



Community Development Department
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San Jacinto, CA 92583
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Fax (951) 487-6779

January 28, 2010

Simon Eching
California Department of Water Resources
Office of Water Use Efficiency
901 P Street, Third Floor
P. O. Box 942836
Sacramento, CA 94236-0001

**Re: Adoption of Water Efficient Landscape Ordinance (Ordinance 09-22)
required by AB 1881 by the City of San Jacinto**

Dear Mr. Eching,

This is to advise you that on December 10, 2009, the City Council of the City of San Jacinto adopted the attached Ordinance No. 09-22, which became effective on January 10, 2010. Also attached are the minutes of the Council meeting of December 10, 2009, at which the Ordinance was adopted, and staff reports from the City Council hearings conducted for the Ordinance on November 5 and December 10, 2009. Please contact me at (951) 487-7330 if you need any additional information.

Sincerely,


Asher Hartel, AICP
Planning Director

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JACINTO, ADDING CHAPTER 15.44 TO TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE MUNICIPAL CODE, ESTABLISHING LANDSCAPE WATER USE EFFICIENCY REQUIREMENTS.

The San Jacinto Municipal Code is hereby amended to add Chapter 15.44 to Title 15 (Buildings and Construction) to read as follows:

Section 1. SHORT TITLE. This Ordinance shall be known as the "Landscape Water Use Efficiency Ordinance".

Section 2. INTENT. It is the intent of the City Council in adopting this Ordinance to:

- A. Establish provisions for water management practices and water waste prevention;
- B. Establish a structure for planning, designing, installing, maintaining, and managing water efficient landscapes in new construction and rehabilitated projects;
- C. To reduce the water demands from landscapes without a decline in landscape quality or quantity;
- D. To retain flexibility and encourage creativity through appropriate design;
- E. To assure the attainment of water-efficient landscape goals by requiring that landscapes not exceed a maximum water demand of seventy percent (70%) of its reference evapotranspiration (ET_0) or any lower percentage as may be required by water purveyor policy or state legislation, whichever is stricter;
- F. To eliminate water waste from overspray and/or runoff;
- G. To achieve water conservation by raising the public awareness of the need to conserve water through education and motivation to embrace an effective water demand management program; and
- H. To implement the requirements to meet the State of California Water Conservation in Landscaping Act 2006 and the California Code of Regulations Title 23, Division 2, Chapter 2.7.

Section 3. DEFINITIONS. The terms used in this ordinance have the meaning set forth below:

- A. "backfilling" means to refill an excavation, usually with excavated material.
- B. "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- C. "check valve" or "anti-drain valve" means a valve located under a sprinkler head or other location in the irrigation system to hold water in the system to prevent drainage from the sprinkler heads when the system is off.
- D. "established landscape" means the point at which plants in the landscape have developed significant root growth into the site. Typically, most plants are established after one or two years of growth.
- E. "Estimated Annual Water Use" or "EAWU" means estimated total water use per year as calculated by the formula contained in Section 5.B.12.n.
- F. "hydrozone" means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.
- G. "invasive species" are non-indigenous species (e.g., plants or animals) that adversely affect the habitats they invade economically, environmentally, or ecologically. Lists of invasive species are included within the Western Riverside County Multi-Species Habitat Conservation Plan (incorporated by reference). In addition, for the purposes of this ordinance, invasive species include other locally invasive species as further defined by a local lead agency.
- H. "landscape architect" means a person who holds a license to practice landscape architecture in the state of California (Government Code Section 5615).
- I. "landscaped area" or "LA" means all of the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance (MAWA) calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or impervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).
- J. "local water purveyor" means any entity, including a public agency, city, county or private water company that provides retail water service to customers in San Jacinto.
- K. "low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the

root zone of plants.

