sidewalks, walkways, driveways, parking areas, patios, porches or verandas.
- (b) No water shall be used to clean, fill, operate or maintain levels in decorative fountains unless such water is part of a recirculation system.
- (c) No water customer shall permit water to leak on his or her premises. Such leak shall be repaired in a timely manner after written notification by the City, but in no case in excess of seventy-two (72) hours after notification.
- (d) Designated times and days of irrigation:
 - (1) No water customer shall sprinkle, water, or irrigate any shrubbery, trees, lawns, grass, groundcovers, plants, vines, gardens, vegetables, flowers, or any other landscaped or vegetated areas between the hours of 10:00 a.m. and 6:00 p.m. This provision shall not apply to equestrian and livestock businesses, dairies, nurseries, athletic fields, golf courses, or other water dependent industries.
 - (2) The use of a hand held hose with a shut-off valve shall be permitted at any time.
- (e) The use of water from fire hydrants shall be limited to fire fighting and related activities necessary to maintain the public health, safety, and welfare. An exception may be made for construction use through a proper city-designated meter where recycled water is not available.

(Ord. No. 746, § 1, eff. March 19, 2009; Ord. No. 750, § 1, eff. 9-6-2009; Ord. No. 801, § 1, eff. 6-17-2017)

Sec. 6-4C.07. - Stage II Prohibitions and restrictions—High water conservation alert.

The following restrictions shall be applicable during a high water conservation alert as declared by the City Council and whenever a recommendation has been made by the City Manager in conjunction with the Chief Plant Operator of the water treatment plant based upon a significant reduction or interruption in water supply or delivery that necessitates increased water conservation efforts:

- (a) All prohibitions and restrictions in Stage I shall be in effect.
- (b) Commercial nurseries, golf courses, and other water-dependent industries shall be prohibited from watering lawn, landscape, or other turf areas more than every other day. Irrigation shall occur between the hours of 6:00 p.m. and 6:00 a.m. only, with the exception of usage of recycled water.
- (c) Designated times and days of irrigation:
 - (1) No water customer shall sprinkle, water, or irrigate any shrubbery, trees, lawns, grass, groundcovers, plants, vines, gardens, vegetables, flowers, or any other landscaped or vegetated areas on between the hours of 9:00 a.m. and 6:00 p.m. This provision shall not apply to equestrian and livestock businesses, dairies, nurseries, golf courses, or other water-dependent industries.
 - (2) Residential addresses ending in an even number may use water on Tuesday, and Friday. Residential addresses ending in an odd numbers and nonresidential (irrespective of address) may use water on Wednesday and Saturday.
 - (3) No irrigation shall occur on Sundays, Mondays and Thursdays.
- (d) Swimming pool refilling or new construction swimming pool filling shall not occur without permission from the City Manager or his or her designee. The replenishment of swimming pools shall be limited to the same days as set forth in subsections (a) through (c) above for outdoor use of water.
- (e) No restaurants or other public place which serves food shall serve drinking water to any customer unless expressly requested by the customer.

(Ord. No. 746, § 1, eff. March 19, 2009)

Sec. 6-4C.08. - Stage III Prohibitions and restrictions—Emergency water conservation alert.

In the event of a major earthquake, large-scale fire, or other so called "act of nature" which has or could have serious impacts on the city's total available water storage or delivery capacity, whether storage capacities have been reduced or not, or in the case of an unanticipated significant reduction in City water supply, an emergency water conservation alert shall be declared by the City Council.

- (a) All previous restrictions noted above in Stage I and Stage II shall be in effect.
- (b) There shall be no outdoor use of water at any time except the minimal amount by handheld

hose equipped with a shut-off nozzle.

- (c) Commercial nurseries, golf courses, and other water-dependent industries shall be prohibited from the outdoor use of water except by a hand-held hose equipped with a shut-off nozzle.
- (d) All nonessential uses of water shall be prohibited including the filling, or refilling of swimming pools, spas, jacuzzis, or other like devices beyond what is necessary for maintenance.

(Ord. No. 746, § 1, eff. March 19, 2009)

Sec. 6-4C.09. - Penalties.

- (a) No water customer of the City shall knowingly use, or permit the use of, water in a manner contrary to any provisions of this chapter, or in an amount in excess of that use permitted by the provisions of this chapter.
- (b) Unless otherwise provided, any water customer violating any provision of this chapter shall be guilty of an infraction, and each day or portion thereof such violation is in existence shall be a new and separate offense.
- (c) Any water customer determined to be guilty of a first time violation shall be given a written reminder for compliance. Second and subsequent violations shall be punishable as follows:
 - (1) For a second violation during any period of declared water conservation alert: As an infraction, punishable by a fine of not more than fifty dollars (\$50.00).
 - (2) For a third violation during any period of declared water conservation alert: As an infraction, punishable by a fine not more than one hundred dollars (\$100.00).
 - (3) For a fourth violation during any period of declared water conservation alert: As an infraction, punishable by a fine not more than two hundred fifty dollars (\$250.00), and placement of a flow restrictor. In addition, the City may discontinue water services.
- (d) Notwithstanding the above, the City Attorney or Deputy City Attorney may charge and prosecute second and subsequent offenses as misdemeanors at the City's sole discretion pursuant to California Water Code § 377. In addition to the above penalties, the City may file an action for civil abatement and, at the discretion of the court, be entitled to reimbursement for all necessary costs and Attorneys fees incurred through investigation, discovery, analysis, inspection, abatement and other actual costs incurred by the City or its agents pertaining to the violation.
- (e) The court shall fix the amount of any such reimbursements upon submission of proof of such costs by the City. Payment of any penalty provided in this section shall not relieve a person, firm or corporation, or other entity from the responsibility of correcting the condition resulting from the violation.
- (f) In addition to the above remedies, the City Manager or his or her designee is empowered, to enforce any or all of the following penalties:
 - (1) Place a flow restricting device upon the water service;

- (2) Lock off of a water meter;
 - (3) Remove a water meter;
 - (4) Shut off the service connection.
- (g) All costs or expenses incurred by the City for enforcement of this section shall be borne by the water customer. No water service shall be limited or discontinued until the City Manager or his or her designee provides a written notice of intent to so limit or discontinue such service and the reasons for such decision, and further, provides such water customer notice of the right to request an administrative review and hearing pursuant to the procedures set forth in Section 6-4.26 of this Code, except that any reference to "citation" in that section shall instead be deemed a reference to a "notice of intent" as described in this section. A written notice of intent shall be provided either by first class mail, by personal service on the water customer, or by posting said notice in a conspicuous place on the property wherein the violation occurred. Notwithstanding any other provision of this Code, there shall be no right to further administrative review or appeal.

(Ord. No. 746, § 1, eff. March 19, 2009)

Sec. 6-4C.10. - Compliance.

The City Code Enforcement Officer and designee from the Community Development Department shall enforce the provisions of this chapter.

(Ord. No. 746, § 1, eff. March 19, 2009)

Sec. 6-4C.11. - Drought and water shortage regulations.

Notwithstanding anything to the contrary in this chapter, and in addition to anything set forth in this chapter, during any declared State of Emergency by the State or City related to drought or potable water conditions that mandate water conservation in the City, State or Federal regulations that mandate water conservation in the City, or during local water shortages, the City Council may by resolution adopt additional water restrictions, including mandatory water usage limits, and impose penalties on the customer for violations of those additional restrictions. The penalties shall be added to the customer's account. A violation of the additional restrictions shall also be deemed a violation of the Municipal Code.

(Ord. No. 780, § 2, eff. 5-7-2015; Ord. No. 781, § 1, eff. 6-6-2015)