

Appendix F

Draft Water Shortage Contingency Plans/Ordinances

This appendix contains examples that were adopted in 1991 to address water shortage conditions and will be used as models for future water shortage contingency ordinances.

Appendix I

DROUGHT EMERGENCY WATER SHARING AGREEMENT

1. Parties. The parties to this agreement are: Valencia Water Company, Santa Clarita Water Company, Los Angeles County Waterworks District No. 36-Val Verde, Newhall County Water District, and the Castaic Lake Water Agency.

2. Critical Water Shortage Conditions. The State of California is experiencing a fifth year of drought, which has caused critical water shortages in many areas of the state, including the service area of the Castaic Lake Water Agency. The Agency has recently been informed that the State Water Project will have insufficient water to meet its demands for the coming year.

3. Water Sharing Agreement. In order to alleviate the emergency water shortage caused by the Drought and by insufficient agency water to meet demands, the undersigned parties agree to cooperate in sharing available water from all sources among themselves without regard to water, contractual or other rights for the duration of the emergency, and to facilitate among themselves water transfers, exchanges, and wheeling arrangements.

4. Preservation of Rights. By entering into this emergency water pooling and transfer, the parties do not waive their individual claims to water rights, or to contractual or other claims to water or the use of water. Each party agrees that no party hereto will lose any water right, contract right, or other entitlement to water by entering into this agreement,

nor shall any party attempt to use this agreement or the emergency exchange of water as a basis for a claim against any other party of a continued right to the use of that water. This agreement shall not be construed as constituting any alteration in the respective priorities or terms of any of the rights held by any party, nor as an admission with respect to any rights or claims. Each party further agrees that no party hereto will lose any water or other right by a claim of non-use by another party, prescription, or dedication to public use by entering into this agreement.

5. Termination. This agreement shall terminate upon the cessation of drought conditions affecting the service area of the Castaic Lake Water Agency, or January 1, 1992, whichever is sooner, but may be extended by mutual consent of all the parties.

6. Counterparts. This agreement shall be executed in counterparts, each of which shall be deemed an original.

7. Effective Date. The effective date of this agreement shall be that date upon which all the parties hereto have executed the agreement.

Valencia Water Company

Date: FEBRUARY 13, 1991

by 

Attest:



Santa Clarita Water Company

by W.J. Mantel

Los Angeles County Waterworks
District No. 36

by **ORIGINAL SIGNED BY**

Newhall County Water District

by **ORIGINAL SIGNED BY**

Castaic Lake Water Agency

by **ORIGINAL SIGNED BY**

Date: February 26, 1991

Attest: Benjamin P. Bonelli

Date: 8/27/91

Attest: pg 21

Date: 2/19/91

Attest: pg 22

Date: 2/28/91

Attest: pg 23



s/Los Angeles County Waterworks
District No. 36

Date: AUG 27 1991

BY Michael H. Antonovich

Attest:
ATTEST: LARRY J. MONTEILH
EXECUTIVE OFFICER —
CLERK OF THE BOARD OF SUPERVISORS

BY Laura C. Walton Deputy

s/Newhall County Water District

Date: _____

Attest:

by _____

s/Castaic Lake Water Agency

Date: 2/28/91

Attest:

by Robert C. Laghorn

Betty L. Collins

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

8 9 4

AUG 27 1991

LA FORM 57 TO FORM
COUNTY COUNSEL

BY [Signature]
DEPUTY

[Signature]
LARRY J. MONTEILH
EXECUTIVE OFFICER

s/ Newhall County Water District

Date: 2/19/41

Attest:

by Gene H. J. Resident James Frank Siley

s/ Castaic Lake Water Agency

Date: _____

Attest:

by _____

s/Los Angeles County Waterworks
District No. 36

Date: _____

Attest:

by _____

s/Newhall County Water District

Date: _____

Attest:

by _____

s/Castaic Lake Water Agency

Date: 2/29/91

Attest:

by *Scott C. [Signature]*

Betty L. [Signature]

Appendix II

RESOLUTION NO. 804

RESOLUTION OF THE BOARD OF DIRECTORS OF CASTAIC LAKE WATER AGENCY
RECOGNIZING REDUCTIONS IN REQUESTED DELIVERY OF
STATE WATER PROJECT SUPPLY FOR YEAR 1991
AND MANDATING A PROGRAM OF WATER CONSERVATION
IN THE SANTA CLARITA VALLEY

WHEREAS, the Castaic Lake Water Agency is a public entity organized and operating pursuant to the California Water Code, Appendix, Chapter 103, and is primarily empowered to supply water at wholesale to retail water distributors within the Santa Clarita Valley; and

WHEREAS, the Agency's source of water is by contract with the State Water Project of the California Department of Water Resources; and

WHEREAS, the State Water Project, and the entire State of California is experiencing protracted drought conditions of unprecedented recent duration; and

WHEREAS, the California Department of Water Resources in a letter dated February 2, 1991 advised the Agency to plan for "severe reductions" in its State Water Project supply; and

WHEREAS, the letter further reported, "there is a 50% probability that the Department will only be able to deliver about half of the water requested for municipal and industrial use in 1991"; and

WHEREAS, half of the requested State Water Project supply of the Castaic Lake Water Agency would be 13,050 acre feet; and

WHEREAS, the retail water distributors within the Santa Clarita Valley operate ground water production facilities that have been planned to make up some portion of the delivery reductions in State Project Water; and

WHEREAS, the retail water distributors and the Agency, have pursuant to Water Code, Sections 10610 through 10656, adopted a URBAN WATER MANAGEMENT PROGRAM for retail sales which contains water conservation measures including, metering, leak detection, public education, public information, home retrofit devices, drip and sprinkler irrigation restrictions, and a landscape suggestion for use of drought tolerant plantings; and

WHEREAS, heretofore, the Castaic Lake Water Agency adopted Resolution No. 667 relating to a voluntary water conservation program to reduce water consumption by 10 percent; and

WHEREAS, it is now essential to enact a mandatory program;

NOW, THEREFORE, BE IT RESOLVED that this Agency's Board of Directors does hereby find and determine the following:

1. That the General Manager of the Agency be authorized to execute a "Drought Emergency Water Sharing Agreement" with the local water purveyors to make it clear that emergency drought sharing of Agency water supplies during year 1991 not result in any waiver of contractual or other right to use of Agency water.

2. That the General Manager confer with the retail water purveyors to coordinate the distribution and use of the limited State Project Water supply to maximize the distribution of the ground water production capacity of the combined facilities operated by the retail water purveyors.

3. That the Agency request both the City of Santa Clarita and the County of Los Angeles to adopt mandatory water use ordinances with terms generally as follows:

I. A WATER CONSERVATION ORDINANCE WHICH SHALL TERMINATE ON JANUARY 1, 1992 UNLESS RENEWED OR TERMINATED EARLIER

A. Hose Watering-Prohibition.

No person shall hose-water or wash down any sidewalks, walkways, driveways, parking areas, or other paved surfaces. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infraction.

B. Watering of Lawns and Landscaping

1. No person shall water or cause to be watered any lawn or landscaping between the hours of 10:00 a.m. and 5:00 p.m.
2. No person shall water or cause to be watered any lawn or landscaping more than once a day.
3. 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.
4. 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.

5. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

C. Indoor Plumbing and Fixtures.

1. It shall be the duty of all persons to inspect all accessible indoor plumbing and faucets for leaks and to cause all leaks to be repaired as soon as is reasonably practicable.
2. Any new or replacement toilets installed in any residence or business shall be of a low-flow variety.
3. Willful violation hereof shall be an infraction punishable by a fine of \$500.00.

D. Washing Vehicles

No vehicle of any type may be washed, except at a commercial car wash, unless such vehicle is washed by using a hand-held bucket or a 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. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infraction.

E. Public Eating Places

No restaurant, cafeteria, coffee shop, or other public place where food is sold or served shall serve drinking water to any customer unless specifically requested to do so by such customer. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

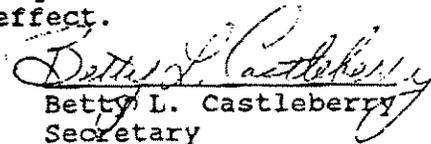
F. Decorative Fountains

No person shall use water to clean, fill, or maintain levels in decorative fountains unless such water flows through a recycling system. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

4. That the above cited three paragraphs are deemed appropriate as PHASE ONE of the Agency's mandatory conservation program with recognition of the possibility that the California Department of Water Resources may declare deeper finite reductions for the municipal and industrial water supplies of the State Water Project. Residents of the Agency are put on notice that further and additional phases of the mandatory conservation program may be enacted by the Agency and could include the following:

- A. Odd/Even landscape irrigation restriction, based upon address
- B. A financial penalty of say triple the water rate for metered water service that exceeds historic use
- C. Complete prohibition of landscape irrigation

I, the undersigned, hereby certify: That I am the duly appointed and acting Secretary of the Castaic Lake Water Agency, and that at a special meeting of the Board of Directors of said Agency held on Monday, February 11, 1991, the foregoing Resolution No. 804 was duly and regularly adopted by said Board, and that said resolution has not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.


Betty L. Castleberry
Secretary

DATED: 2/12/91

ORDINANCE NO. 101

WATER CONSERVATION ORDINANCE OF
NEWHALL COUNTY WATER DISTRICT

* * * * *

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF
NEWHALL COUNTY WATER DISTRICT, LOS ANGELES COUNTY,
CALIFORNIA AS FOLLOWS:

Section 1: Because of the water supply conditions prevailing within the District's service area, the general welfare requires that water resources available to the District be put to the 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 the conservation of such water be practiced with the view to the reasonable and beneficial use thereof in the interest of the people of the District, and for the public welfare. The purpose of this Ordinance is to provide a water conservation plan to minimize the effect of a shortage of water supplies on the customers of the District.

Section 2: No customer of the District shall make, cause, use or permit the use of water from the District in a manner contrary to any provision of this Ordinance.

