

RESOLUTION NO. 682

**RESOLUTION OF THE BOARD OF DIRECTORS OF
CRESCENTA VALLEY WATER DISTRICT
ADOPTING A WATER CONSERVATION PROGRAM (PHASE I)**

WHEREAS, the Crescenta Valley Water District was established for the purpose of providing adequate and reliable potable water to its inhabitants at a reasonable cost; and

WHEREAS, the groundwater supply in the Verdugo Basin is utilized as the primary source of water for District customers; and

WHEREAS, consecutive years of below normal precipitation in the watersheds of the Verdugo Basin have severely reduced the groundwater production capacity in the Verdugo Basin and hence the water supply available to the District; and

WHEREAS, the District's imported water supply connections with the Foothill Municipal Water District, which provide a supplemental source of water for District customers, are limited in size and capacity and are being subjected to increased demands; and

WHEREAS, the District's imported water supply may be subject to a reduced water allotment from the Foothill Municipal Water District should the Metropolitan Water District of Southern California put into effect their approved allocation plan; and

WHEREAS, California has experienced an energy crisis which has resulted in extremely high energy costs; and

WHEREAS, the District is a user of significant quantities of energy to meet its system demands for the production, transmission, and distribution of water; and

WHEREAS, conservation of water by District customers will help relieve the problems caused by the shortage in supply and the increase in energy costs; and

WHEREAS, the District, through its public information program, should advise and alert its customers to the serious nature of the situation and the need for a reduction in demand by customers; and

WHEREAS, the District has the power and authority, under Section 375 of the California Water Code, to adopt water conservation measures for activities within its service area; and

WHEREAS, given the current conditions, the District finds it necessary and beneficial to undertake a phased water conservation program; and

NOW, THEREFORE, BE IT RESOLVED, that the General Manager is authorized to implement a water conservation program, as Phase I of the goal to reduce water use below pre-drought water usage, to reduce the risk and severity of water shortage; and

BE IT FURTHER RESOLVED, that the Crescenta Valley Water District prohibits the following water usage to all of its customers:

Prohibited Use Applicable to ALL Customers

- 1. Water hose usage:** Hose washing of sidewalks, walkways, driveways, or parking areas, tennis courts, patios, porches or other paved areas shall not be permitted. Exception: Flammable or other dangerous substances may be disposed of by direct hose flushing by public safety officers for the benefit of public health and safety. Businesses or schools required to hose down public eating areas will be provided with access to a water broom.
- 2. Overspray and runoff:** Use of water for any purpose which results in overspray, excessive runoff onto hardscapes, driveways, street, adjacent lands or into gutters shall not be permitted.
- 3. Fountains, similar structures:** Water used to clean, fill or maintain levels in decorative fountains or similar structures must be part of a recirculation system.
- 4. Leaks:** Leaks from any facility both inside and outside of a customer's premises must be repaired within seventy-two hours after the customer is notified of, or discovers the leak. Failure to affect the repair of any leak shall subject said customer to all penalties provided herein for waste of water.
- 5. Irrigating times: Irrigating times:** No watering, sprinkling or irrigating shall take place between the hours of nine a.m. (9:00AM) and five p.m. (5:00PM) in any landscaped or vegetated areas, including, including, but not limited to, golf courses, parks, cemeteries and school areas landscaped with, but not limited to, grass, lawn, groundcover, shrubbery, annual and perennial plants, crops, trees, and California-friendly plantings. With the exception of drip irrigation systems or weather based irrigation controllers, residential timers shall not run for more than a 10 minutes per station.
- 6. Hand Watering:** Hand watering of non-turf areas is allowed using a hose with a positive shut-off nozzle or watering can within the allowable times as specified above.
- 7. Windy and rainy days:** No watering, sprinkling or irrigating shall take place in any landscaped or vegetated areas on days when the wind is blowing causing overspray, and on days when it is raining.
- 8. Vehicle washing:** The washing of commercial and non-commercial privately owned automobiles, trucks, trailers, motor-homes, boats, buses, airplanes and other types of vehicles is restricted to use of a hand-held bucket and quick rinses using a hose with a positive shut-off nozzle. Exceptions: the use of wash water which is on the immediate premises of a commercial car wash or commercial service station; where health, safety and welfare of the public is contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles which transport food and perishables.
- 9. Swimming pools:** Owners of outdoor swimming pools, wading pools or spas, when these are not in use, are requested to use covers to minimize the evaporation of water.

- 10. Construction water restrictions:** Water for construction purposes including but not limited to de-brushing of vacant land, compaction of fills and pads, trench backfill and other construction uses, shall be used in an efficient manner which will not result in runoff.
- 11. Fire hydrants:** The use of potable water from fire hydrants shall be limited to firefighting, related activities or other activities immediately necessary to maintain the health, safety, and welfare of the residents of the city.
- 12. Drinking water upon request:** No restaurant, hotel, café, cafeteria or other public place where food is sold, served or offered for sale, shall serve drinking water to any customer unless expressly requested by a customer.
- 13. Hotels/Motels:** Hotels, motels, and other commercial lodging establishments are requested to post notices informing their guests about the city's water conservation policy and urging guests to conserve water. Water conservation notices will be provided by CVWD.
- 14. Hotels/Motels:** Hotels, motels and other commercial lodgings are requested to post notices giving their guests the option of not laundering towels and linens daily.
- 15. Reporting waste of water:** The District shall maintain a program for residents to report waste of water throughout the District boundaries. This will include an online submittal form, a dedicated phone number, and follow-up by District staff on all waste of water reports. Residents are requested to report any observed waste of water from surrounding properties or in the community and report to the District for follow-up.
- 16. Pre-rinse spray valve:** Where applicable, restaurants must utilize water conserving nozzles.

