APPENDIX D

Water Conservation Plan

☑ *UWMP Checklist 42—(Provide) a draft water shortage contingency resolution or ordinance. (10632(h)*

DIVISION 3. - WATER CONSERVATION PLAN [92]

Sec. 82-121. - Declaration of policy.
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Sec. 82-121. - Declaration of policy.

(a) Water Code § 350 et seq. permits 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 supply. The city council hereby establishes a comprehensive water conservation plan pursuant to the state Water Code to conserve water supplies and to avoid or minimize the effects of any future shortage.

(b) Water Code § 351 provides as follows: "Excepting in event of a breakage or failure of a dam, pump, pipe line or conduit causing an immediate emergency, the declaration shall be made only after a public hearing at which consumers of such water supply shall have an opportunity to be heard to protest against the declaration and to present their respective needs to said governing board."

(c) No customer of the city shall knowingly make, cause, use or permit the use of water supplied by the city for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provisions of this division. Any of the restrictions described in this division shall take effect by adoption of an implementing resolution by the city council as provided in this division.

(Ord. No. 1442, § 1, 2-25-92)

Sec. 82-122. - CEQA exemption.

The city finds actions taken pursuant to this division to be exempt from the California Environmental Quality Act (CEQA) as specific actions necessary to prevent or mitigate an emergency pursuant to Public Resources Code § 15269(c).

(Ord. No. 1442, § 2, 2-25-92)

Sec. 82-123. - Effective date of plan.

This division shall be effective upon its adoption. Specific water conservation phases described in this division shall be effective by subsequent action of the city council in the case of a water supply shortage or by action of the city water superintendent in the case of an emergency water shortage.

(Ord. No. 1442, § 3, 2-25-92)

Sec. 82-124. - Applicability of division.

The provisions of this division shall apply to all persons, customers and property served by the city.

(Ord. No. 1442, § 4, 2-25-92)

Sec. 82-125. - Implementation of division; water conservation commission.

(a) The city manager, the water superintendent or a designated representative is hereby authorized and directed to implement the provisions of this division as approved by the city council.

(b) A water conservation commission shall be appointed by the city council. The commission shall be comprised of five members, including one representative from each of the following water customer groups: single-family, multifamily, mobile home and commercial, and one at-large member.

(Ord. No. 1442, § 5, 2-25-92)

Sec. 82-126. - Findings.

(a) The city council does hereby find, determine and declare as follows:

(1) *Water consumption summary for water department service area.*

a. The city obtains most of the potable water needed to serve its customers from groundwater wells. The normal operating production of the wells equals the total capacity of all wells times 80 percent. The city also has an agreement with Eastern Municipal Water District (EMWD) for an additional 575 acre-feet per year (AFY). When additional import water is available, the maximum water flow rate from the Eastern Municipal Water District through the Lake Hemet Water District is eight acre-feet per day using three points of connection.

b. The water in the underground aquifer is measured by the height of water above the pumps in the wells. The height of water currently ranges from 31 feet to 207 feet above the pumps, with an average height of 122 feet.

c. With minimum precipitation the city does not foresee any significant reduction in the water supply in the next three years, with the exception of an emergency such as an earthquake or a total power outage causing the water pumps to fail. During the last five years the state has been experiencing drought and there has been only a slight decline in the city water system.

d. The following chart shows the annual water production totals from 1986 through 1990. A breakdown of the actual water consumption amount for each water use category is not available.

PAST WATER PRODUCTION

Year	Acre-Feet per Year
1986	5227
1987	4555
1988	5813
1989	5967
1990	5406

e. The following chart shows the current (September 1990 through August 1991) water consumption amounts and a breakdown of those uses for residential single-family (single-family detached units and individually metered mobile homes), multifamily (apartment complexes) and commercial accounts and mobile home parks on a single water meter.