Section 3: Watering of Lawns or Landscaping.

(a) No person shall water or cause to be watered any lawn or landscaping between the hours of 10:00 a.m. and 5:00 p.m.

(b) No person shall water or cause to be watered any lawn or landscaping more than once a day.

(c) 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.

(d) 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.

Section 4: Indoor Plumbing and Fixtures.

(a) It shall be the duty of all persons to inspect all accessible indoor plumbing and faucets for leaks and to cause all leaks to be repaired as soon as is reasonably practicable.

(b) For new or replacement toilets installed in any residence or business, local low-flow types are recommended.

Section 5: Washing Vehicles. No vehicle of any type may be washed, except at a commercial car wash, unless such vehicle is washed by using a hand-held bucket or a 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.

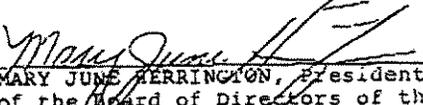
Section 6: Public Eating Places. No restaurant, cafeteria, coffee shop or other public place where food is sold or served shall serve drinking water to any customer unless specifically requested to do so by such customer.

Section 7: No person shall use water to clean, fill or maintain levels in decorative fountains unless such water flows through a recycling system.

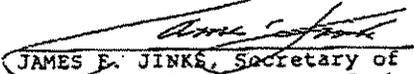
Section 8: Water Conservation Kits. Water conservation kits are available without charge to the District's customers at the District's office. In most cases, the kits include a plastic displacement bag, two sets of shower flow restrictors, two dye tablets to check for toilet leaks and a brochure which explains the use of the kit. The kits are to be installed by the District's customers.

Section 9: Effective Date. The water use restrictions of this Ordinance are effective immediately. Other provisions of this Ordinance are effective on March 21, 1991.

ADOPTED, SIGNED AND APPROVED by the Board of
Directors of NEWHALL COUNTY WATER DISTRICT this 19th day
of February, 1991.


MARY JUNE HERRINGTON, President
of the Board of Directors of the
NEWHALL COUNTY WATER DISTRICT

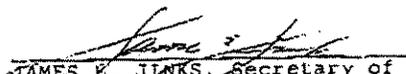
A T T E S T:


JAMES E. JINKS, Secretary of
the Board of Directors of the
NEWHALL COUNTY WATER DISTRICT

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I hereby certify that the foregoing Ordinance No.
101 was duly and regularly adopted and passed by the Board
of Directors of the NEWHALL COUNTY WATER DISTRICT at a
regular meeting thereof on the 19th day of February, 1991
by the following vote of the members thereof:

AYES:	DIRECTORS: Herrington, Hayes, Wade, Agajanian and Whiteside
NOES:	DIRECTORS: None
ABSENT:	DIRECTORS: None
ABSTAINED:	DIRECTORS: None


JAMES E. JINKS, Secretary of
the Board of Directors of the
NEWHALL COUNTY WATER DISTRICT

ORDINANCE NO. 102

ORDINANCE AMENDING SECTION 3 OF ORDINANCE
NO. 101 OF NEWHALL COUNTY WATER
DISTRICT RE WATER CONSERVATION

* * * * *

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF
NEWHALL COUNTY WATER DISTRICT, LOS ANGELES COUNTY,
CALIFORNIA AS FOLLOWS:

Section 1: Section 3 of Ordinance No. 101 is
amended to provide as follows:

"Section 3: Watering of Lawns or Landscaping.

(a) 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.

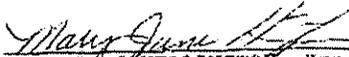
(b) No person shall water or cause to
be watered any lawn or landscaping more than once
a day, or for a period of time not to exceed ten
minutes per watering station or cycle.

(c) 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 main-
tained sprinklers or excessive watering.

(d) 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."

Section 2: The provisions of this Ordinance shall
be effective on November 19, 1991.

ADOPTED, SIGNED AND APPROVED by the Board of
Directors of NEWHALL COUNTY WATER DISTRICT this 15th day of
October, 1991.


MARY JUNE HERRINGTON, President
of the Board of Directors of the
NEWHALL COUNTY WATER DISTRICT

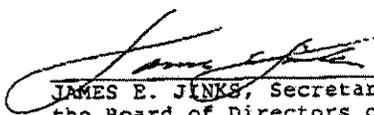
A T T E S T:


JAMES E. JINKS, Secretary of
the Board of Directors of the
NEWHALL COUNTY WATER DISTRICT

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I hereby certify that the foregoing Ordinance No. 102 was duly and regularly adopted and passed by the Board of Directors of the NEWHALL COUNTY WATER DISTRICT at a regular meeting thereof on the 15th day of October, 1991 by the following vote of the members thereof:

AYES:	DIRECTORS: Herrington, Hayes, Wade, Agajanian and Whiteside
NOES:	DIRECTORS: None
ABSENT:	DIRECTORS: None
ABSTAINED:	DIRECTORS: None


JAMES E. JINKS, Secretary of
the Board of Directors of the
NEWHALL COUNTY WATER DISTRICT

Appendix IV

ORDINANCE NO. 91-16

AN ORDINANCE OF THE CITY OF SANTA CLARITA
ADDING CHAPTER 9.38 TO TITLE 9
OF THE SANTA CLARITA MUNICIPAL CODE

WHEREAS, the State of California is experiencing a prolonged drought;
and

WHEREAS, the delivery of State Project Water to the Castaic Lake Water Agency has been reduced by 90% of the requested delivery levels.

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Santa Clarita Municipal Code is amended adding Chapter 9.38 to Title 9 relating to water conservation to read as follows:

CHAPTER 9.38

WATER CONSERVATION

Sections:

- 9.38.010 Drought Committee
- 9.38.015 Water Conservation Regulations
- 9.38.020 Penalties
- 9.38.025 Termination of Ordinance
- 9.38.030 Ordinance 91-16 Amended

9.38.010 . Drought Committee

- A. A drought committee shall be established, whose function shall be:
1. to review all available data on water consumption, water supply and ground water conditions;
 2. to evaluate the level of compliance with the terms of this Ordinance;
 3. to evaluate the level of achievement of the stated water consumption reductions;
 4. to make recommendations to the City Council concerning the timing of and need for implementation of future additional water restrictions as may be developed; and
 5. to make recommendations to the water purveyors in the City of Santa Clarita concerning additional measures to encourage water conservation, including but not limited to; conservation goals for individual water accounts, surcharges for excessive water use and the installation of flow restriction devices in water services.

- B. The members of the Drought Committee shall include representatives from the staff of the City of Santa Clarita, the Upper Santa Clara Water Committee, other appointees as the City Council deems appropriate, and the staff of the Castaic Lake Water Agency.

9.38.015 Water Conservation Regulations

- A. Water conservation shall be achieved through the restriction and/or prohibition of various types of water use. The restrictions and prohibitions shall be implemented immediately.
- B. The following conditions and restrictions shall apply to the use of water within the City of Santa Clarita:
1. Hose Water Prohibition.
 - a. No person shall hose-water or wash down any sidewalks, walkways, driveways, parking areas, or other paved surface.
 2. Watering of Lawns and Landscaping.
 - a. 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. except as provided in Section 9.38.015.B.2.e.
 - b. Lawns and landscaping shall be watered no more frequently than every other day.
 - c. 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 to excessive watering.
 - d. 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.
 - e. Commercial gardeners and landscapers, municipal water uses, commercial nurseries, golf courses and other water-dependent industries shall not water or cause to be watered any lawn or landscaping between the hours of 10:00 a.m. and 3:00 p.m., and no more frequently than every other day, unless reclaimed water is used.
 - f. The maintenance and testing of irrigation systems may be performed without the restrictions specified in Section 9.38.015.B.2.a and 9.38.015.B.2.e.

3. Indoor Plumbing.

- a. Accessible indoor plumbing and fixtures must be inspected for leaks and repaired as soon as reasonably practicable.
- b. New and replacement toilets, showers and faucets shall be of a low-flow type. New or replacement faucets shall be equipped with aerators.

4. Washing Vehicles.

- a. Vehicles must be washed by hand-held bucket or with a hose equipped with automatic shutoff nozzle. Hoses may not be left running.
- b. These restrictions shall not be applied to commercial vehicle washing facilities and operations.

5. Public Eating Places.

- a. Water may be served only upon request by the customer.

6. Decorative Fountains.

- a. Water may not be used to clean, fill or maintain levels in decorative fountains unless the fountain has a water recycling system.

7. Landscaping and Irrigation Plans.

- a. All new landscaping and irrigation improvements shall be approved by the City of Santa Clarita Director of Parks and Recreation prior to construction.
- b. No person or entity shall be required to implement any landscaping requirements of any association, developer or governing agency until the termination of this ordinance.

Ordinance No. 91-16
Water Conservation
Page 4

C. Conservation Goal

1. The goal of this Water Conservation Ordinance is to achieve at least 25% reduction of overall water consumption within the City of Santa Clarita.

9.38.020 Penalties.

- A. Willful violations of the terms of this Ordinance shall be subject to written warnings and/or citations. A written warning shall be issued upon the first violation of any part of this Ordinance. The second violation shall result in a fine of \$50.00. The third violation shall result in a fine of \$100.00, and all subsequent violations shall result in a fine of \$300.00 for each violation.

9.38.025 Termination of Ordinance.

- A. This Ordinance shall terminate on January 1, 1992, unless renewed or termination earlier by ordinance.

Section 2. The City Council hereby declares that the provisions of this Ordinance are severable and if for any reason a court or competent jurisdiction shall hold any sentence, paragraph or section of this Ordinance to be invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 3. This Ordinance is adopted as an urgency measure. The facts of the urgency are these: The State of California is currently suffering from the effects of a five-year drought, and the deliveries of State Project water to local water agencies are being reduced. This Ordinance restricts or prohibits certain types of water usage. The immediate enactment of this Ordinance is therefore necessary to ensure the adequacy of the water supply for the City of Santa Clarita and is thereby directly related to public health, safety and welfare. Therefore, this Ordinance shall be effective immediately upon adoption.

