

ORDINANCE NO. 95-07
ORDINANCE OF THE BOARD OF DIRECTORS OF
YUIMA MUNICIPAL WATER DISTRICT
FINDING THE NECESSITY FOR AND ADOPTING
A WATER CONSERVATION PROGRAM AND
RESCINDING ORDINANCE 86-04

BE IT ORDAINED by the Board of Directors, hereinafter the “Board”, of the Yuima Municipal Water District (“District”) as follows:

SECTION 1. Declaration of Policy. California Water Code Sections 375 *et seq.* permit public entities which supply water at retail to adopt and enforce a water conservation program to reduce the quantity of water used by the people therein for the purpose of conserving the water supplies of such public entity. The Board hereby establishes a comprehensive water conservation program pursuant to California Water Code Section 375 *et seq.*, based upon the need to conserve water supplies and to avoid or minimize the effects of any future shortage.

SECTION 2. Findings. The Board finds and determines that a water shortage within the District could exist based upon the occurrence of one or more of the following conditions:

- (A) A general water supply shortage due to extended drought conditions in the western United States
- (B) A significant further reduction in the yield from District wells
- (C) Increased demands for service due to the failure or significant reduction in yields from private wells
- (D) Natural disasters or mechanical failures affecting the systems or facilities of the Metropolitan Water District, the San Diego County Water Authority or the District
- (E) Acts of vandalism, sabotage or terrorism affecting the facilities of the Metropolitan Water District, the San Diego County Water Authority or the District
- (F) The inadequacy of distribution, treatment or storage facilities of the San Diego County Water Authority or the Metropolitan Water District.

The Board also finds and determines that the conditions prevailing in the San Diego County area require that the water resources available be put to maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use, or unreasonable method of use, of water be prevented and that conservation of such water be encouraged with a view to the maximum reasonable and beneficial use thereof in the interests of the people of the District and for the public welfare.

SECTION 3. CEQA Exemption. The District finds that this ordinance and actions taken hereafter pursuant to this Ordinance are exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency pursuant to

Public Resources Code Section 21080(b)(4) and the California Environmental Quality Act Guidelines Section 15269(c). The Manager of the District is hereby authorized and directed to file a Notice of Exemption as soon as possible following adoption of this Ordinance.

SECTION 4. Application. The provisions of this Ordinance shall apply to all persons, customers, and property served by District.

SECTION 5. Authorization and Determination of Water Supply Conditions. The District's General Manager, or a designated representative, is hereby authorized and directed to implement the provisions of this Ordinance, and shall from time to time, based upon all available data, determine the condition of the District's water supply and post a notice thereof in the District's office.

SECTION 6. Water Conservation Stages. No customer of the District shall knowingly make, cause, uses or permit the use of water supplied by the District for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Ordinance in any amount in excess of the amounts authorized by this Ordinance, or during any period of time other than the periods of time specified in this Ordinance. At no time shall water be wasted or used unreasonably. The following stages shall take effect upon declaration thereof.

STAGE 1 - VOLUNTARY COMPLIANCE - WATER WATCH

STAGE 1 applies during periods when the possibility exists that the District will not be able to meet all the demands of its customers. During STAGE 1, all elements of STAGE 2 shall apply on a voluntary basis only.

STAGE 2 - MANDATORY COMPLIANCE - WATER ALERT

STAGE 2 applies during periods when the probability exists that the District will not be able to meet all of the water demands of its customers. During STAGE 2, the following water conservation measures shall apply except when reclaimed water is used:

1. Lawn watering and landscape irrigation, including construction meter irrigation, is permitted only between the hours of 6:00 pm and 6:00 am the following morning. Watering is permitted at any time if a hand-held hose equipped with a positive shut-off nozzle is used, a hand-held bucket of five (5) gallons or less is used, or a drip irrigation system is used. Properties served with meters ending in an even number may only water on even-numbered days and properties with meters ending in an odd number may only water on odd-numbered days.
2. A customer shall not let water leave the property by draining onto the adjacent properties or public or private roadways as a result of excessive irrigation or any un-repaired leaks.
3. Agricultural users and commercial nurseries as defined in the Metropolitan Water District Code are exempt from Stage 2 irrigation restriction, but will be required to curtail all non-essential water use.

The watering of livestock and irrigation of propagation beds are permitted at any time.

4. Washing of autos, trucks, trailers, boats, airplanes and other types of mobile equipment is prohibited except between the hours of 6:00 pm and 6:00 am the following morning on odd or even days as indicated in No. 1 above. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shut-off nozzle or quick rinses. However, such washings are permitted where the health, safety and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks, vehicles used to transport food and perishables, and the washing of vehicle tires or farm equipment to prevent the spread of communicable diseases of humans, livestock or plants.

5. Filling or refilling of swimming pools, spas, ponds, and artificial lakes is permitted only as indicated in No. 1 above.

6. Watering golf courses, parks, school grounds and recreational fields is permitted only as indicated in No. 1 above, except golf course greens.

7. The use of water from fire hydrants shall be limited to fire fighting and related activities, for construction activities, or other activities necessary to maintain the health, safety and welfare of the public.

8. Water shall not be used to wash down sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate fire or sanitation hazards.