CURRENT WATER CONSUMPTION

Customer Category	Number of Water Services	Acre-Feet per Year	Average Annual Acre-Feet per Service
Single-family	7,607	2,584.92	0.34
Multifamily	406	811	2.00
Commercial	886	1641	1.85
Mobile homes	39	381.9	9.79
Totals	8,938	5,416.7	0.61

f. Currently, the City of Hemet Water District is 80 percent built out. The water use is projected to increase 1.44 percent per year through the year 2001. The population is projected to increase 1.27 percent per year through the year 2001. The city estimates that by the year 2010 the water district will be 100 percent built out and will require an additional 2,200 acre-feet per year. These figures have been documented in the city general plan and Metcalf and Eddy's water and sewer master plan.

PROJECTED WATER CONSUMPTION

Fiscal Year Projection	Acre-Feet per Year Increase
1991/92	5,496
1992/93	5,576
1993/94	5,657

(2) *Possibility of water shortage.* A water shortage could exist based upon the occurrence of one or more of the following conditions:

a. A major failure of any or all supply, storage or distribution facilities of the city water and reservoir system.

b. A water supply shortage due to the inability to meet acceptable water quality standards mandated by the state health department.

c. A general water supply shortage due to increased demand or limited supplies.

d. A decline in the underground aquifer as measured by the height of water in the wells.

e. A complete power failure of all four electrical connections from Southern California Edison. The city water department would be able to maintain minimum water supply to all of its customers using only auxiliary connections from the Eastern Municipal Water District and Lake Hemet.

(b) The council also finds and determines that the water resources available to the city service area shall be put to the maximum beneficial use in the interests of the people of the city and for the public welfare, and that waste, unreasonable use or unreasonable method of use of water shall be prohibited. The City of Hemet Water District shall provide a copy of this division to the city office of emergency services, the county office of emergency service, the Eastern Municipal Water District and the Lake Hemet Water District.

(Ord. No. 1442, § 6, 2-25-92)

Sec. 82-127. - Water waste prevention.

(a) *Nonessential application of water.* No customer shall cause or permit any water furnished to his property by the city to run to waste or be used for nonessential application of water. Hoses used for any purpose shall be equipped with a positive shutoff device. Leaks must be repaired as soon as discovered, and shall not be allowed to continue. The following is a partial list of nonessential applications of water, which include but are not limited to:

(1) Watering to excess, which allows water to run off the landscaped area or allows the landscape to become supersaturated.

(2) Potable water used for earthwork, grading or road construction purposes when nonpotable water is available.

(3) Washing down any paved surface except to alleviate immediate fire, sanitation or health hazards.

Draining and filling of above- or below-grade swimming pools with a capacity of 1,500 gallons or greater, or a depth of four feet or greater, regardless of capacity, shall require a permit for such draining or filling.

(b) *Permits.* The city water superintendent or a designated representative is authorized to grant permits as he may deem necessary for reasons such as draining swimming pools or repairing leaks, or for health and safety reasons.

(c) *Notice of water waste incident.* The city shall give notice to the customer at the premises at which the incident occurred. All notices shall contain the facts of the incident, recommendations to remedy the incident, a statement of the possible penalties for each incident, a statement informing the customer of his right to appeal the incident, and a brief summary of the appeal process specified in this section. In addition, some notices shall contain the date and time that installation of a flow restriction device or termination of water service may occur. All penalties shall be paid to the city water department within 15 days after the notice of water waste incident or upon final determination of an appeal.

(1) For a first incident, a city representative shall advise the citizen of the provisions of this division verbally and in writing. Water conservation advice and information shall be given to assist the citizen in eliminating the water waste problem.

(2) For a second incident, the city shall give written notice of the water waste to the customer personally, or tag the door and mail a certified notice to the name on the water service. An inspection date shall be set within ten days to verify that the water waste incident has been remedied. The cost of issuance for the second incident will be billed according to Executive Order No. S-128, Water Waste Second Incident.

(3) For a third incident, the city shall assess a penalty, equal to two times the customer's prior bimonthly water bill amount, to the customer personally, or tag the door and mail a certified notice of the penalty to the name on the water service. A bimonthly billing period includes all water consumed from one meter reading date to the next meter reading date.

