

**APPENDIX F – CITY OF GILROY WATER REDUCTION
PROGRAM**

City of Gilroy Water Reduction Program

REVISED 1992

Water Uses Prohibited:

1. Water waste, including, but not limited to, flooding or runoff on sidewalks, driveways, streets, gutters and similar outdoor surfaces.
2. Cleaning/washing of sidewalks, driveways, filling station aprons, patios, porches, parking lots or other paved or hard-surfaced areas, except for cleaning/washing for health or safety purposes.
3. Use of water through an unattended hose without a positive automatic or manual shutdown valve, or a sprinkler device on the outlet end of the hose.
4. Use of water for construction purposes, such as consolidation of backfill, unless no other source of water or method can be used.
5. Waste of water due to broken or defective plumbing, sprinklers, and watering/irrigation systems.
6. Restaurant water service unless upon request.
7. From April 1 to November 1, outside landscape irrigation for any residential, business or industrial purpose between the hours of 10:00 a.m. and 6:00 p.m.
 - a. Exemptions from this provision:
 - (1) Drip irrigation systems and the use of reclaimed water.
 - (2) The watering of landscaping (trees, shrubs, flowers, grass, etc.) at the time of installation.
8. Require water audit for large industrial, commercial, and multi-family residential water users.

Revised 04/21/92

REVISEDCITY OF GILROY
1991
WATER REDUCTION PROGRAMWater Uses Prohibited:

1. Water waste, including, but not limited to, flooding or runoff on sidewalks, driveways, streets, gutters and similar outdoor surfaces.
2. Cleaning/washing of sidewalks, driveways, filling station aprons, patios, porches, parking lots or other paved or hard-surfaced areas, except for cleaning/washing for health purposes, as required by the Public Health Code.
3. Washing of the exterior of dwellings, buildings and structures with the exception of window washing and washing in direct conjunction with the painting of the structure.
4. Use of water through a hose without a positive automatic or manual shutdown valve on the outlet end of the hose. Commercial automobile washing is permitted when water is recycled within an approved tolerance.
5. Operation of decorative fountains, unless they utilize a recirculating system.
6. Use of water for construction purposes, such as consolidation of backfill, unless no other source of water or method can be used.
7. Waste of water due to broken or defective plumbing, sprinklers, and watering/irrigation systems.
8. Restaurant water service unless upon request.
9. Hydrant flushing, except where required for public health and safety.
10. Re-filling of existing private pools, except to maintain water levels. (Solar blankets/covers are recommended.)
11. Outside landscape irrigation for any residential, business or industrial purpose between the hours of 10:00 a.m. and 6:00 p.m.
 - a. Drip irrigation systems and the use of reclaimed water are exempt from the provisions of this section.

Other Requirements

1. Require water audit for large industrial, commercial, and multi-family residential water users.

Revised 05/07/91

DRAFT ORDINANCE - 35 PERCENT WATER USE REDUCTION PROGRAM

**AN ORDINANCE OF THE CITY OF GILROY
DECLARING THE EXISTENCE OF A CONDITION OF DROUGHT
AND/OR WATER SHORTAGE AND
PROVIDING FOR MANDATORY REDUCTIONS IN
AND SPECIFIED PROHIBITIONS OF WATER USE**

The City Council of Gilroy does hereby enact as follows:

ARTICLE I

The Council finds and determines that a severe state of drought and/or of water shortage exists and that to preserve the health and safety of the people of this municipality the following measures are necessary to be and are hereby placed in effect.

ARTICLE II

From and after the effective date of this Ordinance, a Stage 3 Water Use Reduction Program is in effect. All provisions of the Stage 2 Water Use Reduction Program remain in effect. In addition, it shall be unlawful to make any of the following uses of potable water:

- 1 through 11. As specified in Stage 2 Water Reduction Program.
12. Golf course watering; except for tees, greens, and landing areas.
13. New installation of landscaping or landscaping renovation unless in compliance with applicable City/County/SCVWD policies and guidelines, as posted by the Public Works Department.
14. Washing cars, except in automatic car washes.
15. Filling new swimming pools.
16. Notice of drought conditions must be posted in hotels, motels, restaurants, restrooms.