9. Restaurants shall not serve water to their customers except when specifically requested.

10. The operation of any ornamental fountain or similar structure is prohibited.

STAGE 3 – MANDATORY COMPLIANCE – WATER WARNING.

STAGE 3 applies during periods when the District will not be able to meet all of the water demands of its customers. During STAGE 3, the following water conservation measures shall apply except when reclaimed water is used:

1. Lawn watering and landscape irrigation, including construction meter irrigation, is permitted only between the hours of 10:00 pm and 6:00 am the following morning. Properties with water meters ending in even numbers may use water on even numbered days and properties with water meters ending in odd numbers may use water on odd numbered days.

2. A customer shall not let water leave the property by draining onto the adjacent properties or public or private roadways as a result of excessive irrigation or any un-repaired leaks.
3. Agricultural users and commercial nurseries shall use water only on “designated days and during designated hours” as pre-scheduled with the District, unless the Board of Directors declares that it has sufficient local water production available to make up deficiencies in the delivery of water from the San Diego County Water Authority. The watering of livestock and irrigation of propagation beds are permitted at any time.
4. Washing of autos, trucks, trailers, boats, airplanes and other types of mobile equipment is prohibited. However, such washings are permitted where the health, safety and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks, vehicles used to transport food and perishables, and the washing of vehicle tires or farm equipment to prevent the spread of communicable diseases of humans, livestock or plants.
5. Filling and refilling of swimming pools, spas, ponds, and artificial lakes is permitted only as indicated in No. 1 above.
6. Watering golf courses, parks, school grounds and recreational fields is permitted only as indicated in No. 1 above.
7. The use of water from fire hydrants shall be limited to fire fighting and related activities, or other activities necessary to maintain the health, safety and welfare of the public.
8. Water shall not be used to wash down sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate fire or sanitation hazards.
9. Restaurants shall not serve water to their customers except when specifically requested.
10. The operation of any ornamental fountain or similar structure is prohibited.
11. New construction meters or permits for un-metered service will not be issued. Construction water shall not be used for earth work or road construction purposes.

STAGE 4 – MANDATORY COMPLIANCE – WATER EMERGENCY.

STAGE 4 applies when a significant supply shortage or a major failure of any supply or distribution facility, whether temporary or permanent, occurs or is imminent in the water distribution system of the State Water Project, Metropolitan

Water District, San Diego County Water Authority, or District facilities. During STAGE 4, the following water conservation measures shall apply except when reclaimed water is used:

1. All outdoor irrigation of vegetation is prohibited unless the General Manager notifies users that they must reduce or restrict their use of water (1) by or to a specified amount; and/or (2) to a specified percentage of that used in the previous twelve (12) month period, or other such base period as the General Manager shall specify; and/or (3) to designated days and during designated hours.
2. Use of water for agricultural or commercial nursery purposes, except for livestock watering, is prohibited unless the General Manager notifies users that they must reduce or restrict their use of water (1) by or to a specified amount; and/or (2) to a specified percentage of that used in the previous twelve (12) month period, or other such base period as the General Manager shall specify; and/or (3) to designated days and during designated hours.
3. Washing of autos, trucks, trailers, boats, airplanes and other types of mobile equipment is prohibited. However, such washings are permitted where the health, safety and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks, vehicles used to transport food and perishables, and the washing of vehicle tires or farm equipment to prevent the spread of communicable diseases of humans, livestock or plants.
4. Filling and refilling of swimming pools, spas, ponds, and artificial lakes is prohibited.
5. Watering of all golf course areas, except greens, is prohibited. Watering of parks, school grounds and recreational fields is prohibited, with the exception of plant materials classified to be rare, exceptionally valuable, or essential to the well-being of rare animals.
6. The use of water from fire hydrants shall be limited to fire fighting or related activities necessary to maintain the health, safety and welfare of the public.
7. Water shall not be used to wash down sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate fire or sanitation hazards.
8. Restaurants shall not serve water to their customers except when specifically requested.

9. The operation of any ornamental fountain or similar structure is prohibited.
10. New construction meters or permits for un-metered service will not be issued. Construction water shall not be used for earth work or road construction purposes.

SECTION 7. Penalty. As provided in Water Code Section 377, any violation of the Ordinance is a misdemeanor. Upon conviction thereof such person shall be punished by imprisonment in the county jail for not more than thirty (30) days, or by fine not exceeding one thousand dollars (\$1,000.00), or by both. In addition to any other remedies which the District may have for the enforcement of this Ordinance, service of water shall be discontinued or appropriately limited to any customer who willfully uses water in violation of any provision hereof.

SECTION 8. Repeal of ORDINANCE NO. 86-04. ORDINANCE NO. 86-04, passed by the Board of Directors on September 28, 2004, is hereby rescinded and repealed.

SECTION 9. Effective Date and Publication. This Ordinance shall become effective as of the date of adoption and shall be published within ten (10) days of adoption once in the Valley Center Roadrunner, a newspaper of general circulation printed, published and circulated in the District, pursuant to the California Water Code Section 376.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Yuima Municipal Water District at a regular meeting held on July 23, 2007 by the following roll call vote:

AYES: Knutson, Lyttle, Fitzsimmons, Stockton

NOES: None

ABSENT: Anderson

Original copy signed 7/23/07
W.D. Knutson, President

ATTEST:

Original copy signed 7/23/07
George Stockton, Secretary