(4) For any additional incident, the city may assess an additional penalty or give the date and time that a flow restricting device shall be installed on the service or that the service shall be terminated. The customer shall be notified personally or by tagging the door, and a certified notice shall be sent to the name on water service.

(d) *Appeals.* Any customer against whom a penalty is to be levied shall have a right to an appeal. A written appeal request and a copy of the notification must be received by the city clerk within ten days of the date of notification of the notice of penalty. If appealed, penalties, including installation of a flow restricting device on water service, shall be stayed until a written decision is made by the water conservation commission.

(e) *Restoration of service.* Where water service is disconnected or a flow restriction device has been installed as authorized in this section, normal service shall be restored upon correction of the condition or activity and payment of the reconnection charge and penalties. The reconnection charge shall include all costs associated with disconnecting and reconnecting the service or installing and removing the flow restricting device. Restoration of normal service shall be performed during the hours of 8:00 a.m. to 4:00 p.m. on regular working days.

(Ord. No. 1442, § 7, 2-25-92)

Sec. 82-128. - Water rationing.

(a)

Phases established. This section establishes four water rationing phases to be implemented in the case of an emergency water shortage or water supply shortage. The four phases are progres-sively more stringent water conservation mea-sures which include additional mandatory water use restrictions.

Phase	Water Shortage	Target Water Savings
I	Minor shortage	10%
II	Moderate shortage	25%
III	Serious shortage	35%
IV	Critical shortage	50%

(b) *Emergency water shortage response.* The city water superintendent or a designated representative may invoke emergency water shortage response restrictions when a major failure occurs, whether temporary or permanent, in the supply, the water quality, the distribution lines or the reservoirs of the city's water system.

(c) *Water rationing phases.* Based on the severity of the water shortage, the city council shall direct the city manager, the water superintendent or a designated representative to implement the provisions of this division. Phases I, II, III and IV shall be implemented and shall continue as voluntary use reduction phases with additional mandatory water use restrictions as long as the target water savings are achieved. The level of water use reduction achieved shall be monitored through monthly or weekly, depending on the severity of the rationing, systemwide production amounts compared to 1988/89 fiscal year production amounts. Any time the conservation goals are not achieved, the appropriate phase shall be implemented as a mandatory use reduction. The level of water use reduction achieved shall be monitored through weekly systemwide production amounts compared to 1988/89 fiscal year production amounts.

(1) *Phase I, target water savings ten percent.* When normal operating production drops by ten percent during the highest production time of the year (May 15 through October 15) or the water level in the underground aquifer, as measured above the pumps in the wells, drops by an average of 25 feet, the city council may activate by resolution a voluntary or mandatory use reduction program to achieve a ten percent savings in the overall water use as follows:

a. All single-family residential accounts (single-family detached units and individually metered mobile homes) shall be allocated their 1990/91 district average adjusted to achieve a ten percent reduction in the single-family category, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period per service. Annually, there are currently 205 (or 2.7 percent) single-family accounts that fall into this minimum category.

b. All other accounts (multifamily, apartment complexes, commercial, irrigation and mobile home parks on a single water meter) shall be allotted their historic consumption during the 1990/91 fiscal year less ten percent, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period. All other accounts without historic consumption shall be allotted 2,000 cubic feet per bimonthly billing period per service. Annually, there are 34 (or 0.7 percent) non-single-family accounts that fall into this minimum category.

c. Additional mandatory water use restrictions are as follows:

1. Restaurants, cafes, cafeterias or other public places where food is sold shall serve water to customers only upon request.

2. Additional water shall not be allowed for new landscaping or expansion of existing facilities unless low water use landscape designs and efficient irrigation systems are used.