Section 4. The City Clerk shall certify to the passage of this Ordinance and shall cause it to be published in the manner prescribed by law.

9.38.030 Ordinance 91-12 Amended

- A. Ordinance 91-12 is hereby amended, deleting Section 9.38.015.b.8 in its entirety.

Ordinance No. 91-16
Water Conservation
Page 5

PASSED, APPROVED AND ADOPTED this 13th day of March, 1991.

Carl Boyer
CARL BOYER, MAYOR

ATTEST:

Donna M. Grindey
DONNA GRINDEY, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SANTA CLARITA)

I, Donna M. Grindey, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance No. 91-16 was duly adopted as an urgency ordinance at a regular meeting of the City Council on the 13th day of March, 1991, by the following four-fifths vote, to wit:

AYES: COUNCILMEMBERS Darcy, Heidt, McKeon, Boyer
NOES: COUNCILMEMBERS Klajic
ABSENT: COUNCILMEMBERS None

Donna M. Grindey
CITY CLERK

AGN:gmm-394

ORDINANCE NO. 91-48

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SANTA CLARITA, CALIFORNIA,
AMENDING CHAPTER 9.38 OF THE SANTA CLARITA
MUNICIPAL CODE RELATING TO
WATER CONSERVATION

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, DOES
ORDAIN AS FOLLOWS:

SECTION 1. The Santa Clarita Municipal Code is hereby amended at
Subsection 9.38.015.B.2.b to read as follows:

- b. Lawns and landscaping shall be watered no more than 10 minutes
per watering station or cycle per day.

SECTION 2. The Santa Clarita Municipal Code at Subsection
9.38.015.B.2.e is hereby amended to read as follows:

- e. Commercial gardeners and landscapers, municipal water uses,
commercial nurseries, golf courses and other water-dependent
industries shall not water or cause to be watered any lawn or
landscaping between the hours of 10:00 a.m. and 3:00 p.m., and
no more than 10 minutes per watering station or cycle per day
unless reclaimed water is used. This subsection does not apply
to residential lawns which are subject to the time limitations
indicated in the other subsections of this Ordinance.

SECTION 3. Section 9.38.015.C.1 is hereby amended to read as follows:

1. The goal of this Water Conservation Ordinance is to achieve a
significant reduction of overall water consumption within the
City of Santa Clarita.

SECTION 4. This Ordinance is adopted as an urgency measure. The
facts of the urgency are these: The State of California is currently
suffering from the effects of a five-year drought, and the deliveries of State
Project water to local water agencies are being reduced. This Ordinance
restricts or prohibits certain types of water usage. The immediate enactment
of this Ordinance is therefore necessary to ensure the adequacy of the water
supply for the City of Santa Clarita and is thereby directly related to public
health, safety and welfare. Therefore, this Ordinance shall be effective
immediately upon adoption.

ORDINANCE NO. 91-48 -
Page 2

SECTION 5. The City Clerk shall certify to the passage of this Ordinance and shall cause it to be published in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 8th day of October, 1991.

Carl Boyer
Carl Boyer, Mayor

ATTEST:

Donna M. Grindey
Donna M. Grindey, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF SANTA CLARITA)

I, Donna M. Grindey, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance No. 91-48 was duly adopted as an urgency ordinance at a regular meeting of the City Council on the 8th day of October, 19 91 by the following four-fifths vote, to wit:

AYES: COUNCILMEMBERS: Darcy, Heidt, McKeon, Boyer

NOES: COUNCILMEMBERS: Klajic

ABSENT: COUNCILMEMBERS: None

Donna M. Grindey
Donna M. Grindey, City Clerk

Appendix V

ORDINANCE NO. 91-0046U

An urgency ordinance amending Title 11, Chapter 11.38 of the Los Angeles County Code relating to Water and Sewers to add Part 4, Water Conservation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

Section 1. Title 11, Chapter 11.38 of the County Code is amended by adding Part 4, to read:

Part 4. Water Conservation Requirements For The Unincorporated Los Angeles County Area.

Section 11.38.620 Hose Watering Prohibition.

No person shall hose water or wash down any sidewalks, walkways, driveways, parking areas or other paved surfaces, except as is required for the benefit of public health and safety. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

Section 11.38.630 Watering of Lawns and Landscaping.

- 1). No person shall water or cause to be watered any lawn or landscaping between the hours of 10:00 a.m. and 5:00 p.m.

- b). No person shall water or cause to be watered any lawn or landscaping more than once a day.

- c). 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.

- d). 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.

- e). Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

Section 11.38.640 Indoor Plumbing and Fixtures.

a). It shall be the duty of all persons to inspect all accessible indoor plumbing and faucets for leaks and to cause all leaks to be repaired as soon as is reasonably practicable.

b). Willful violation hereof shall be an infraction punishable by a fine of \$500.00.

Section 11.38.650 Washing Vehicles.

No motor vehicle, boat, trailer or other type of mobile equipment may be washed, except at a commercial car wash or with reclaimed water, unless such vehicle is washed by using a hand-held bucket or a 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. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

Section 11.38.660 Public Eating Places.

No restaurant, hotel, cafeteria, cafe or other public place where food is sold or served shall serve drinking water to any customer unless specifically requested to

do so by such customer. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

Section 11.38.670 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 recycling system. Willful violation hereof shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for subsequent infractions.

Section 2. This ordinance shall terminate on January 1, 1993, unless renewed or terminated earlier by ordinance.

Section 3. Due to the severity of the drought in the State of California, there is an immediate need to prohibit the wasting of water in the Los Angeles County unincorporated area to better utilize the available water supplies. This ordinance is urgently needed for the preservation of the public health, safety and general welfare and shall take effect immediately.

Section 4. This ordinance shall be published in

Metropolitan News Enterprise

a newspaper printed and published in the County of Los Angeles

Michael D. Antonovich
Chairman

ATTEST:

[Signature]
Executive Officer
Board of Supervisors
of the County of Los Angeles



I hereby certify that at its meeting of March 21, 1991,
the foregoing ordinance was adopted by the Board of Supervisors
of said County of Los Angeles by the following vote, to wit:

Ayes:

Noes:

Supervisors Gloria Molina
Edmund D. Edelman
Deane Dana
Michael D. Antonovich

Supervisors None



[Signature]
Executive Officer
Board of Supervisors
of the County of Los Angeles

Effective Date: March 21, 1991

~~OPERATIONAL DATA~~

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

LARRY J. FONTEILH
Executive Officer
Clerk of the Board of Supervisors

By *[Signature]*
DEPUTY

APPROVED AS TO FORM:

DE WITT W. CLINTON
County Counsel

By *[Signature]*
GERALD F. CRUMP
Chief Assistant County Counsel

. . . S A M P L E N O T I C E . . .

LOS ANGELES COUNTY WATER WASTING ORDINANCE
NOTICE OF WARNING

Date _____

Address: _____

Dear Customer:

Due to the severity of the current drought, the County Board of Supervisors, on March 21, 1991, adopted an Ordinance that specifies a number of water saving measures. The Ordinance applies to the unincorporated areas of the County and includes the following provisions:

- Washing down of paved surfaces is prohibited, except as required for public health and safety.
- Lawn and landscape watering is prohibited between the hours of 10:00 a.m. and 5:00 p.m.
- Landscape watering that results in runoff into adjoining streets, parking lots or alleys due to misdirected sprinklers or excessive watering is prohibited.
- Leaking hoses, faucets and sprinkling systems must be repaired as soon as is reasonably practicable.
- Leaks to indoor plumbing systems must be repaired as soon as is reasonably practicable.
- Washing of a motor vehicle, boat or trailer is prohibited except at a commercial car wash or with a hand-held bucket or water hose equipped with an automatic shutoff nozzle.
- Serving drinking water to customers at public eating places is prohibited unless specifically requested by such customers.
- Water cannot be used in decorative fountains, ponds, lakes and other similar aesthetic structures unless the water flows through a recycling system.

We observed the violation(s) of the above noted provisions on your property. We request your support in complying with the provisions of this ordinance so that we can avoid unnecessary waste and stretch our limited water supplies for the duration of the drought. Violation of this Ordinance is punishable by a fine of up to \$500. If you have any questions regarding this ordinance or its enforcement please contact (your office and phone number).

(WW3901)

Appendix VI

RESOLUTION

ADOPTING A WATER SHORTAGE CONTINGENCY PLAN
FOR THE SANTA CLARITA WATER COMPANY

WHEREAS, the California Legislature enacted Assembly Bill 11X during the 1991 Extraordinary Session of the California Legislature (an act to amend the California Water Code Sections 10620, 10621, 10631, and 10652, and to add Section 10656 to the California Water Code, relating to water); and

WHEREAS, AB 11X mandates that every urban water supplier providing municipal water directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre feet of water annually to develop a Water Shortage Contingency Plan; and

WHEREAS, AB 11X mandates that said Plan be filed with the California Department of Water Resources by January 31, 1992; and

WHEREAS, the Santa Clarita Water Company is an urban supplier of water providing water to more than 3,000 customers, and has therefore prepared and circulated for public review a Draft Water Shortage Contingency Plan, in compliance with the requirements of AB 11X, has held a properly noticed public hearing on January 29, 1992, regarding said Draft Plan, and has thereafter prepared a Final Water Shortage Contingency Plan;

NOW, THEREFORE, BE IT RESOLVED by the Santa Clarita Water Company's Board as follows:

1. A Final Water Shortage Contingency Plan is hereby adopted and is attached hereto as Exhibit "A" hereof, which exhibit is hereby incorporated herein;
2. The President is hereby authorized and directed to file the Plan with the California Department of Water Resources;
3. The President is hereby also authorized to follow lawful procedures to declare a Water Shortage Emergency and to implement this Water Shortage Contingency Plan; and
4. The President shall recommend to the Santa Clarita Water Company's Board additional procedures, rules, and regulations to carry out effective and equitable allocation of water resources during a water shortage.

