

RESOLUTION NO. 191-2015

A RESOLUTION OF THE BOARD OF DIRECTORS OF APPLE VALLEY HEIGHTS COUNTY WATER DISTRICT TO ADOPT WATER CONSERVATION MEASURES

WHEREAS, California is in the midst of a severe drought; and

WHEREAS, on March 17, 2015, the State Water Resources Control Board adopted further emergency water use regulations that require water suppliers in California to reduce water usage by twenty percent (20%); and

WHEREAS, on April 1, 2015, Governor Jerry Brown issued an Executive Order requiring water suppliers to reduce water usage by twenty-five percent (25%) statewide; and

WHEREAS, on May 5, 2015, the State Water Resources Control Board approved revised emergency water use restrictions to implement Governor Brown's April 1, 2015 Executive Order; and

WHEREAS, as the operator of a public water system, Apple Valley Heights County Water District ("Company") must comply with the State Water Resources Control Board's regulations and Governor Brown's Executive Order,

NOW, THEREFORE, THE BOARD OF DIRECTORS OF APPLE VALLEY HEIGHTS COUNTY WATER DISTRICT HEREBY ADOPTS THE FOLLOWING WATER CONSERVATION MEASURES DESIGNED TO COMPLY WITH APPLICABLE REGULATIONS AND EXECUTIVE ORDERS, WHICH SHALL APPLY TO ALL COMPANY CUSTOMERS IMMEDIATELY UPON ADOPTION OF THIS RESOLUTION:

SECTION 1. - WATER CONSERVATION MEASURES

A. Hose watering prohibition. No person shall use water to wash down any sidewalks, walkways, driveways, parking areas or other paved surfaces.

B. Watering of lawns and landscaping.

1. No person shall water or cause to be watered any lawn or landscaping between the hours of 8:00 a.m. and 6:00 p.m.
2. No person shall water or cause to be watered any lawn or landscaping more than once a day.
3. Watering of any lawn or landscaping shall be limited to not more than two (2) days per week. For purposes of this resolution, a "week" shall be defined as starting at 12:01 a.m. on Sunday and ending at 12:00 midnight the following Saturday. For properties with even numbered street addresses, such watering shall occur on Thursdays and Sundays and for properties with odd numbered street addresses, such watering shall occur on Wednesdays and Saturdays.

4. No person shall water or cause to be watered any lawn or landscaping to such an extent that runoff into adjoining streets, parking lots or alleys occurs due to incorrectly directed or maintained sprinklers or excessive watering.
 5. No watering of lawns or landscaping shall occur within 48 hours after a measurable rain event.
- C. Indoor Plumbing and fixtures.** It shall be the duty of all persons to inspect all hoses, faucets and sprinkling systems for leaks, and to cause all leaks to be repaired as soon as is reasonably practicable. The Company shall promptly notify any customer when the Company becomes aware of a potential leak at the customer's property, and the customer shall thereafter promptly investigate that potential leak. If a leak is found to exist, the customer shall cause it to be repaired as soon as is reasonably practicable.
- D. Washing vehicles.** No motor vehicle, boat, trailer, or other type of mobile equipment may be washed, except at a commercial carwash, unless such vehicle is washed by using a hand-held bucket or water-hose equipped with an automatic shutoff nozzle. No person shall leave a water hose running while washing a vehicle or at any other time, except as necessary to water lawns or landscaping in accordance with this Resolution.
- E. Decorative fountains.** No person shall use water to clean, fill, or maintain levels in decorative fountains, ponds, lakes, or other similar aesthetic structures unless such water flows through a recirculating system.
- F. Water Efficient Landscaping.** Customers are encouraged to install water efficient landscaping, plants and irrigation systems.
- G. New Construction Landscape Irrigation.** For any newly constructed homes and buildings, all irrigation systems for outdoor landscaping shall comply with the regulations or other requirements established by the California Building Standards Commission and the State of California Department of Housing and Community Development.

SECTION 2 – ENFORCEMENT

Pursuant to the mandate set forth in the State Water Resources Control Board's emergency water use regulations, violation of any water conservation measure established under this Resolution shall be subject to the following penalties:

1. **First Violation:** The Company will issue a written notice of non-compliance, to be delivered by mail or personal delivery that sets forth the particular violation.
2. **Second Violation:** For a second violation within the preceding twelve (12) calendar months, the Company will issue a second and final written notice of non-compliance to be delivered by mail or personal delivery that sets forth the particular violation.
3. **Third and Subsequent Violations:** For a third violation within the preceding twelve (12) calendar months, the Company will impose a monetary fine, not to exceed one hundred dollars (\$100.00). For a fourth and each subsequent violation within the preceding twelve (12) calendar months, the Company will impose a monetary fine no less than two hundred fifty dollars (\$250.00) and no more than five hundred fifty dollars (\$500.00).
4. **Appeal:** Any customer of the Company who receives a notice of violation or any fine as set forth in this Section 2 may appeal such notice or fine to the Company's Board of Directors within thirty (30) days after the date of such notice or fine. The decision of the Board of Directors on such appeal shall be conclusive and final.

SECTION 3. The Company shall provide notice of the above provisions to all customers.

SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid, illegal, impermissible or unenforceable, these decisions shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that this Resolution and each section, subsection, division, paragraph, sentence, clause, phrase, and portion thereof would have been adopted irrespective of the fact that one or more portions of this Resolution may be declared invalid, illegal, impermissible or unenforceable.

RESOLUTION NO. 191-2015 WAS DULY PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS OF APPLE VALLEY HEIGHTS COUNTY WATER DISTRICT AT ITS REGULAR MEETING ON JUNE 10, 2015.

Attest:

President

Secretary