(2) *Phase II, target water savings 25 percent.* When normal operating production drops by 25 percent during the highest production time of the year (May 15 through October 15) or the water level in the underground aquifer, as measured above the pumps in the wells, drops by an average of 50 feet, the city council may activate by resolution a voluntary or mandatory use reduction program to achieve a 25 percent savings in the overall water use as follows:

a. All single-family residential accounts (single-family detached units and individually metered mobile homes) shall be allocated their 1990/91 district average adjusted to achieve a 25 percent reduction in the single-family category, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period per service. Annually, there are currently 205 (or 2.7 percent) single-family accounts that fall into this minimum category.

b. All other accounts (multifamily, apartment complexes, commercial accounts, irrigation and mobile home parks on a single water meter) shall be allotted their historic consumption during the 1990/91 fiscal year less 25 percent, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period. All other accounts without historic consumption shall be allotted 2,000 cubic feet per bimonthly billing period per service. Annually, there are 34 (or 0.7 percent) non-single-family accounts that fall into this minimum category.

c. Additional mandatory water use restrictions include the mandatory water use restrictions included in phase I, and the following items:

1. Commercial carwash businesses must recycle their water.

2. Car washing is prohibited except with a bucket or container not exceeding a three-gallon capacity. Hoses for rinsing must be equipped with a positive shutoff nozzle.

3. No water shall be used for fire drills.

4. Landscape watering is prohibited between 6:00 a.m. and 6:00 p.m. except for performing regular maintenance checks and repairs, watering golf course greens and tees, using a hand-

held hose equipped with a positive shutoff nozzle, using a hand-held bucket of five gallons in capacity or less, or watering with a drip irrigation system. Watering between 6:00 a.m. and 6:00 p.m. may be allowed if freezing temperatures prevent irrigation at night.

(3) *Phase III, target water savings 35 percent.* When normal operating production drops by 35 percent during the highest production time of the year (May 15 through October 15) or the water level in the underground aquifer, as measured above the pumps in the wells, drops by an average of 60 feet, the city council may activate by resolution a voluntary or mandatory use reduction program to achieve a 35 percent savings in the overall water use as follows:

a. All single-family residential accounts (single-family detached units and individually metered mobile homes) shall be allocated their 1990/91 district average adjusted to achieve a 35 percent reduction in the single-family category, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period per service. Annually, there are currently 205 (or 2.7 percent) single-family accounts that fail into this minimum category.

b. All other accounts (multifamily, apartment complexes, commercial accounts and mobile home parks on a single water meter) shall be allotted their historic consumption during the 1990/91 fiscal year less 35 percent, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period. All other accounts without historic consumption shall be allotted 2,000 cubic feet per bimonthly billing period per service. Annually, there are 34 (or 0.7 percent) non-single-family accounts that fall into this minimum category.

c. Additional mandatory water use restrictions include the mandatory water use restrictions included in phase I and phase II, and the following items:

1. No water is to be used for filling of new pools.

2. Operation of decorative fountains is prohibited unless water is recycled.

3. Water shall not be used to clean, fill or maintain levels in decorative fountains, ponds or artificial lakes.

(4) *Phase IV, target water savings 50 percent.* When normal operating production drops by 50 percent during the highest production time of the year (May 15 through October 15) or the water level in the underground aquifer, as measured above the pumps in the wells, drops by an average of 70 feet, the city council may activate by resolution a voluntary or mandatory use reduction program to achieve a 50 percent savings in the overall water use as follows:

a. All single-family residential accounts (single-family detached units and individually metered mobile homes) shall be allocated their 1990/91 district average adjusted to achieve a 50 percent reduction in the single-family category, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period per service. Annually, there are currently 205 (or 2.7 percent) single-family accounts that fall into this minimum category.

b. All other accounts (multifamily, apartment complexes, commercial accounts and mobile home parks on a single water meter) shall be allotted their historic consumption during 1990/91 fiscal year less 50 percent, but in no case shall consumers be asked to reduce their consumption to less than 2,000 cubic feet per bimonthly billing period. All other accounts without historic consumption shall be allotted 2,000 cubic feet per bimonthly billing period per service. Annually, there are 34 (or 0.7 percent) non-single-family accounts that fall into this minimum category.

c. Additional mandatory water use restrictions include the mandatory water use restrictions included in phase I, phase II and phase III, and the following item: no installation of new turf.