Appendix VI

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3. The President is hereby also authorized to follow lawful procedures to declare a Water Shortage Emergency and to implement this Water Shortage Contingency Plan; and
4. The President shall recommend to the Santa Clarita Water Company's Board additional procedures, rules, and regulations to carry out effective and equitable allocation of water resources during a water shortage.

Newhall County Water District's Ordinance No. 112

ORDINANCE NO.112
WATER CONSERVATION, SHORTAGE, DROUGHT AND
EMERGENCY RESPONSE
ORDINANCE

Section 1: PURPOSE: Article 10, Section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use be prevented, and that water be conserved for the public welfare. The specific provisions of this Ordinance are necessary and proper to conserve water resources and minimize cost to the customer. This ordinance requires that available water resources be put to the maximum beneficial use, and that water efficient practices be used to reach this objective. This further finds that water supplies may be reduced because of drought, failure of facilities, or catastrophic events such as earthquakes and regional power failures. Anti-waste and water conservation requirements are necessary to achieve demand reduction without unneeded hardship.

Section 2: DEFINITIONS AND TERMS:

- A. ***Water efficient practices:*** Cost-effective practices that require the least amount of water to generate the greatest benefit (water and cost savings) to the customer.
- B. ***Water Waste:*** To use or expend water carelessly or needlessly.
- C. ***Water User:*** Business or residential customer.
- D. ***Water Conservation Stages:*** The General Manager shall determine the conservation stage, except that the Board shall determine any conservation stage more restrictive than Stage 1. A water deficiency occurs when the current or near-term water demand exceeds the current or near-term water supply.

Stage 1 Water Alert: Water deficiencies range between 1 and 15 percent.

Stage 2 Water Warning: Water deficiencies range from more than 15 and up to 25 percent.

Stage 3 Water Emergency: Water deficiencies range from more than 25 and up to 35 percent.

Stage 4 Water Crisis: Water deficiencies are more than 35 percent.

- E. ***Water Deficiency:*** A water deficiency occurs when the current or near-term water demand exceeds the current or near-term water supply, based on a yearly assessment. (Percent or deficiency = $(1 - \text{water supply}/\text{water demand}) \times 100$)

F. ***Water Conservation Goals:***

Stage 1 Water Alert: *Achieve a Conservation level of up to 10 percent.*

Stage 2 Water Warning: *Achieve a Conservation level of up to 20 percent.*

Stage 3 Water Emergency: *Achieve a Conservation level of up to 30 percent.*

Stage 4 Water Crisis: *Achieve a Conservation level of over 30 percent.*

Section 3: WATER CONSERVATION ACTION PLAN: This plan establishes water conservation measures to be taken in response to current and anticipated levels of deficiency in State and/or local water supplies. No Water User shall waste water or make, cause, or permit the use of water for any purpose contrary to any provision of this Ordinance, or in quantities in excess of the use permitted by the conservation stage in effect pursuant to this Ordinance.

3.1 Efficient Water Use. Because more severe effects of a water shortage are often brought about due to wasteful water use habits carried over from times of sufficient supply, certain voluntary water-use practices are encouraged at all times.

3.1.1 Outdoor Water Use Efficiency Guidelines and Recommendations:

- a)* Sprinklers should be maintained and adjusted so that overspray, runoff, and water waste is avoided. The most effective and water-efficient irrigation should be used, and drip irrigation should be considered where appropriate.
- b)* All leaks in plumbing and irrigation systems should be repaired promptly
- c)* Vehicles should be washed using a hose equipped with automatic shutoff nozzle.
- d)* Sidewalks, walkways, driveways, parking lots or any other hard-surfaced areas should not be washed down, except for health and safety purposes.
- e)* Low-water-use native or drought-tolerant vegetation should be used to minimize the need for irrigation. Plants and trees with similar water needs should be grouped together for most efficient irrigation. (Please see our website (agency site) for more information and links to other websites listing drought tolerant plants.)
- f)* Landscape should be installed in a manner that will reduce the amount of water needed for irrigation. For example, the use of mulches and watering basins is encouraged where appropriate.
- g)* Irrigation should occur during optimal watering hours, avoiding wind and heat. The following hours are considered the most efficient hours for (Agency)customers to effectively irrigate lawns and landscaped areas:
 - Winter/Fall (November through April) – 6 PM to 10 AM***
 - Spring/Summer (May through October) –8 PM to 9 AM***
- h)* Water usage on any decorative fountains, ponds or other types of water streams should be minimized by incorporating a water recycling system so the water is continually recovered and reused.
- i)* Pool and spa safety covers or evaporation-reducing water treatments should be considered if safe and appropriate for the situation. These will help minimize water loss due to evaporation. Pool and spa chemistry should be balanced and maintained to help reduce the frequency of pool/spa draining and refilling.

3.1.2 Indoor Water Use Efficiency Guidelines and Recommendations:

- a) All leaks and/or damage to faucets, toilets, and indoor pipes should be repaired immediately.
- b) Low flow devices for indoor plumbing fixtures including faucets, kitchen spray nozzles, toilets, and showers should be used where possible.
- c) Install 1.3 or less gallon per flush (gpf) high efficiency toilets or .08/1.6 gallon per flush (gpf) dual-flush toilets.
- d) Water-efficient Energy Star® approved appliances including, but not limited to, clothes washers and dishwashers should be used.
- e) Clothes washers and dishwashers should be run using full loads to maximize water efficiency.
- f) A source specific hot water dispenser or a whole house hot water recirculation system should be considered. These devices generate hot water within seconds, minimizing running the water until it is hot.
- g) All commercial establishments where food or beverages are provided should encourage the serving of water to their customers only when specifically requested by the customer.

3.1.3 New Construction Water Efficiency Guidelines: As new technology advances, builders of new structures or persons retrofitting existing facilities should consider options such as evapotranspiration-controlled sprinkler systems, grey water or non-potable water systems (where legally acceptable), storm water cisterns, and landscape designs minimizing the use of turf and water-intensive plants. Businesses should review industry-specific guidance for ways to reduce water usage and should consider programs such as multi-pass cooling towers and process water recycling. Conveyor car wash and commercial laundry systems must utilize a recirculating system. Decorative water fountains, ponds or other types of water streams must incorporate a water recycling system.

3.2 Water Conservation Stage 1 Water Alert –: *At this stage of water deficiency, the Water Users are strongly encouraged to adhere to all the guidelines in section 3.1, Water Use Efficiency Guidelines. The following practices are also strongly suggested during Stage 1 water deficiencies:*

- a) Outdoor irrigation of all vegetation including lawns and landscaping is limited to three times per week and no more than 10 minutes per watering station. Irrigation should occur during the following hours:

Winter/Fall (November through April) – 6 PM to 10 AM

Spring/Summer (May through October) – 8 PM to 9 AM

- b) Repair all water leaks within five (5) days of notification by Water Purveyor.

3.3 Water Conservation Stage 2 Water Warning: *At this stage of water deficiency, Efficient Water Use Guidelines (3.1.1-3.1.2 above) and Stage 1 practices (3.2 above) become mandatory requirements. Further mandatory practices during Stage 2 are as follows:*

- a) All new landscaping shall be limited to widely accepted drought-tolerant plants requiring less than typical water requirements.*
- b) No new lawns, whether by seed or sod, shall be installed.*
- c) No filling of pools or spas. Water levels may be maintained.*
- d) No filling of or re-filling of decorative fountains, ponds or other types of water streams, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the enactment of a stage 2 water warning.*
- e) Repair all water leaks within seventy-two (72) hours of notification by Water Purveyor.*

3.4 Water Conservation Stage 3 Water Emergency: *At this stage of water deficiency, Efficient Water Use Guidelines (3.1.1-3.1.2 above), Stage 1 practices (3.2 above), and Stage 2 practices (3.3 above) become mandatory requirements. Further mandatory practices during Stage 3 are as follows:*

- a) No new applications for service will be accepted.*
- b) No water for grading will be allowed.*
- c) Washing vehicles is prohibited, except at commercial facilities that recycle water.*
- d) Street cleaning with potable water is prohibited.*
- e) Repair all water leaks within forty-eight (48) hours of notification by Water Purveyor.*

3.5 Water Conservation Stage 4 Water Crisis: *At this stage of water deficiency, Efficient Water Use Guidelines (3.1.1- 3.1.2 above), Stage 1 practices (3.2 above), Stage 2 practices (3.3 above), and Stage 3 practices (3.4 above) become mandatory requirements. Further mandatory practices during Stage 4 are as follows:*

- a) Outdoor irrigation of all vegetation including lawns and landscaping is prohibited. Existing trees and larger shrubs will be exempt.*
 - b) No new landscaping shall be permitted.*
- Repair all water leaks within twenty-four (24) hours of notification by Water Purveyor.*

Section 4: ENFORCEMENT:

4.1 Efficient Water Use and Stage 1 Enforcement:

- a) Any notification of signs or indications of water leaks or water waste will be documented. The Purveyor will confirm the water waste prior to any further action.
- b) The Purveyor shall determine the action to be taken to inform the Water User of the guidelines in this Ordinance and to encourage more efficient and cost-effective water use.

4.2 Stage 2, 3 and 4 Enforcement. *The Purveyor has the duty and is authorized to enforce provisions of Stage 2, 3, and 4 of this Ordinance. If a violation is ongoing, the Purveyor may disconnect service until the violation is corrected.*

4.2.1 First Violation. For a first violation, an elevated usage letter shall be issued to the Water User.

4.2.2 Second Violation. For a second violation, a corrective action letter shall be issued to the Water User, and a fine of \$40 shall be added to the Water User's bill at the property where the violation occurred if the corrective action is not taken within 10 days after receiving the written warning.