BE IT FURTHER RESOLVED, that the Crescenta Valley Water District urges the following water conservation practices to all of its customers:

1. Reduce the amount of turf and install new drought tolerant landscaping, low-water using trees and plants, and efficient irrigation systems including but not limited to evapotranspiration (ET) controllers, drip irrigation, and “high efficiency sprinkler heads”.
2. Wash only full loads of dishes or clothes in automatic washers, and do not allow indoor faucets to run continuously.
3. Turn off water system when leaving property unoccupied for an extended period of time.

VIOLATIONS

For any customer of the District in violation of the provisions listed in the Waste of Water Ordinance:

First Violation: The District shall issue a written notice of the fact of such violation to the customer.

Second Violation: The District shall issue a written warning to the customer of the fact of such second violation with a statement of the possible penalties for the present violation for which the notice was written, the possible penalties for each subsequent violation should they occur, and a written copy of this resolution.

Third Violation: The District shall install a flow-restricting device of one gallon per minute (1gpm) capacity for services up to one and one-half inch size, and comparatively sized restrictors for larger service, on the service of the customer at the premises at which the violation occurred for a period of not less than forty-eight hours.

The charge for installing a flow-restricting device shall be based upon the size of the meter and shall not exceed \$150.00.

The charge for removal of the flow-restricting device and restoration of normal service shall not exceed \$100.00. Restoration of normal service will be performed during regular working hours on regular working days.

For any subsequent violation or any willful violation: The District shall either install a flow-restricting device, for a period of time not less than one week or discontinue water service to that customer at the premises at which the violation occurred.

The charge for installing a flow-restricting device shall be based upon the size of the meter and shall not exceed \$200.00.

The charge for removal of the flow-restricting device and restoration of normal service shall not exceed \$150.00. Restoration of normal service will be performed during regular working hours on regular working days.

Notice: The District shall give notice of each violation to the customer committing such violation as follows:

For the first violation: The District shall give written notice of the fact of such violation to the customer personally or by United States regular mail.

For the second violation: The District shall give written notice of the fact of such violation to the customer by United States certified mail, return receipt requested.

For any subsequent violations: If the penalty assessed is, or includes the installation of a flow-restrictor or the discontinuance of water service to the customer for any period of time whatsoever, notice of the fact of the violation shall be delivered fifteen (15) working days before the penalty is to be enacted, in the following manner:

- ✚ Personal delivery of written notice to the customer at their residence or place of business and obtain their signature of delivery.
- ✚ Return receipt delivery to customer at their residence or place of business.

All notices shall contain, in addition to the facts of the violation, a statement of the possible penalties for the present violation for which the notice was written and each subsequent violation, a statement of the anticipated date of the penalty, if any, will be enacted for the present violation, and a statement informing the customer of the customer's right to a hearing on the violation.

Hearing: Any customer against whom a restriction or limitation is levied has the right to a hearing and a right to appeal to the Board of Directors. Written request from customer to the District must be received within fifteen (15) working days of the date of notification of the violation. Before the hearing can be scheduled all existing plumbing fixtures in the structure must be retrofitted exclusively with water-conserving plumbing fixtures including low flush or high efficiency toilets, low flow showerheads, and aerators. A water audit will be used to verify installation.

Enactments of the appropriate penalty shall be deferred until the appeal is resolved.

If the appeal decision is NOT in favor of the customer, the determined penalty shall be enacted within ten (10) days after the customer is advised of the decision in writing through certified mail, return receipt requested.

Reservation of Rights: The rights of the District hereunder shall be cumulative to any other right of the District to discontinue service. All monies collected by the District pursuant to any of the penalty provisions of the chapter shall be deposited in the water revenue fund as reimbursement for the District's costs and expenses of administering and enforcing this ordinance.

BE IT FURTHER RESOLVED, that the Crescenta Valley Water District finds that a program of voluntary measures to reduce consumption will assist in achieving the goal of conserving the water supply without causing unnecessary adverse economic consequences; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Crescenta Valley Water District authorize that Section 8.07(c) and Appendix G of the District's Rules and Regulations are amended to read as attached; and

BE IT FURTHER RESOLVED, that if critical water shortages continue to exist and if current measures prove insufficient to accomplish the necessary conservation, the Crescenta Valley Water District will consider additional and more restrictive phases of water conservation to curtail water use. Likewise, should water supply conditions return to normal, the Crescenta Valley Water District will also consider ending this program.

PASSED, APPROVED, AND ADOPTED at a Regular Meeting of the Board of Directors of Crescenta Valley Water District held on July 7, 2009, amendments to Resolution No. 682 were adopted by the following vote:

AYES:

NOES:

None

ABSENT:

None

ATTEST:

**President, Board of Directors
Crescenta Valley Water District**

Secretary of the Board of Directors

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

I, RON MITCHELL, Secretary of the Crescenta Valley Water District, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of the amendments to Resolution No. 682 of the Board of Directors of Crescenta Valley Water District adopted at a Regular Meeting held on July 7, 2009 and that the same has not been amended or repealed.

**Secretary of the Board of Directors of
Crescenta Valley Water District**

DATED: July 7, 2009

(S E A L)