- L. "Maximum Applied Water Allowance" or "MAWA" means the upper limit of annual applied water allowed for the established landscaped area.
- M. "overhead sprinkler irrigation systems" means systems that deliver water through the air (e.g. , pop ups, impulse sprinklers, spray heads and rotors, etc.).
- N. "reference evapotranspiration" or "ET_o" means a standard measurement of environmental parameters which affect the water use of plants. ET_o is given in inches per day, month, or year. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances so that regional differences in climate can be accommodated. Reference evapotranspiration numbers shall be taken from the most current EvapoTranspiration Zones Map by the California Department of Water Resources. For geographic areas not covered by the EvapoTranspiration Zones Map, data from nearby areas shall be used.
- O. "rehabilitated landscapes" means any re-landscaping project that requires a permit, plan check, or design review, and/or would meet the requirements of Section 4.
- P. "special landscape area" means an area of the landscape dedicated to edible plants, areas irrigated with recycled water, and publicly accessible areas dedicated to active play such as parks, sports fields, golf courses, where turf provides a playing field or where turf is needed for high traffic activities.
- Q. "temporarily irrigated" means irrigation for the purposes of establishing plants, or irrigation which will not continue after plant establishment. Temporary irrigation is for a period of six months or less.
- R. "water intensive landscaping" means a landscape with a WUCOLS plant factor of 0.7 or greater.
- S. "WUCOLS" means the publication entitled "Water Use Classification of Landscape Species" by the U.C. Cooperative Extension (1999 or most current version).

Section 4. APPLICABILITY.

- A. The water-efficient landscape requirements contained in this Ordinance shall be applicable to all new construction landscapes which are homeowner-provided and or homeowner-hired in single-family and multi-family projects with a total project landscape area equal to or greater than 5,000 square feet requiring a building or landscape permit, plan checks or design review and/or all other landscape projects with a landscape area equal to or greater than 2,500 square feet subject to discretionary permits, plan checks, design

reviews, and/or approvals.

- B. In the event Covenants, Conditions and Restrictions are required by the City for any permit subject to this Ordinance, a condition shall be incorporated into any project approval prohibiting the use of water-intensive landscaping and requiring the use of low water use landscaping pursuant to the provisions of this Ordinance in connection with common area/open space landscaping. Additionally, such a condition shall also require the Covenants, Conditions and Restrictions to incorporate provisions concerning landscape irrigation system management and maintenance. This Ordinance shall not be construed as requiring landscaping of common areas or open space that is intended to remain natural. Covenants, Conditions, and Restrictions shall not prohibit use of low-water use plants. Covenants, Conditions, and Restrictions shall not prohibit the replacement of turf with less water intensive plant species.
- C. Section 8 of this Ordinance applies to existing properties with landscape areas one acre or greater in size or properties served by a dedicated landscape irrigation meter.
- D. Recognizing the special landscape needs of cemeteries, new and rehabilitated cemeteries are limited to sections 6.A, 6.B, and 6.C. Existing cemeteries are limited to Section 8.
- E. The following are exempt from the provisions of this chapter:
 - 1. Any project with a total landscaped area less than 2,500 square feet;
 - 2. Registered local, state or federal historical sites;
 - 3. Ecological restoration projects that do not require a permanent irrigation system and have an establishment period of less than 3 years;
 - 4. Mined-land reclamation projects that do not require a permanent irrigation system: and
 - 5. Botanical gardens and arboretums open to the public.

Section 5. LANDSCAPE DOCUMENTATION PACKAGE REQUIREMENTS. An applicant proposing any new or rehabilitated landscape subject to this ordinance (Section 4) shall, prior to issuance of a building permit, prepare and submit to the Planning Director for review and approval documentation including the following:

- 1. Project Information (Section 5.A);
- 2. Planting Plan (see Section 5.B);
- 3. Irrigation Design Plan (see Section 5.C);
- 4. Soil Management Plan (see Section 5.D); and
- 5. Grading Design Plan (see Section 5.E).