4.2.3 Third Violation. For a third violation, a fine of \$100 shall be added to the Water User's bill at the property where the violation occurred if the corrective action is not taken within 10 days after receiving the written warning. In addition to the fine, the Purveyor may require installation of a flow restricting device on the Water User's service connection.

4.2.4 Fourth Violation. For the fourth and any additional violations, a fine of \$250 shall be added to the Water User's bill at the property where the violation occurred. The Purveyor may also discontinue the Water User's water service at the property where the violation occurred. Re-connection shall be permitted only when there is reasonable protection against future violations, such as a flow-restricting device on the customer's service connection, as determined at the Purveyor's discretion.

4.3 District Enforcement Costs. The Purveyor shall be reimbursed for its costs and expenses in enforcing the provisions of this Ordinance, including such costs as incurred for Purveyor staff to investigate and monitor the Water User's compliance with the terms of this Ordinance. The charges for the installation of flow restricting devices or for discontinuing or restoring water service, as the Purveyor incurs those charges, shall be added to the Water User's bill at the property where the enforcement costs were incurred.

Section 5: ADMINISTRATION:

5.1 General. The provisions of this Ordinance shall be administered and enforced by the Purveyor , who may delegate such enforcement to one or more employees or contractors of the Purveyor. The Purveyor may implement additional demand reduction practices, including surcharges, rationing, and specific water allocations, in times of severe shortage or emergency situations.

5.1.1 Water Utility Accounts. Accounts shall not be established for new customers, including the transfer of accounts upon change of ownership, until the customer agrees to comply with the provisions of this Ordinance.

5.1.2 Discretionary Exemptions. The Purveyor may, in its discretion, exempt Water Users and individual facilities of Water Users from the provisions of this Ordinance, or impose reasonable conditions in lieu of compliance with this Ordinance, if it is found that any of the following conditions exist:

- a) Hardship.** The requirements of this Ordinance would cause an unnecessary and undue hardship upon the Water User, the Water User facility or the public.
- b) Health and Safety.** Strict compliance with the requirements of this Ordinance would create an emergency condition, as determined by the Purveyor or other governmental entity with appropriate jurisdiction, affecting the health, protection or safety of the Water User or the public.
- c) No Impact on Water Use.** The granting of the exemption or imposition of reasonable conditions in lieu of compliance with this Ordinance would not increase the quantity of water consumed by the Water User or otherwise adversely affect service to other Water Users. In other words, the Water User will create an offset. In granting any such relief, the departure from the requirements of this Ordinance shall be limited to the minimum necessary to address the circumstances upon which such departure is required by a Water User.

5.1.3 Appeals. Any customer or applicant for a water service may appeal any decision under this Ordinance to the Purveyor whose decision shall be final.

RULE NO. 14.1

WATER CONSERVATION AND RATIONING PLAN

GENERAL INFORMATION

(C)

1. If water supplies are projected to be insufficient to meet normal customer demand, and are beyond the control of the utility, the utility may elect to implement voluntary conservation using the portion of this plan set forth in Section A of this Rule, after notifying the Director of the Commission's Division of Water and Audits of its intent, via a letter in both hard-copy and e-mailed formats.
2. Prior to declaration of mandatory rationing, a utility may request authorization of a Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff, via a Tier 2 advice letter.
3. If, in the opinion of the utility, more stringent water measures are required, the utility shall request Commission authorization to implement the staged mandatory conservation and rationing measures set forth in Sections B through E.
4. The utility shall file a Tier 1 advice letter to request activation of a particular stage of Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff.
 - a. If a Declaration of Mandatory Rationing is made by utility or governing agency, or
 - b. If the utility is unable to address voluntary conservation levels set by itself, supplier, or governing agency, or
 - c. If the utility chooses to subsequently activate a different stage
5. When Schedule 14.1 is in effect and the utility determines that water supplies are again sufficient to meet normal demands, and mandatory conservation and rationing measures are no longer necessary, the utility shall seek Commission approval via a Tier 1 advice letter to de-activate the particular stage of mandatory rationing that had been authorized.
6. In the event of a water supply shortage requiring a voluntary or mandatory program, the utility shall make available to its customers water conservation kits as required by its version of Rule 20. The utility shall notify all customers of the availability of conservation kits via a bill insert or direct mailers.

(continued)

(C)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie

Date Filed MAR - 3 2011

Decision No. _____

General Manager

Effective MAR - 3 2011

Resolution No. _____

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

A. CONSERVATION - NON-ESSENTIAL OR UNAUTHORIZED WATER USE

(C)

No customer shall use utility-supplied water for non-essential or unauthorized uses, including but not limited to:

1. Use of potable water for more than minimal landscaping, as defined in the landscaping regulated of the jurisdiction or as described in Article 10.8 of the California Government Code in connection with new construction;
2. Use through any meter when the company has notified the customer in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to effect such repairs within five business days;
3. Use of potable water which results in flooding or runoff in gutters or streets;
4. Individual private washing of cars with a hose except with the use of a positive action shut-off nozzle. Use of potable water for washing commercial aircraft, cars, buses, boats, trailers, or other commercial vehicles at any time, except at commercial or fleet vehicle or boat washing facilities operated at a fixed location where equipment using water is properly maintained to avoid wasteful use;
5. Use of potable water washing buildings, structures, , driveways, patios, parking lots, tennis courts, or other hard-surfaced areas, except in the cases where health and safety are at risk;
6. Use of potable water to irrigate turf, lawns, gardens, or ornamental landscaping by means other than drip irrigation, or hand watering without quick acting positive action shut-off nozzles, on a specific schedule, for example: 1) before 9:00 a.m. and after 5:00 p.m.; 2) every other day; or 3) selected days of the week;
7. Use of potable water for watering streets with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public;

(continued)

(C)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie
NAME

Date Filed MAR - 3 2011

Decision No. _____

General Manager
TITLE

Effective MAR - 3 2011

Resolution No. _____

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

A. CONSERVATION – NON-ESSENTIAL OR UNAUTHORIZED WATER USE (CONT.) (C)

8. Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or other method can be used.
9. Use of potable water for construction purposes unless no other source of water or other method can be used;
10. Use of potable water for street cleaning;
11. Operation of commercial car washes without recycling at least 50% of the potable water used per cycle;
12. Use of potable water for watering outside plants, lawn, landscape and turf areas during certain hours if and when specified in Schedule No. 14.1 when the schedule is in effect;
13. Use of potable water for decorative fountains or the filling or topping off of decorative lakes or ponds. Exceptions are made for those decorative fountains, lakes, or ponds which utilize recycled water;
14. Use of potable water for the filling or refilling of swimming pools.
15. Service of water by any restaurant except upon the request of a patron; and
16. Use of potable water to flush hydrants, except where required for public health or safety.

B. STAGED MANDATORY RATIONING OF WATER USAGE

1. Prior to declaration of mandatory rationing, a utility may request authorization of a Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff, via a Tier 2 advice letter, with full justification. The utility may not institute Schedule 14.1 until it has been authorized to do so by the Commission.

(continued)

(C)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie
NAME

Date Filed MAR - 3 2011

Decision No. _____

General Manager
TITLE

Effective MAR - 3 2011

Resolution No. _____

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

B. STAGED MANDATORY RATIONING OF WATER USAGE (Cont)

(C)

- a. A staged Schedule 14.1 that has been authorized by the Commission shall remain dormant until triggered by specific conditions detailed in the Schedule 14.1 tariff and utility has requested and received authorization for activating a stage by Commission.
- b. Notice of the Tier 2 advice letter and associated public participation hearing shall be provided to customers under General Order (GO) 96-B rules.
- c. Utility shall comply with all requirements of Sections 350-358 of the California Water Code.
- d. The Tier 2 advice letter requesting institution of a Schedule 14.1 shall include but not be limited to:
 - i. Proposed Schedule 14.1 tariff, which shall include but not be limited to:
 - 1. Applicability,
 - 2. Territory applicable to,
 - 3. A detailed description of each Stage of Rationing,
 - 4. A detailed description of the Trigger that Activates each Stage of Rationing,
 - 5. A detailed description of each water use restriction for each stage of rationing.
 - 6. Water use violation levels, written warning levels, associated fines, and exception procedures,
 - 7. Conditions for installation of a flow restrictor,
 - 8. Charges for removal of flow restrictors, and
 - 9. Special Conditions

(C)

(continued)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie

Date Filed MAR - 3 2011

Decision No. _____

General Manager

Effective MAR - 3 2011

Resolution No. _____

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

B. STAGED MANDATORY RATIONING OF WATER USAGE (Cont)

(C)

- ii. Justification for, and documentation and calculations in support of plan, including but not limited to each item in B.1.d.i above.
- 2. Number of Stages requested by each utility/district may vary, depending on specifics of water shortage event.
- 3. The utility shall file a Tier 1 advice letter to request activation of a particular stage of Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff.
 - a. If a Declaration of Mandatory Rationing is made by utility or governing agency,
 - b. If the utility is unable to address voluntary conservation levels set by itself or governing agency, or
 - c. If the utility chooses to subsequently activate a different stage.
 - d. The Tier 1 advice letter requesting activation of a Schedule 14.1 shall include but not be limited to:
 - i. Justification for activating this particular stage of mandatory rationing, as well as period during which this particular stage of mandatory conservation and rationing measures will be in effect.
 - ii. When the utility requests activation of a particular Stage, it shall notify its customers as detailed in Section E, below.
- 4. All monies collected by the utility through water use violation fines shall not be accounted for as income.
- 5. All expenses incurred by utility to implement Rule 14.1 and Schedule 14.1 that have not been considered in a General Rate Case or other proceeding, shall be recoverable by utility if determined to be reasonable by Commission.
 - a. These monies shall be accumulated by the utility in a separate memorandum account for disposition as directed or authorized from time to time by the Commission.

