

## **APPENDIX F**

### **Water Waste Ordinance**

## Chapter 13.62 WATER WASTE REGULATIONS\*

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### **13.62.010 Purpose.**

The purpose of this chapter is to promote the efficient use of the entire water supply provided by the city; to eliminate the intentional or unintentional waste of water when a reasonable alternative solution is available; and to prohibit the use of equipment that is wasteful.

### **13.62.020 Definitions.**

- A. "City" means the City of Rohnert Park acting by and through the city public works department as operator of the city water system.
- B. "City council" means the city council of the City of Rohnert Park.
- C. "City manager" means the city manager of the city or his or her designee.
- D "Customer" means any person, within or outside of the geographic boundaries of the city, who uses water supplied by the city.
- E. "Person" means any person, firm, partnership, association, corporation, company, organization, or governmental entity.
- F. "Recycled water" means water treated in accordance with Title 22, Section 60301 et. seq. of the California Code of Regulations and suitable for reuse under the circumstances outlined.
- G. "State health standards" means Title 22 Section 60301 et. seq. as it may be amended from time to time.
- H. "Subregional system" means the City of Santa Rosa's Subregional Water Reclamation System, which is the current supplier of recycled water in the City.

### **13.62.030 Nonessential uses.**

No customer of the city shall use or permit the use of potable water from the city for residential, commercial, institutional, industrial, agricultural, or other purposes for the following nonessential uses:

- A. The washing of sidewalks, walkways, driveways, parking lots and other hard-surfaced areas by direct hosing, except as may be necessary to properly dispose of flammable or other dangerous liquids or substances, wash away spills that present a trip and fall hazard, or to reduce or eliminate materials dangerous to the public health and safety;
- B. The escape of water through breaks or leaks within the customer's plumbing or private distribution system for a period of time greater than seventy-two hours after discovery of the break or leak or receipt

of notice from the city.

C. Irrigation in a manner or to an extent which allows excessive runoff of water or unreasonable overspray of the areas being watered.

D. Washing cars, boats, trailers or other vehicles and machinery directly with a hose not equipped with a shutoff nozzle;

E. Water for non-recycling decorative water fountains;

F. Water for single pass evaporative cooling systems for air conditioning in all connections installed after the effective date of this chapter, unless required for health or safety reasons;

G. Water for new non-recirculating conveyor car wash systems; and

H. Water for new non-recirculating industrial clothes washing systems.

### **13.62.040 Recycled water service required.**

Upon written notification from the city, new applicants for water service whose properties may be served by recycled water, shall connect their property to recycled water service for those uses for which the use of potable domestic water would be deemed a waste or unreasonable use of water as specified in Division 7, Chapter 7, of the California Water Code (Section 13550 et. seq.) and the state and local regulations promulgated pursuant thereto. Failure of a new customer to accept service of recycled water when it is made available, where use of potable water would otherwise be deemed a waste or unreasonable use of water, shall be grounds for termination of the customer's potable water service. Failure of a recycled water customer to comply with the conditions specified for its use shall be deemed a violation and shall be subject to enforcement as outlined in Section 13.64.050.

### **13.62.041 Recycled water service connection fees.**

Recycled water connection fees for new customers shall be in accordance with the schedule adopted by resolution by the city or the subregional system.

All customers are liable for the cost of connecting plumbing at the point of connection as determined by the city and any costs of making private plumbing and irrigation systems conform to state health standards.

### **13.62.042 Recycled water service charges.**

Recycled water service charges shall be established by resolution of the city and/or the subregional system.

### **13.62.050 Violation--Enforcement.**

The violation of each provision of this chapter, and each separate violation thereof, shall be deemed a separate offense, and shall be enforced as an infraction in accordance with Chapter 1.24 of this Code. Fees and charges for the activities below shall be established by resolution of the city council.

A. Personal contact with the customer at the address of the water service.

B. Written notice, sent by certified mail, to the customer of the water waste violation including a specified period of time to correct the violation or request a hearing.

C. The city may levy a water waste penalty to the customer.

D. After notice and a hearing provided in accordance with Section 13.64.051 below, the city may authorize termination of water service and the charge for same shall be billed to the customer. Except in cases of extreme emergency as solely determined by the city manager, service shall not be reinstated until verified by the city manager that the violation has been corrected and all charges and fees have been paid.

### **13.62.051 Notice and hearing.**

Before terminating water service, the city manager shall give written notice to the customer. The customer shall have five business days from the date of service of the notice to request a hearing before the city manager or his or her designee in order to present any and all evidence they may have as to why a restrictor should not be installed or service terminated. If a hearing is requested, the city manager or his or her designee shall schedule a date and time for said hearing as soon as possible after the request is filed, but not later than five business days after the filing of such request for hearing. At the hearing, the customer and the city may offer evidence. The city manager shall make a final determination as to whether service should be restricted or terminated and under what conditions.

### **13.62.052 Violation--Additional remedy.**

As an additional remedy, the violation of any provision of this chapter by any person who has received more than one written warning pursuant to Section 13.64.040 to refrain from the same or any other violation under this chapter in one calendar year shall be deemed and is declared to be a public nuisance and may be subject to abatement in accordance with Chapter 1.24 of this Code. 2004)

### **13.62.060 Exempt water uses.**

All water use associated with the operation and maintenance of fire suppression equipment or employed by the city for water quality flushing and sanitation purposes shall be exempt from the provisions of this chapter.

### **13.62.070 Special exemptions.**

Any customer of the city may make written application for a special exemption from the provisions of this chapter. This application shall describe in detail why the applicant believes a special exemption is justified.

A. The city manager may grant variances for use of water otherwise prohibited by this section upon finding and determining that failure to do so would cause an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or public; or cause an unnecessary and undue hardship on applicant or public, including, but not limited to, adverse economic impacts, such as loss of production or jobs.

B. The decision of the city manager may be appealed to the city council by submitting a written appeal to the city clerk within fifteen calendar days of the date of the decision. Upon granting any appeal, the city council may impose any conditions it determines to be just or proper. Special exemptions granted by the city council shall be documented in writing.