An applicant proposing any new landscape that is subject to this ordinance (Section 4) and designated for recycled water use, is advised that recycled water irrigation systems

will entail additional coordination with the local water purveyor, the land use agency and the maintenance entity's standards, approvals, and implementation requirements. Therefore, applicants shall consult with the appropriate water purveyor early in the development review process to ensure that future recycled water facilities meet the projected demand and that subsequent landscape plans comply with the applicable standards, approvals, and implementation requirements of the local water purveyor, land use agency, and maintenance entity.

Water systems for common open space areas shall use non-potable water if approved facilities are made available by the water purveyor. Provisions for a non-potable water system shall be provided within the landscape plan. Water systems designed to utilize non-potable water shall be designed to meet all applicable standards of the California Regional Water Quality Control Board and the Riverside County Health Department.

A. PROJECT INFORMATION

1. Date
2. Applicant and applicant contact information
3. Project owner and contact information
4. Project address including parcel and lot numbers
5. Total landscape area (sq. ft.)
6. Project type (e.g., new, rehabilitated, public, private)
7. Water supply (e.g., potable, well, recycled). Use of recycled water is encouraged.
8. Applicant signature and date with statement "I agree to comply with the requirements of Ordinance 09-22 and submit a complete Landscape Documentation Package"

B. PLANTING PLAN REQUIREMENTS

1. The "Riverside County Guide to California Friendly Landscaping" (Landscaping Guide) is hereby incorporated by reference to assist with developing water efficient landscapes.
2. Plant types shall be grouped together in regards to their water, soil, sun and shade requirements and in relationship to the buildings. Plants with different water needs shall be irrigated separately. Plants with the following classifications shall be grouped accordingly: high and moderate, moderate and low, low and very low. Deviation from these groupings shall not be permitted.
3. Trees for shade shall be provided for residential, commercial and industrial buildings, parking lots and open space areas. These trees can be deciduous or evergreen and are to be incorporated to provide natural cooling opportunities for the purpose of energy and water conservation.
4. Plants shall be placed in a manner considerate of solar orientation to maximize summer shade and winter solar gain.
5. Plant selection for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and

- (b). Fire-prone plant materials and highly flammable mulches shall be avoided.
6. Invasive species of plants shall be avoided especially near parks, buffers, greenbelts, water bodies, and open spaces because of their potential to cause harm to environmentally sensitive areas.
 7. All exposed surfaces of non-turf areas within the developed landscape area shall be mulched with a minimum three inch (3") layer of material, except in areas with groundcover planted from flats where mulch depth shall be one and one half inches (1 ½").
 8. Stabilizing mulching products shall be used on slopes.
 9. Turf areas shall be used in response to functional needs and in compliance with the water budget.
 10. Decorative water features shall use recirculating water systems.
 11. Where available, recycled water shall be used as the source for irrigation and decorative water features.
 12. Planting Plans shall identify and site the following:
 - a. New and existing trees, shrubs, ground covers, and turf areas within the proposed landscape area;
 - b. Planting legend indicating all plant species by botanical name and common name, spacing, and quantities of each type of plant by container size;
 - c. Designation of hydrozones;
 - d. Area, in square feet, devoted to landscaping and a breakdown of the total area by landscape hydrozones;
 - e. Property lines, streets, and street names;
 - f. Building locations, driveways, sidewalks, retaining walls, and other hardscape features;
 - g. Appropriate scale and north arrow;
 - h. Any special landscape areas;
 - i. Type of mulch and application depth;
 - j. Type and surface area of any water features;
 - k. Type and installation details of any applicable stormwater best management practices;
 - l. Planting specifications and details, including the recommendations from the soils analysis, if applicable.
 - m. Maximum Applied Water Allowance:
 - i. Planting Plans shall be prepared using the following Water Budget Formula:

$$\text{MAWA (in gallons)} = (\text{ET}_0)(0.62)[0.7 \times \text{LA} + 0.3 \times \text{SLA}]$$