(C)

(continued)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie
NAME

Date Filed MAR - 3 2011

Decision No. _____

General Manager
TITLE

Effective MAR - 3 2011

Resolution No. _____

RULE NO. 14.1

WATER CONSERVATION AND RATIONING PLAN

C. ENFORCEMENT OF STAGED MANDATORY CONSERVATION AND RATIONING

(N)

1. The water use restrictions of the conservation program, in Section A of this rule, become mandatory when the authorized Schedule 14.1-Staged Mandatory Rationing Program is triggered, the utility files a Tier 1 advice letter requesting activation of a particular stage, and authorization is received from the Commission.

a. In the event a customer is observed to be using water for any nonessential or unauthorized use as defined in Section A of this rule, the utility may charge a water use violation fine in accordance with Schedule No. 14.1.

2. The utility may, after one verbal and one written warning, install a flow-restricting device on the service line of any customer observed by utility personnel to be using water for any non-essential or unauthorized use as defined in Section A above.

3. A flow restrictor shall not restrict water delivery by greater than 50% of normal flow and shall provide the premise with a minimum of 3 Ccf/person/month. The restricting device may be removed only by the utility, only after a three-day period has elapsed, and only upon payment of the appropriate removal charge as set forth in Schedule No. 14.1.

4. After the removal of the restricting device, if any non-essential or unauthorized use of water shall continue, the utility may install another flow-restricting device. This device shall remain in place until water supply conditions warrant its removal and until the appropriate charge for removal has been paid to the utility.

5. Any tampering with flow restricting device by customer can result in fines or discontinuation of water use at the utility's discretion.

6. If, despite installation of such flow-restricting device pursuant to the provisions of the previous enforcement conditions, any such non-essential or unauthorized use of water shall continue, then the utility may discontinue water service to such customer. In such latter event, a charge as provided in Rule No. 11 shall be paid to the utility as a condition to restoration of service.

(N)

(continued)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie
NAME

Date Filed MAR - 3 2011

Decision No. _____

General Manager
TITLE

Effective MAR - 3 2011

Resolution No. _____

Valencia Water Company
24631 Avenue Rockefeller
Valencia, CA 91355
Los Angeles County

Original _____ Cal. P.U.C. Sheet No. 618-W
Canceling _____ Cal. P.U.C. Sheet No. _____

RULE NO. 14.1

WATER CONSERVATION AND RATIONING PLAN

C. ENFORCEMENT OF STAGED MANDATORY CONSERVATION AND RATIONING (Cont) (N)

7. All monies collected by the utility through water use violation fines shall not be accounted for as income. All expenses incurred by utility to implement Rule 14.1 and Schedule 14.1 that have not been considered in a General Rate Case or other proceeding, shall be recoverable by utility if determined to be reasonable by Commission. These additional monies shall be accumulated by the utility in a separate memorandum account for disposition as directed or authorized from time to time by the Commission.
8. The charge for removal of a flow-restricting device shall be in accordance with Schedule No. 14.1.

D. APPEAL PROCEDURE

1. Any customer who seeks a variance from any of the provisions of this water conservation and rationing plan shall notify the utility in writing, explaining in detail the reason for such a variation. The utility shall respond to each such request in writing.
2. Any customer not satisfied with the utility's response may file an appeal with the staff of the Commission. The customer and the utility will be notified of the disposition of such appeal by letter from the Executive Director of the Commission.

(N)

(continued)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie
NAME

Date Filed MAR - 3 2011

Decision No. _____

General Manager
TITLE

Effective MAR - 3 2011

Resolution No. _____

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

D. APPEAL PROCEDURE

3. If the customer disagrees with such disposition, the customer shall have the right to file a formal complaint with the Commission. Except as set forth in this Section, no person shall have any right or claim in law or in equity, against the utility because of, or as a result of, any matter or thing done or threatened to be done pursuant to the provisions of this water conservation and rationing plan.

(N)

E. PUBLICITY

1. As stated under Section B.1.b and c, when a utility requests authorization of a Schedule 14.1 – Staged Mandatory Water Conservation and Rationing tariff, via a Tier 2 advice letter, it shall provide notice of the Tier 2 advice letter and associated public meeting provided to customers, under General Order (GO) 96-B rules, and shall comply with all requirements of Sections 350-358 of the California Water Code (CWC), including but not limited to the following:

- a. In order to be in compliance with both the GO and CWC, the utility shall provide notice via both newspaper and bill insert/direct mailing.
- b. Utility shall file one notice for each advice letter filed, that includes both notice of the filing of the Tier 2 advice letter as well as the details of the public meeting (date, time, place, etc).
- c. The public meeting shall be held after the utility files the Tier 2 advice letter, and before the Commission authorizes implementation of the tariff.
- d. Utility shall consult with Division of Water and Audits staff prior to filing advice letter, in order to determine details of public meeting.

(N)

(continued)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie
NAME

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General Manager
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Valencia Water Company
24631 Avenue Rockefeller
Valencia, CA 91355
Los Angeles County

Original _____ Cal. P.U.C. Sheet No. 620-W
Canceling _____ Cal. P.U.C. Sheet No. _____

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

E. PUBLICITY (Cont)

2. In the event that a Schedule 14.1-Staged Mandatory Rationing Plan is triggered, and a utility requests activation through the filing of a Tier 1 advice letter, the utility shall notify its customers and provide each customer with a copy of Schedule 14.1 by means of bill insert or direct mailing. Notification shall take place prior to imposing any fines associated with this plan. (N)

3. During the period that a stage of Schedule 14.1 is activated, the utility shall provide customers with updates in at least every other bill, regarding its water supply status and the results of customers' conservation efforts. (N)

(To be inserted by utility)

Issued by

(To be inserted by Cal. P.U.C.)

Advice Letter No. 134

Keith Abercrombie
NAME

Date Filed MAR - 3 2011

Decision No. _____

General Manager

Effective MAR - 3 2011

CALIFORNIA PUBLIC UTILITIES COMMISSION

Water Division

**INSTRUCTIONS FOR WATER CONSERVATION,
RATIONING AND SERVICE CONNECTION MORATORIA**

Standard Practice U-40-W

SAN FRANCISCO, CALIFORNIA

July 2007

INSTRUCTIONS FOR WATER CONSERVATION, RATIONING AND SERVICE CONNECTION MORATORIA

A—PURPOSE AND SCOPE

1. The purpose of this standard practice is to provide guidance to Water Division staff, to the public and to utilities as to steps to be taken when the utility suffers from a water shortage. The three levels of action are voluntary rationing, mandatory rationing and a service connection moratorium.

B—BACKGROUND

2. General Order 103, Chart 1, and Standard Practice U-22-W, Determination of Water Supply Requirements of Water Systems, address water supply requirements, but supply can be affected temporarily due to drought or decreased production of a utility's wells. When this happens, utilities may have to resort to mandatory conservation or may have to institute a service connection moratorium.

3. Parties may also protest service area extensions (see Standard Practice U-14-W) over concern that the available supplies may be inadequate to serve the new customers, which would be the equivalent of a service connection moratorium (see Section F)¹.

4. The position of the Commission in overall water supply planning was set forth in Decision 99-04-061, April 22, 1999 (see Appendix A to this Standard Practice).

C—DEVELOPMENT OF CONSERVATION AND RATIONING

5. In mid-1976, due to a drought, the Commission opened an Order Instituting Investigation (OII, Case No. 10114, June 8, 1976) to determine what actions to take. In early 1977, the Commission issued an emergency decision that allowed water utilities to distribute water conservation kits and to implement cost effective water conservation programs.

6. The Commission was once again faced with drought conditions in mid-1988. The Commission opened OII 89-03-005 that allowed all classes of water utilities to file a water conservation and rationing plan consisting of two distinct parts: Rule 14.1 (a "voluntary conservation" program) and Schedule 14.1 (the mandatory rationing and penalty part). This plan was based primarily upon the Department of Water Resources and Metropolitan Water District's model plans, but also

¹ In Resolution No. 4154, August 5, 1999, the Sierra Club protested Valencia Water Company's Advice Letters 84 and 85 for service area extension. The Commission found in the favor of Valencia, that it had adequate supplies, but ordered the utility to file its Water Management Program by application so the long-term water availability issues could be heard.

incorporated aspects of the North Marin Water District, East Bay Municipal Utility District, and California Water Service Company's existing conservation and rationing plans. The main objective of Rule 14.1 and Schedule 14.1 was to have a plan readily available for any utility that needed conservation and/or rationing methods. This plan allowed regulated utilities to achieve conservation of 17.5% to 26%.

7. The drought was officially declared over in February 1993 and the OII was closed. Because history shows that drought occurs in California about once every ten years, Rule 14.1 has remained in place. When conditions become severe, the utility may file an advice letter to institute Schedule 14.1. The Commission must approve implementation of this schedule by resolution.

D—VOLUNTARY RATIONING

8. Voluntary rationing consists of the steps described in Rule 14.1 (Appendix B). This Tariff Rule should be in the tariff book of every utility that might suffer from a water shortage.

E—MANDATORY RATIONING

9. Mandatory rationing consists of the steps described in Schedule 14.1. The utility adds schedule 14.1 to its tariff book by filing an advice letter with full justification. Staff will prepare a resolution for consideration by the Commission. The Commission must approve the imposition of mandatory conservation.