ARTICLE III

Any affected water user aggrieved by the application of the foregoing prohibitions may petition the Council for relief, specifying the petitioner's claim of special hardship or inequality of burden and stating the relief requested. The Council will hear the petition without avoidable delay and may take action to grant it, grant it in part or deny it, following the hearing or following any continuation thereof.

ARTICLE IV

This Ordinance will be published in full within ten days after its adoption pursuant to Section 6061 of the California Government Code in a newspaper of general circulation within this municipality. From and after the said publication, violation of the Ordinance is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500), or imprisonment in the county jail for not to exceed thirty days or by both the fine and the imprisonment. Each day of violation shall constitute a separate offense.

ARTICLE V

The Council may at any time find and determine that the state of drought no longer exists and may suspend indefinitely the application of the above prohibitions; provided, that such application may not be reinstated except upon and following a finding of drought and publication of notice thereof in a newspaper of general circulation within this municipality pursuant to Section 6061 of the Government Code.

ARTICLE VI

Should any section or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part decided to be invalid.

PASSED AND ADOPTED . . .

Retrofit Upon Bathroom Alteration

Effective _____, all structures, including residential, commercial, and industrial structures, shall, upon Bathroom Alteration, be Retrofitted exclusively with Water-Conserving Plumbing Fixtures.

Retrofit Exemption

The Administrative Authority may grant an exemption in the following instance:

1. Unavailability of Water-Conserving Plumbing Fixtures to match defined historic architectural style (i.e., Victorian, Mission) fitted with authentic plumbing fixtures, in a local, State or Federally designated building of historic significance.
2. When exemption would be permitted or required by State law.

Compliance

1. It shall be the transferor's responsibility, upon Change of Ownership, to obtain any necessary plumbing replacement of toilets as required by the Gilroy City Code.
2. It shall be the title holder's responsibility, upon Bathroom Alteration, to obtain any necessary plumbing permits for replacement of toilets required by the Gilroy City Code.

Self-Verification

1. Upon Retrofitting with Water-Conserving Plumbing Fixtures, the transfer, or upon Change of Ownership, or the title holder, upon Bathroom Alteration, shall submit to the Administrative Authority a "Water Conservation Certificate", the form of which is available from the Administrative Authority, verifying that Water-Conserving Plumbing Fixtures have been installed.
2. "Water Conservation Certificates" shall be maintained by the Administrative Authority in order to provide future verification that Water Conserving Plumbing Fixtures have been installed.
3. "Water Conservation Certificates" shall also be available to those who voluntarily install Water Conserving Plumbing Fixtures or have installed Water-Conserving Plumbing Fixtures prior to January 1, 1992.

MORATORIUM ON NEW OR EXPANDED WATER USE

It is necessary and appropriate to enact a moratorium on new or expanded water service to customers served by the City in order to protect the public health, safety, and welfare until the Council has, by ordinance, declared the present water shortage emergency to be resolved.

Moratorium on New or Expanded Water Service

Effective _____, the City shall not provide new or expanded water service or sell meters for water service connections to consumers in the City after the effective date of this ordinance, except to consumers who have previously been issued valid building permits by the City which have not expired or been revoked. Notwithstanding the foregoing, the City may supply new or expanded water service to public agencies, including but not limited to schools, fire stations, police stations, and other facilities which serve the community, such as hospitals, as necessary to protect the public health, safety, and welfare.

Water Not Supplied for New Plantings

Effective _____, the City shall not provide water for use on any new plantings or landscaping installed after the effective date of this ordinance.

Moratorium on Annexations Outside the City's Water Service Area

Effective _____, the City shall not annex territory located outside of its water service area."

ARTICLE III

Any affected water user aggrieved by the application of the foregoing prohibitions may petition the Council for relief, specifying the petitioner's claim of special hardship or inequality of burden and stating the relief requested. The Council will hear the petition without avoidable delay and may take action to grant it, grant it in part or deny it, following the hearing or following any continuation thereof.

ARTICLE IV

This Ordinance will be published in full within ten days after its adoption pursuant to Section 6061 of the California Government Code in a newspaper of general circulation within this municipality. From and after the said publication, violation of the Ordinance is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500), or imprisonment in the county jail for not to exceed thirty days or by both the fine and the imprisonment. Each day of violation shall constitute a separate offense.