where

ET₀ is reference evapotranspiration

SLA is the amount of special landscape area in square feet

LA is total landscape area (including the SLA) in square feet

- ii. For the purposes of determining the Maximum Applied Water Allowance, average irrigation efficiency is assumed to be 0.71. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average irrigation efficiency of 0.71.
- n. Estimated Annual Water Use (EAWU):
 - i. EAWU for a given hydrozone is calculated as follows:

$$EAWU \text{ (in gallons)} = (ET_o)(0.62)[((PF \times HA)/IE) + SLA]$$

where

ET_o is reference evapotranspiration

PF is Plant Factor

HA is hydrozone area in square feet

IE is irrigation efficiency (minimum 0.71)

SLA is the amount of special landscape area in square feet

- ii. Landscaping plans shall provide EAWU (in the same units as the MAWA) for each valve circuit in the irrigation hydrozone. The sum of all EAWU calculations shall not exceed the MAWA for the project.
- iii. The plant factor used shall be from WUCOLS. The plant factor for low water use plants range from 0 to 0.3, for moderate water use plants range from 0.4 to 0.6, and for high water use plants range from 0.7 to 1.0.
- iv. The plant factor calculation is based on the proportions of the respective plant water uses and their plant factor, or the plant factor of the higher water using plant is used.
- v. The surface area of a water features shall be included in the high water use hydrozone area of the water budget calculation and temporarily irrigated areas in the low water use hydrozone.

13. Planting Plans and Irrigation Plans (Section 5.C) shall be drawn at the same size and scale

14. The Planting Plan shall be prepared by a Landscape Architect licensed by the State of California.

C. IRRIGATION DESIGN PLAN REQUIREMENTS.

1. The "Riverside County Guide to California Friendly Landscaping" (Landscaping Guide) is hereby incorporated by reference to assist the applicant in designing, constructing, and maintaining an efficient irrigation system.
2. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average irrigation efficiency of 0.71.
3. All irrigation systems shall be designed to prevent runoff, over-spray, lowhead drainage and other similar conditions where water flows off-

site on to adjacent property, non-irrigated areas, walk, roadways, or structures. Irrigation systems shall be designed, constructed, managed, and maintained to achieve as high an overall efficiency as possible. The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

4. Landscaped areas shall be provided with a smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions unless the use of the property would otherwise prohibit use of a timer. The planting areas shall be grouped in relation to moisture control zones based on similarity of water requirements (i.e., turf separate from shrub and groundcover, full sun exposure areas separate from shade areas, top of slope separate from toe of slope). Additional water conservation technology may be required, where necessary, at the discretion of the Planning Director.
5. Water systems for common open space areas shall use non-potable water, if approved facilities are made available by the water purveyor. Provisions for the conversion to a non-potable water system shall be provided within the landscape plan. Water systems designed to utilize non-potable water shall be designed to meet all applicable standards of the California Regional Water Quality Control Board and the Riverside County Health Department.
6. Separate valves shall be provided for separate water use planting areas, so that plants with similar water needs are irrigated by the same irrigation valve. All installations shall rely on highly efficient state of the art irrigation systems to eliminate runoff and maximize irrigation efficiency as required by the Landscaping Guide.
7. Static water pressure, dynamic or operating pressure and flow reading of the water supply shall be measured. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at the installation.
8. The capacity of the irrigation system shall not exceed:
 - a. the capacity required for peak water demand based on water budget calculations;
 - b. meter capacity; or
 - c. backflow preventer type and device capacity
9. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer.
10. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
11. Slopes greater than 25% shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape

Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

12. Long-narrow, or irregularly shaped areas including turf less than eight (8) feet in width in any direction shall be irrigated with subsurface irrigation or low-volume irrigation technology.
13. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. There are no restrictions on the irrigation system type if the landscape area is adjacent to permeable surfacing and no overspray and runoff occurs.
14. Overhead irrigation shall be limited to the hours of 8 p.m. to 9 a.m.
15. All irrigation systems shall be equipped with the following:
 - a. A smart irrigation controller as defined in Section 5.C.4 of this Ordinance;
 - b. A rain sensing device to prevent irrigation during rainy weather;
 - c. Anti-drain check valves installed at strategic points to minimize or prevent low-head drainage;
 - d. A manual shut-off valve shall be required as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency or routine repair;
 - e. A pressure regulator when the static water pressure is above or below the recommended operating pressure of the irrigation system;
 - f. Backflow prevention devices; and
 - g. Riser protection components for all risers in high traffic areas.
16. Dedicated landscape meters shall be required for all projects greater than 2,500 sq. ft. except single-family residences.
17. Irrigation Design Plans shall identify and site the following:
 - a. Hydrozones.
 - i. Each hydrozone shall be designated by number, letter or other designation
 - ii. A Hydrozone Information Table shall be prepared for each hydrozone
 - b. The areas irrigated by each valve;
 - c. Irrigation point of connection (POC) to the water system;
 - d. Static water pressure at POC;
 - e. Location and size of water meter(s), service laterals, and backflow preventers;
 - f. Location, size, and type of all components of the irrigation system, including automatic controllers, main and lateral lines, valves, sprinkler heads and nozzles, pressure regulator, drip and low volume irrigation equipment;
 - g. Total flow rate (gallons per minute), and design operating pressure (psi) for each overhead spray and bubbler circuit,

and total flow rate (gallons per hour) and design operating pressure (psi) for each drip and low volume irrigation circuit;

- h. Precipitation rate (inches per hour) for each overhead spray circuit;
 - i. Irrigation legend with the manufacturer name, model number, and general description for all specified equipment, separate symbols for all irrigation equipment with different spray patterns, spray radius, and precipitation rate;
 - j. Irrigation system details for assembly and installation;
 - k. Recommended irrigation schedule for each month, including number of irrigation days per week, number of start times (cycles) per day, minutes of run time per cycle, and estimated amount of applied irrigation water, expressed in gallons per month and gallons per year, for the established landscape; and
 - l. Irrigation Design Plans shall contain the following statement, "I agree to comply with the criteria of the ordinance and to apply them for the efficient use of water in the Irrigation Design Plan"
18. For each valve, two irrigation schedules shall be prepared, one for the initial establishment period of six months and one for the established landscape, which incorporate the specific water needs of the plants and turf throughout the calendar year.

19. Irrigation Plans and Planting Plans (Section 5.B) shall be drawn at the same size and scale

D. SOIL MANAGEMENT PLAN REQUIREMENTS.

1. Prior to issuance of a building permit, the project applicant or his/her designee shall:
 - a. perform a preliminary site inspection;
 - b. determine the appropriate level of soil sampling and sampling method needed to obtain representative soil sample(s);
 - c. conduct a soil probe test to determine if the soil in the landscape area has sufficient depth to support the intended plants; and
 - d. obtain appropriate soil sample(s).
2. The project applicant or his/her designee shall submit soil sample(s) to laboratory for analysis and recommendation. The soil analysis may include:
 - a. soil texture;
 - b. infiltration rate determined by laboratory test or soil texture infiltration rate tables;
 - c. pH;
 - d. total soluble salts;
 - e. sodium; and
 - f. recommendations.
3. The project applicant or his/her designee shall prepare documentation describing the following:

- a. soil type;
- b. identification of limiting soil characteristics;
- c. identification of planned soil management actions to remediate limiting soil characteristics; and
- d. Submit the soil analysis report and documentation verifying implementation of soil analysis report recommendations to the City pursuant to the requirements of Section 7.C Certificate of Completion.

E. GRADING DESIGN PLAN REQUIREMENTS.

1. The Landscape Documentation Package shall include precise grade elevations prepared for the project by a licensed civil engineer.