10. Schedule 14.1 may be modified to fit the needs of the utility and its particular water shortage situation. The following provisions are examples of what might be included in a typical Schedule 14.1:

- A. Prohibit nonessential and unauthorized water use, including:
 - i. use for more than minimal landscaping in connection with new construction;
 - ii. use through any meter when the company has notified the customer in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to effect such repairs within five days;
 - iii. use of water which results in flooding or runoff in gutters or streets;
 - iv. use of water through a hose for washing cars, buses, boats, trailers or other vehicles without a positive automatic shut-off valve on the outlet end of the hose;
 - v. use of water through a hose for washing buildings, structures, sidewalks, walkways, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas;
 - vi. use of water to clean, fill or maintain levels in decorative fountains;

- vii. use of water for construction purposes unless no other source of water or other method can be used;
 - viii. service of water by any restaurant except upon the request of a patron; and
 - ix. use of water to flush hydrants, except where required for public health or safety.
- B. Establish customer water allocations at a percentage of historical usage with the corresponding billing periods of a non-drought year being the base.
 - C. Establish an allocation of a percentage of historical usage with the corresponding billing periods of a non-drought year being the base for consumption for users of process water (water used to manufacture, alter, convert, clean, grow, heat or cool a product, including water used in laundries and car wash facilities that recycle the water used).
 - D. Establish a minimum allocation of a number of Ccf per month (one Ccf is one hundred cubic feet) for any customer regardless of historical usage.
 - E. Establish an exceptions procedure for customers with no prior billing period record or where unusual circumstances dictate a change in allocation.
 - F. Establish a penalty ("conservation fee") of \$2.00 per Ccf for usage over allocated amounts, provided, however, that banking of underusage from month to month is allowed.
 - G. Provide that penalty funds are not to be accounted for as income, but are to be kept in a separate reserve account for disposition as directed by the Commission.
 - H. Provide that, after written warning for nonessential or unauthorized water use, for subsequent violations the utility may install a flow restrictor to be left in a minimum of three days. The second time a flow restrictor is installed it may be left in until rationing ends.
 - I. Establish charges of \$25, \$50, or actual cost depending on meter size for removing restrictors, and provide that continuing nonessential or unauthorized use may result in disconnection.
 - J. Establish an appeal procedure first through the utility, then to the Commission staff through the Executive Director, then to the Commission via a formal complaint.

F—SERVICE CONNECTION MORATORIUM

11. A service connection moratorium is sometimes imposed by the California Department of Health Services. The California Water Code, Section 350 et seq.,

provides that any public water supplier may, after public notice and hearing, declare a water shortage emergency within its service area whenever it determines that the ordinary demands and requirements of its consumers cannot be satisfied without depleting the water supply to the extent that there would be insufficient water for human consumption, sanitation, and fire protection. After it has declared a water shortage emergency, it must adopt such regulations and restrictions on water delivery and consumption as it finds will conserve its water supply for the greatest public benefit. Section 357 requires that suppliers which are subject to regulation by the CPUC shall secure its approval before making such regulations and restrictions effective.

12. Section 2708 of the Public Utilities Code states:

2708. Whenever the commission, after a hearing had upon its own motion or upon complaint, finds that any water company which is a public utility operating within this State has reached the limit of its capacity to supply water and that no further consumers of water can be supplied from the system of such utility without injuriously withdrawing the supply wholly or in part from those who have theretofore been supplied by the corporation, the commission may order and require that no such corporation shall furnish water to any new or additional consumers until the order is vacated or modified by the commission. The commission, after hearing upon its own motion or upon complaint, may also require any such water company to allow additional consumers to be served when it appears that service to additional consumers will not injuriously withdraw the supply wholly or in part from those who theretofore had been supplied by such public utility.

13. To establish a service connection moratorium the utility must:

- a. Hold a public meeting under Section 350 and 351 of the Water Code
- b. Add the following language to each service schedule:

“MORATORIUM

No service shall be provided to any premises not previously served within the _____ Service Area as defined on the Service Area Map filed as a part of these tariffs.”

G—EXEMPTIONS

14. Some decisions to impose a moratorium contain exceptions. For example in Citizen’s Utilities (CUCC) Montara District:

“The moratorium shall not apply to owners of real property who are customers of CUCC on or before the date of this order, or their successors in interest, if any change in the use of their property

will not increase their demand upon the system.” (D.86-05-078, Ordering Paragraph 3.)

15. D.86-05-078 also provided that prospective customers could seek an exemption from the moratorium by filing an application with the Commission showing that extraordinary circumstances required an exemption.

16. In D.00-06-020, June 8, 2000 the Commission granted an application and authorized Citizens Utilities to install a water service connection to applicant’s property at APN 037-278-090 following cessation of service at applicant’s property at 888 Ocean Boulevard in Montara. Costs were to be borne by applicant. The order made it clear that water service could not be reinstated at 888 Ocean Boulevard absent a lifting or easing of the moratorium. Such determinations were also delegated to staff².

² D.86-05-078, May 28, 1986, Ordering Paragraph 4.

The Commission's Role in Water Planning

The two state agencies primarily responsible for overseeing water planning are the California Department of Water Resources, which manages the State Water Project and produces the California Water Plan, and the State Water Quality Control Board and Regional Water Quality Control Boards which have authority over water allocation and water quality protection.

In addition to the state agencies which have broad planning and management powers, local government also has a part in water use decisions. For example, county boards of supervisors, county water agencies, land use planning agencies, city governments, municipal water districts and many special districts all have a role in the use of water in California.

In this context, the Commission has recognized the futility of one party taking unilateral action to protect a groundwater basin:

Rehabilitation of the Santa Maria Groundwater Basin is not the responsibility of, and is beyond the physical and financial resources of any single individual, company, or agency. Even if [Southern California Water Company] were to stop drawing from the basin entirely and injected into the basin the entire 7,900 AFY it desires to obtain from the [Central Coast Water Authority], the basin's fundamental problems of declining quantity and water quality would not be solved. Most simply put, the basin's salvation as a water resource requires the immediate, undivided, sincere and selfless attention of all its users.

(Re Southern California Water Company, 48 CPUC2d 511, 519 (D.93-03-066)(emphasis in original).)

The Commission's role is limited to ensuring that each jurisdictional water utility provides its customers with "just and reasonable service, . . . and facilities as are necessary to promote the safety, health, comfort and convenience of its patrons, employees, and the public." (§ 451.) The Commission has further delineated the service standard in its General Order 103 where it proscribes Standards of Service

including water quality, water supply, and water pressure, as well as many other details of service.

The Commission has not, however, dictated to investor-owned utilities what method of obtaining water must be used to meet its present and future responsibility of providing safe and adequate supply of water at reasonable rates. (Southern California Water, 48 CPUC2d at 517.)

Which is not to suggest that the Commission ignores issues of water availability in its regulation of water utilities. The Commission requires that all water utilities prepare, file, and update a water management plan which includes identification of water sources as well as consumption projections over 15 years. These plans are updated by the utility as part of its general rate case.

RULE NO. 14.1
WATER CONSERVATION AND RATIONING PLAN

GENERAL INFORMATION

If water supplies are projected to be insufficient to meet normal customer demand, and are beyond the control of the utility, the utility may elect to implement voluntary conservation using the portion of this plan set forth in Section A of this Rule after notifying the Commission's Water Division of its intent. If, in the opinion of the utility, more stringent water measures are required, the utility shall request Commission authorization to implement the mandatory conservation and rationing measures set forth in Section B.

The Commission shall authorize mandatory conservation and rationing by approving Schedule No. 14.1, Mandatory Water Conservation and Rationing. When Schedule No. 14.1 has expired, or is not in effect, mandatory conservation and rationing measures will not be in force. Schedule No. 14.1 will set forth water use violation fines, charges for removal of flow restrictors, and the period during which mandatory conservation and rationing measures will be in effect.

When Schedule No. 14.1 is in effect and the utility determines that water supplies are again sufficient to meet normal demands, and mandatory conservation and rationing measures are no longer necessary, the utility shall seek Commission approval to rescind Schedule No. 14.1 to discontinue rationing.

In the event of a water supply shortage requiring a voluntary or mandatory program, the utility shall make available to its customers water conservation kits as required by Rule 20. The utility shall notify all customers of the availability of conservation kits.

(continued)

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

A. CONSERVATION - NON-ESSENTIAL OR UNAUTHORIZED WATER USE

No customer shall use utility-supplied water for non-essential or unauthorized uses as defined below:

1. Use of water through any connection when the utility has notified the customer in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to make such repairs within 5 days after receipt of such notice.
2. Use of water which results in flooding or run-off in gutters, waterways, patios, driveway, or streets.
3. Use of water for washing aircraft, cars, buses, boats, trailers or other vehicles without a positive shut-off nozzle on the outlet end of the hose. Exceptions include washing vehicles at commercial or fleet vehicle washing facilities operated at fixed locations where equipment using water is properly maintained to avoid wasteful use.
4. Use of water through a hose for washing buildings, structures, sidewalks, walkways, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas in a manner which results in excessive run-off or waste.
5. Use of water for watering streets with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public.
6. Use of water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or other method can be used.
7. Use of water for more than minimal landscaping in connection with any new construction.

(continued)

RULE NO. 14.1

(continued)

WATER CONSERVATION AND RATIONING PLAN

A. CONSERVATION – NON-ESSENTIAL OR UNAUTHORIZED WATER USE (CONT.)

8. Use of water for outside plants, lawn, landscape, and turf areas more often than every other day, with even numbered addresses watering on even numbered days of the month and odd numbered addresses watering on the odd numbered days of the month, except that this provision shall not apply to commercial nurseries, golf courses and other water-dependent industries.
9. Use of water for watering outside plants, lawn, landscape and turf areas during certain hours if and when specified in Schedule No. 14.1 when the schedule is in effect.
10. Use of water for watering outside plants and turf areas using a hand-held hose without a positive shut-off valve.
11. Use of water for decorative fountains or the filling or topping off of decorative lakes or ponds. Exceptions are made for those decorative fountains, lakes, or ponds which utilize recycled water.
12. Use of water for the filling or refilling of swimming pools.
13. Service of water by any restaurant except upon the request of the patron.

B. RATIONING OF WATER USAGE

In the event the conservation measures required by Section A are insufficient to control the water shortage, the utility shall, upon Commission approval, imposed mandatory conservation and rationing. Rationing shall be in accordance with the conditions set forth in Schedule No. 14.1 as filed at the time such rationing is approved by the Commission.

Before mandatory conservation and rationing is authorized by the Commission, the utility shall hold public meetings and takes all other applicable steps required by Sections 350 through 358 of the California Water Code.