(Ord. No. 1442, § 8, 2-25-92)

Sec. 82-129. - Appeals and variances.

(a) *Appeal process.* Any customer who requests an adjustment to his billing allotment shall have a right to the appeal process. A written appeal request form must be completed and filed with the city clerk. All appeal requests shall be reviewed by city staff. Any appeal request that is denied by staff shall automatically be forwarded to the water conservation commission for review. Any allotment adjustment shall start with the appealed billing period.

(b) *General variance criteria.* No relief shall be granted unless the customer demonstrates maximum practical water reduction, including the installation of low flow showerheads and water conserving aerators on all faucets and the repair of all leaks. The city water superintendent or his designated representative may require a water audit.

(c) *Residential variance criteria.* A variance may be granted to provide relief to a residential customer that reflects extraordinary water needs, such as:

(1) Irrigation of new plantings, when their installation was required prior to adoption of mandatory water use restrictions.

(2) Previous conservation.

(3) Medical reasons.

(4) Abatement of health or safety hazards.

(d) *Nonresidential variance criteria.* A variance may be granted to provide relief to a nonresidential customer to reflect changes in circumstances which have occurred subsequent to the base period, such as:

(1) Irrigation of new plantings, when their installation was required prior to adoption of mandatory water use restrictions.

(2) Increased number of employees.

(3) Production of new products which require process water.

(4) Customers without historic water consumption during the base period.
(5) Increase in business.
(6) Abatement of health or safety hazards.

(Ord. No. 1442, § 9, 2-25-92)

Sec. 82-130. - Incentive tiered water rates.

The current tiered water rates shall be increased to create an incentive rate structure to achieve the required reduction in consumption. The incentive rates will depend on the current mandatory rationing phase of the conservation plan. Consistent with various published studies on the relationship between water rates and consumption, the incentive water rate will call for a minimum ten percent rate increase for every five percent of desired decrease in water consumption. Any customer who exceeds his water allotment during the various phases of mandatory water rationing will be billed at a new incentive water rate structure. The entire water consumption for that period will be calculated using the new incentive rates.

(Ord. No. 1442, § 10, 2-25-92)

Sec. 82-131. - Restoration of water service.

Where water service is disconnected or a flow restriction device has been installed, as authorized in this division, normal water service shall be restored upon correction of the condition or activity and payment of the reconnection charge and penalties. The reconnection charge shall include all costs associated with disconnecting and reconnecting the service or installing and removing the flow restricting device. Restoration of normal service shall be performed during the hours of 8:00 a.m. to 4:00 p.m. on regular working days.

(Ord. No. 1442, § 11, 2-25-92)

Sec. 82-132. - Maintenance of public health and safety.

Nothing contained in this division shall be construed to require the city to curtail the supply of water to any customer when, in the discretion of the city water superintendent, such water is required by that customer to maintain an adequate level of public health and safety.

(Ord. No. 1442, § 12, 2-25-92)

Sec. 82-133. - Rights of city; disposition of fees.

The rights of the city under this division shall be cumulative to any other rights of the city to discontinue service. All monies collected by the city pursuant to this division shall be deposited in the city water fund.

(Ord. No. 1442, § 13, 2-25-92)

Sec. 82-134. - Analysis of fiscal impact.

City staff will prepare an analysis of the effect of water conservation plan on the revenues and expenditures of the urban water supplier. The incentive rates structure is adopted to overcome those impacts. The analysis will be submitted to the department of water resources as part of the city's water shortage contingency plan.

(Ord. No. 1442, § 14, 2-25-92)

Secs. 82-135—82-160. - Reserved.

FOOTNOTE(S):

[92] ***Cross reference—*** *Building regulations pertaining to water conservation, § 14-381 et seq.* *(Back)*