Section 6. LANDSCAPE IRRIGATION AND MAINTENANCE. This section applies to all landscape projects subject to this ordinance (Section 4).

- A. The "Riverside County Guide to California Friendly Landscaping" (Landscaping Guide) is hereby incorporated by reference to assist the applicant in implementing landscape maintenance to ensure water use efficiency.
- B. Two irrigation schedules shall be prepared, one for the initial establishment period of six months and one for the established landscape, which incorporate the specific water needs of the plants and turf throughout the calendar year. The irrigation schedule shall take into account the particular characteristics of the soil; shall be continuously available on site to those responsible for the landscape maintenance; and shall contain specifics as to optimum run time and frequency of watering, and irrigation hours per day. The schedule currently in effect shall be posted at the controller.
- C. A regular maintenance schedule and Certificate of Completion shall be submitted to the Planning Director, property owner, and water purveyor. A regular maintenance schedule shall include, but not be limited to, routine inspection, adjustments, and repair of the irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning, weeding in all landscape areas and removing any obstruction to irrigation devices. Repair of all irrigation equipment shall be done with the originally installed components or equivalent.
- D. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.
- E. Information shall be provided to owners of new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes.

Section 7. COMPLIANCE/PLAN SUBMITTAL PROCESS. The Planning Director or designee shall have the duty and authority to administer and enforce this ordinance.

- A. As part of the land development process and prior to issuance of a building permit, the City shall:
 1. Provide the project applicant with the ordinance and procedures for permits, plan checks, or design reviews;
 2. Review the Landscape Documentation Package (Section 5) submitted by the project applicant;
 3. Approve or reject the Landscape Documentation Package; and
 4. Issue a permit or approve the plan check or design review for the project applicant.
- B. As part of the land development process and prior to issuance of a building permit, the project applicant shall:
 1. Submit a Landscape Documentation Package to the City for review and approval by the Planning Director. The Planting Plan, Irrigation Plan, and Soils Management Plan shall be reviewed by an independent licensed landscape architect to ensure that all components of the Plans adhere to the requirements of this Ordinance. The licensed landscape architect shall sign the Plans verifying that the Plans comply with this Ordinance. Any Plans submitted without the signature of a licensed landscape architect shall not be accepted for review.
- C. Prior to issuance of a certificate of occupancy or final inspection for a project subject to this ordinance, a regular maintenance schedule and a Certificate of Completion shall be submitted to the Planning Director certifying that the landscaping has been completed in accordance with the approved Planting, Irrigation, Soil Management, and Grading Design plans for the project. The Certificate of Completion shall be signed by a licensed landscape architect and shall indicate:
 1. Date
 2. Project information
 - a. Project name
 - b. Project applicant name, telephone, mailing address
 - c. Project address and location
 - d. Property owner name and mailing address
 3. Prior to backfilling, evidence that the party responsible for irrigation installation conducted a preliminary field inspection of the irrigation system (evidence of field inspection shall be attached).
 4. The landscaping has been installed in conformance with the approved Planting and Irrigation Plans;
 5. Irrigation audit report performed by a certified irrigation auditor after project installation (audit report shall be attached)
 6. The smart irrigation controller has been set according to the irrigation schedule;
 7. The irrigation system has been adjusted to maximize irrigation efficiency and eliminate overspray and runoff; and
 8. A copy of the approved Landscape Documentation Package (Section 5), the irrigation schedule (Section 6.B), and the maintenance schedule

(Section 6.C) has been given to the property owner and local water purveyor.

9. Verification that the maintenance schedule has been provided to the Planning Director
- D. At a minimum, all landscape irrigation audits shall comply with the "Irrigation Association Certified Landscape Irrigation Auditor Training Manual (2004 or most current) and shall be conducted by a certified landscape irrigation auditor.
- E. The Planning Director or his/her designee shall have the right to enter upon the project site at any time before, during and after installation of the landscaping, to conduct inspections for the purpose of enforcing this Ordinance.