(continued)

RULE NO. 14.1

(continued)

WATER CONSERVATION AND RATIONING PLAN

C. ENFORCEMENT OF MANDATORY CONSERVATION AND RATIONING

1. The water use restrictions of the conservation program, in Section A of this rule, become mandatory when the rationing program goes into effect. In the event a customer is observed to be using water for any nonessential or unauthorized use as defined in Section A of this rule, the utility may charge a water use violation fine in accordance with Schedule No. 14.1.
2. The utility may, after one verbal and one written warning, install a flow-restricting device on the service line of any customer observed by utility personnel to be using water for any non-essential or unauthorized use as defined in Section A above.
3. A flow restrictor shall not restrict water delivery by greater than 50% of normal flow and shall provide the premise with a minimum of 6 Ccf/month. The restricting device may be removed only by the utility, only after a three-day period has elapsed, and only upon payment of the appropriate removal charge as set forth in Schedule No. 14.1.
4. After the removal of the restricting device, if any non-essential or unauthorized use of water shall continue, the utility may install another flow-restricting device. This device shall remain in place until water supply conditions warrant its removal and until the appropriate charge for removal has been paid to the utility.
5. If, despite installation of such flow-restricting device pursuant to the provisions of the previous enforcement conditions, any such non-essential or unauthorized use of water shall continue, then the utility may discontinue water service to such customer. In such latter event, a charge as provided in Rule No. 11 shall be paid to the utility as a condition to restoration of service.
6. Any monies collected by the utility through water use violation fines shall not be accounted for as income, but shall be accumulated by the utility in a separate account for disposition as directed or authorized from time to time by the Commission.
7. The charge for removal of a flow-restricting device shall be in accordance with Schedule No. 14.1.

(continued)

RULE NO. 14.1
(continued)

WATER CONSERVATION AND RATIONING PLAN

D. APPEAL PROCEDURE

Any customer who seeks a variance from any of the provisions of this water conservation and rationing plan shall notify the utility in writing, explaining in detail the reason for such a variation. The utility shall respond to each such request.

Any customer not satisfied with the utility's response may file an appeal with the staff of the Commission. The customer and the utility will be notified of the disposition of such appeal by letter from the Executive Director of the Commission.

If the customer disagrees with such disposition, the customer shall have the right to file a formal complaint with the Commission. Except as set forth in this Section, no person shall have any right or claim in law or in equity, against the utility because of, or as a result of, any matter or thing done or threatened to be done pursuant to the provisions of this water conservation and rationing plan.

E. PUBLICITY

In the event the utility finds it necessary to implement this plan, it shall notify customers and hold public hearings concerning the water supply situation, in accordance with Chapter 3, Water Shortage Emergencies, Sections 350 to 358, of the California Water Code. The utility shall also provide each customer with a copy of this plan by means of billing inserts or special mailings; notification shall take place prior to imposing any fines associated with this plan. In addition, the utility shall provide customers with periodic updates regarding its water supply status and the results of customers' conservation efforts. Updates may be by bill insert, special mailing, poster, flyer, newspaper, television or radio spot/advertisement, community bulletin board, or other appropriate methods.

SCHEDULE NO. 14.1
MANDATORY WATER CONSERVATION AND RATIONING

APPLICABILITY

This schedule applies to all water customers served under all tariff rates schedules authorized by the Commission. It is only effective in times of rationing, as required by Rule No. 14.1, and only for the period noted in the Special Conditions section below.

TERRITORY

This schedule is applicable within the entire territory served by the utility.

WATER USE VIOLATION FINE

When this schedule is in effect, the water use restrictions of the conservation program, in Section A of Rule 14.1, become mandatory. If a customer is seen violating the water usage restrictions, as outlined in Rule No. 14.1 and the Special Conditions below, the customer will be subject to the following fine structure:

- First offense - written warning
- Second offense - \$25
(of the same restriction)
- Third offense - \$50
(of the same restriction)
- Each additional offense - \$25 more than the previous
fine imposed.
(of the same restriction)

Offenses for separate water use restrictions will each start at the warning stage.

The water use violation fine is in addition to the regular rate schedule charges.

(continued)

SCHEDULE NO. 14.1
MANDATORY WATER CONSERVATION AND RATIONING (CONT.)

FLOW RESTRICTOR REMOVAL CHARGE

The charge for removal of a flow-restricting device shall be:

<u>Connection Size</u>	<u>Removal Charges</u>
5/8" to 1"	\$25.00
1-1/2" to 2"	\$50.00
3" and larger	Actual cost

SPECIAL CONDITIONS

1. This tariff schedule shall remain in effect for period of six (6) months from the effective date set forth below.
2. There shall be no use of utility-supplied water for outside plants, lawn, landscape, and turf areas between the hours of 3:00 a.m. to 8:00 p.m., regardless of address or day of the month.
3. Water use violation fines may be applied to violations of Section A of Rule No. 14.1, which prohibits non-essential and unauthorized uses of water.
4. Water use violation fines must be separately identified on each bill.
5. All bills are subject to the reimbursement fee set forth on Schedule No. UF.

LACWWD No. 36 Water Shortage Conservation Ordinance



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held October 7, 2008, the Board took the following action:

72

The following item was called up for consideration:

Urgency Ordinance for introduction amending the County Code, Title 11 - Health and Safety, to readopt Part 4 of Chapter 11.38 - Water Conservation Requirements for the Unincorporated County area, which establishes water conservation and waste prevention requirements with a written warning for the first violation and a fine of \$100 for each subsequent violation; and find that adoption of ordinance is exempt from the California Environmental Quality Act.

On motion of Supervisor Molina, seconded by Supervisor Antonovich, duly carried by the following vote: Ayes: Supervisors Molina, Yaroslavsky, Knabe, Antonovich and Burke; Noes: None, the Board introduced, waived reading and adopted the attached Ordinance No. 2008-0052U entitled, "An urgency ordinance amending Title 11 - Health and Safety of the Los Angeles County Code, relating to water conservation requirements for the Unincorporated Los Angeles County Area." This ordinance shall take effect October 7, 2008.

02100708_72

Attachment

Copies distributed:

Each Supervisor
Chief Executive Officer
County Counsel
Acting Director of Public Works
Acting Director of Beaches and Harbors
Director of Internal Services
Director of Parks and Recreation
Director of Planning
Director of Public Health

(ALSO SEE BOARD ORDER NO. 40 THIS DATE)

ANALYSIS

This ordinance amends Title 11 – Health and Safety of the Los Angeles County Code, relating to Water and Sewers, to readopt Part 4 of Chapter 11.38 – Water Conservation Requirements for the Unincorporated Los Angeles County Area.

Pursuant to Section 2 of Ordinance No. 91-0046U, Part 4 of Chapter 11.38 – Water Conservation Requirements for the Unincorporated Los Angeles County Area, terminated on January 1, 1993. This ordinance readopts the same provisions, which were previously set forth in Part 4, except that this ordinance does not have a sunset date, revises the fine amounts, and sets forth a review mechanism.

This ordinance is an urgency measure and requires a four-fifths vote by the Board of Supervisors for adoption.

RAYMOND G. FORTNER, JR.
County Counsel

By 

TRUC L. MOORE
Deputy County Counsel
Public Works Division

TLM:ia

08/13/08 (Requested)

09/17/08 (Revised)

ORDINANCE NO. 2008-00052U

An urgency ordinance amending Title 11 – Health and Safety of the Los Angeles County Code, relating to water conservation requirements for the Unincorporated Los Angeles County Area.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 11.38, Part 4, is hereby readopted as amended to read as follows:

**Part 4. Water Conservation Requirements for the Unincorporated
Los Angeles County Area**

11.38.620 Hose watering prohibition.

No person shall hose water or wash down any sidewalks, walkways, driveways, parking areas or other paved surfaces, except as is required for the benefit of public health and safety. Willful violation hereof shall be subject to a written warning for the first violation, and shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for each subsequent infractions violation.

11.38.630 Watering of lawns and landscaping.

A. No person shall water or cause to be watered any lawn or landscaping between the hours of 10:00 a.m. and 5:00 p.m.

B. No person shall water or cause to be watered any lawn or landscaping more than once a day.

C. 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.

D. 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.

E. Willful violation hereof shall be subject to a written warning for the first violation, and shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for each subsequent infractions violation.

11.38.640 Indoor plumbing and fixtures.

A. It shall be the duty of all persons to inspect all accessible indoor plumbing and faucets for leaks, and to cause all leaks to be repaired as soon as is reasonably practicable.

B. Willful violation hereof shall be subject to a written warning for the first violation, and shall be an infraction punishable by a fine of \$500100.00 for each subsequent violation.

11.38.650 Washing vehicles.

No motor vehicle, boat, trailer, or other type of mobile equipment may be washed, except at a commercial carwash or with reclaimed water, unless such vehicle is washed by using a hand-held bucket or a 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. Willful violation hereof shall be subject to a written warning for the

first violation, and shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for each subsequent infractions violation.

11.38.660 Public eating places.

No restaurant, hotel, cafeteria, café, or other public place where food is sold or served shall serve drinking water to any customer unless specifically requested to do so by such customer. Willful violation hereof shall be subject to a written warning for the first violation, and shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for each subsequent infractions violation.

11.38.670 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 recycling system. Willful violation hereof shall be subject to a written warning for the first violation, and shall be an infraction punishable by a fine of \$100.00 for the first infraction and \$500.00 each for each subsequent infractions violation.

11.38.680 Procedural requirements.

The Director of Public Works, with input and concurrence from the Director of Public Health, shall periodically review the provisions of this Part and recommend necessary updates to the Board of Supervisors. The review of these provisions and preparation of resulting recommendations, if any, shall be performed, at a minimum, every two years following the first review, which shall to be completed by December 31, 2010.

SECTION 2. Due to the severity of the drought in the State of California, there is an immediate need to prohibit the wasting of water in the Los Angeles County unincorporated area to better utilize the available water supplies. This ordinance is urgently needed for the preservation of the public health, safety, and general welfare, and shall take effect immediately.

[1138WATERTMCC]