ARTICLE V

The Council may at any time find and determine that the state of drought no longer exists and may suspend indefinitely the application of the above prohibitions; provided, that such application may not be reinstated except upon and following a finding of drought and publication of notice thereof in a newspaper of general circulation within this municipality pursuant to Section 6061 of the Government Code.

DRAFT ORDINANCE - 50 PERCENT WATER USE REDUCTION PROGRAM

AN ORDINANCE OF THE CITY OF GILROY DECLARING THE EXISTENCE OF A CONDITION OF DROUGHT AND/OR WATER SHORTAGE AND PROVIDING FOR MANDATORY REDUCTIONS IN AND SPECIFIED PROHIBITIONS OF WATER USE

The City Council of Gilroy does hereby enact as follows:

ARTICLE I

The Council finds and determines that a critical state of drought and/or of water shortage exists and that to preserve the health and safety of the people of this municipality the following measures are necessary to be and are hereby placed in effect.

ARTICLE II

From and after the effective date of this Ordinance, a Stage 4 Water Use Reduction Program is in effect. All provisions of the Stage 3 Water Use Reduction Program remain in effect. In addition, it shall be unlawful to make any of the following uses of potable water:

- 1 through 16. As specified in Stage 3 Water Reduction Program.
17. Operation of a pool without a cover.
18. Turf irrigation with potable water (no irrigation meter water use).
19. New landscaping of public facilities.
20. Water conservation devices must be retrofitted in hotels, motels, etc.

RETROFITTING WITH WATER CONSERVATION FIXTURES

It is necessary and appropriate to require the installation of "water conserving plumbing fixtures" in the event of a change of ownership of property or bathroom alterations in the City due to the serious water shortage in the City.

Definitions

The following definitions shall apply to this section:

1. "Water Conserving Plumbing Fixtures" means any toilet using a maximum of 1.6 gallons of water per flush, urinals that use a maximum of 1.0 gallon of water per flush, showerheads with a maximum flow capacity of 2.5 gallons of water per minute, faucets that emit

a maximum of 2.5 gallons of water per minute, and shutoff valves for residential reverse osmosis systems."

2. "Existing Plumbing Fixtures" means any toilet using 3.5 or more gallons of water per flush, urinals using more than 1.0 gallons per flush, showerheads with a flow capacity of more than 2.5 gallons of water per minute, faucets that emit more than 2.2 gallons of water per minute, and residential reverse osmosis systems not equipped with shutoff valves.

3. "Retrofit" means replacing "Existing Plumbing Fixtures" with "Water-Conserving Plumbing Fixtures".

4. "Change of Ownership" means a transfer of present interest in real property, or a transfer of the right to beneficial use thereof, the value of which is substantially equal to the proportion of the ownership interest transferred.

5. "Existing Structure" means either of the following:

a. Any structure built and available for use or occupancy on or before January 1, 1983, which is equipped with a toilet using 3.5 or more gallons of water per flush or a urinal using more than 1.0 gallons of water per flush; or

b. Any structure built and available for use or occupancy on or before December 1, 1991, which is equipped with a showerhead with a flow capacity of more than 2.5 gallons of water per minute, a faucet that emits more than 2.2 gallons of water per minute or a residential reverse osmosis system not equipped with shutoff valves.

6. "Bathroom Alteration" means any alteration or addition of a bathroom that would necessitate obtaining a plumbing permit for replacement of a toilet(s) as required by the Gilroy City Code.

7. "Administrative Authority" means the Building Official of the City of Gilroy or his/her designee.

8. "Water Conservation Certificate" means a certificate acknowledging that installation of Water Conserving Plumbing Fixtures has been completed and has been submitted to the Administrative Authority by a transfer upon Change of Ownership or by a property owner or manager upon Bathroom Alteration.

Retrofit Upon Change of Ownership

Effective _____, all Existing Plumbing Fixtures in Existing Structures, including residential, commercial, and industrial structures, shall, at the time of Change of Ownership, be Retrofitted, if not already done, exclusively with Water-Conserving Plumbing Fixtures. At the discretion of the transferor, compliance with this section may be included as a condition of the escrow, and the costs of compliance may be paid from the proceeds of sale for completion of the work required.

ARTICLE VI

Should any section or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part decided to be invalid.

PASSED AND ADOPTED . . .