Section 8. LANDSCAPE WATER USE EFFICIENCY ENFORCEMENT. The City of San Jacinto will rely on water purveyors to enforce landscape water use efficiency requirements. The City shall coordinate with local water purveyors and identify programs that enhance and encourage landscape water use efficiency such as:

1. tiered water rate structure, or
2. allocation-based conservation water pricing structure, or
3. a rate structure at least as effective as the above options or
4. irrigation audits and/or irrigation surveys
5. penalties for water waste.

A. RESTRICTIONS. The following water conservation requirements are intended to avoid water waste, are effective at all times, and are permanent.

1. Limits on Watering Hours: Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 9:00 a.m. and 5:00 p.m. on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system. Overhead irrigation shall be limited to the hours of 8 pm to 9 am.
2. No Excessive Water Flow or Runoff: Watering or irrigating of any lawn, landscape or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.
3. No Washing Down Hard or Paved Surfaces: Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom.

4. Obligation to Fix Leaks, Breaks or Malfunctions: Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than seven (7) days (or 72 hours of receiving notice from the City), is prohibited.
5. Ordinance No. 09-16, "Water Conservation And Water Supply Shortage Program And Regulations", adopted by the City on May 21, 2009 into the San Jacinto Municipal Code as Section 13.04.070 of Chapter 13.04, is hereby incorporated by reference.

B. Landscape Meter Requirements.

1. A separate dedicated meter is required for landscape areas greater than or equal to 2,500 square-feet
2. The efficient use of water should be considered in the design of any new landscape area. The MAWA will be calculated for customers that request a new account using the formula in section 5.B.12.m of this ordinance.
3. Prior to the issuance of a meter, the new customer shall calculate the EAWU for each landscape area using the formula provided in 5.B.12.n. The EAWU shall be submitted to the local water purveyor for review. For the new meter to be issued, the calculated water budget for the landscape area cannot exceed the MAWA calculated in 5.B.12.m of this ordinance.
4. New accounts that have to comply with equivalent or more stringent water use efficiency measures imposed by another jurisdiction, do not need to comply with the requirements of this section of the Ordinance, but do need to provide information about the landscape area to the local water purveyor.

C. ENFORCEMENT. In addition to the City of San Jacinto Water Department, Eastern Municipal Water District and Lake Hemet Municipal Water District are water purveyors serving the City. The City recognizes and supports measures employed by these agencies to ensure water is being used efficiently.

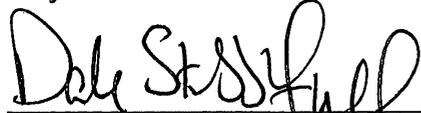
Section 9. **DATE OF EFFECT.** The provisions of this ordinance shall take effect thirty (30) days after its adoption.

Introduced at a regular meeting of said City Council on the 5th day of November, 2009, by the following vote:

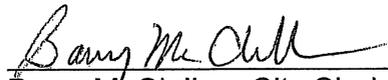
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on the 10th day of December, 2009 by the following vote:

Ayes: Ayres, Di Memmo, Potts, Stubblefield
Nays: None
Absent: Mansperger
Abstain: None

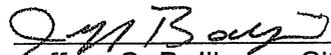
City of San Jacinto


By Dale Stubblefield, Mayor

ATTEST:


Barry McClellan, City Clerk

APPROVED AS TO FORM:
Best Best & Krieger LLP


Jeffrey S. Ballinger, City Attorney

CERTIFICATE

**STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)ss
CITY OF SAN JACINTO)**

I, Barry McClellan, hereby certify that the foregoing is a true copy of Ordinance No. 09-22 duly adopted by the City Council of City of San Jacinto, California at a regular meeting thereof held the 10th day of December, 2009.

WITNESS my hand and official seal of the City of San Jacinto this 14th day of December, 2009.



Barry McClellan, City Clerk