

**3.3.10 Existing Backflow Prevention Assemblies.** All existing backflow prevention assemblies which do not meet the requirements of this Section 3.3, but were approved when installed and which have been properly maintained shall, except for the inspection and testing requirements under Section 3.3.9, be excluded from the requirements of the Ordinances, rules, and regulations of the District so long as the District has determined that they will satisfactorily protect the District's system. Whenever an existing backflow prevention assembly is moved from its location, requires more than minimum maintenance, or when the District finds that its maintenance constitutes a health hazard, the unit shall be replaced by a backflow prevention assembly meeting the requirements of the Ordinances, rules, and regulations of the District.

### **Section 3.4 Water Shortage and Drought Response Standards.**

(Ref. Ordinance No. 487-04 effective 4-01-04)

**3.4.1 Purpose.** The specific provisions of this Section are necessary and proper to conserve water resources and minimize cost to the District and expense to its customers.

#### WATER CONSERVATION STAGES

**3.4.2 Water Waste Prohibited.** No water user shall waste water or make, cause, or permit the use of water for any purpose contrary to any provision of this Section, or in quantities in excess of the use permitted by the conservation stage in effect pursuant to this Section. Soils should be amended appropriately for the soil conditions, type of vegetation, micro-climates and conditions. With proper lawn and garden maintenance and a properly designed irrigation system, watering three times a week is sufficient. Landscape should be installed in a manner that will reduce the amount of water needed for irrigation. Water for landscape should be applied in a manner that optimizes the use of fertilizer by the landscape and should prevent fertilizer from leaching into the ground water. The conservation stage shall be determined by the General Manager with regard to supply and demand of available water supplies, except that the Board shall determine any conservation stage more restrictive than Stage 2.

**3.4.3 Stage 1 - Normal Conditions.** During a Stage 1 - normal conditions, Water Users shall not waste water and shall abide by the following:

- a) Water Users shall not allow water to flow over the ground surface or from sprinklers onto impervious surfaces or adjacent property.
- b) Water Users shall repair all leaks in plumbing and irrigation systems.
- c) Hoses shall not be used for washing motor vehicles without an automatic shut-off nozzle attached to the hose. Continuous discharge from hose nozzle is prohibited. Notwithstanding any provision in this Section to the contrary, motor vehicles washing may be done at any time, subject to any

other applicable laws, on the property of a Commercial Car Wash or service station. Further, such washing is exempted from these regulations where the health, safety and welfare of the public is dependent upon frequent vehicle cleanings, such as garbage trucks and vehicles which transport food.

- d) All Water Users are encouraged to report to the District all signs or indications of water leaks or water waste.
- e) The irrigation of non-landscaped, natural vegetation or undeveloped property is expressly prohibited.
- f) Designated irrigation days are established: Properties with street addresses ending with an even number shall irrigate on Monday, Wednesday and Friday; and properties with street addresses ending with an odd number shall irrigate on Sunday, Tuesday and Thursday. There will be no irrigation permitted on Saturday. An individual irrigation zone in a property's irrigation system shall not irrigate more than one hour per day, unless the zone is irrigated exclusively by drip or other low-flow irrigation systems.
- g) Irrigation exclusively utilizing drip or other low-flow systems shall be exempt from designated irrigation days.
- h) An exemption shall exist under Stage 1 for new lawns planted to comply with the Tahoe Regional Planning Agency's Best Management Practices (BMPs) or, for any other reason, as follows:

- 1) Newly planted sod will be exempt for twenty-one (21) days from the date it was installed.

- 2) Seeded lawns, whether by hydroseed or other means, will be exempt for thirty (30) days from the date of application.

- 3) Bedding plants, including annuals and perennials, will be exempt for fifteen (15) days from the date of planting.

The property owner, or his/her designee, must notify the District verbally or in writing to obtain an exemption for the establishment of new vegetation as outlined above.

- i) The General Manager may permit extended periods of irrigation of public facilities if:
  - 1) a hand-held hose with an automatic shut-off is used, or
  - 2) a hand-held, faucet filled bucket of five (5) gallons or less is used, or
  - 3) a drip or low-flow irrigation system is used, or
  - 4) daytime use of public facilities prevents irrigation of all zones on the designated days listed above.

- j) Water shall not be used to wash sidewalks, driveways, parking areas, tennis courts, decks, patios or other improved areas, except in conjunction with driveway repair and sealing, or to alleviate immediate fire or sanitation hazards.
- k) 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.

**3.4.4 Stage 2 – Significant Water Shortage.** During a Stage 2 – significant water shortage, Stage 1 applies, and also the following shall apply:

- a) The filling with water of outdoor swimming pools, which are not covered during periods of non-use, is prohibited.
- b) The operation of any ornamental fountain or similar decorative water structure is prohibited unless a recycling system is used and a notice to the public of such recycling system is prominently displayed.
- c) Outdoor irrigation of all vegetation including lawns and landscaping is limited to twice per week, one hour per zone - even number addresses shall irrigate on Monday and Thursday and odd number addresses shall irrigate on Tuesday and Friday - except more frequent irrigation of public facilities may be permitted pursuant to Section 3.4.3(h) and 3.4.12.
- d) No water shall be used for irrigating landscaping for new construction.

**3.4.5 Stage 3 - Water Emergency.** During a Stage 3 - Water shortage emergency, Stages 1 and 2 restrictions apply and the Board may designate specific areas for further restrictions as follows:

- a) The use of water for other than domestic and commercial use is prohibited except irrigation of public facilities may be permitted pursuant to Section 3.4.16.
- b) The use of water for air conditioning purposes, where an alternate source of fresh air is available, is prohibited.

## **ENFORCEMENT**

**3.4.6 Enforcement.** The General Manager, and other District authorized representatives have the duty and are authorized to enforce all provisions of this Section 3.4.

**3.4.7 First Violation.** For a first violation within one calendar year, the District shall issue a written warning to the Water User.

**3.4.8 Second Violation.** For a second violation within one calendar year, a fine of \$100 for residential customers shall be added to the Water User's bill at the property where the violation occurred; for the second violation within one year, a fine of \$500 for commercial customers shall be added to the Water User's bill at the property where the violation occurred.

**3.4.9 Third Violation.** For a third violation within one calendar year, a fine of \$250 for residential customers shall be added to the Water User's bill at the property where the violation occurred; for the third violation within one year, a fine of \$750 for commercial customers shall be added to the Water User's bill at the property where the violation occurred. In addition to the fine, the Board or the General Manager may require installation of a flow-restricting device on the Water User's service connection.

**3.4.10 Fourth Violation.** For the fourth and any additional violations within one calendar year, a fine of \$500 for residential customers shall be added to the Water User's bill at the property where the violation occurred; for a fourth and any additional violations within one year, a fine of \$1,000 for commercial customers shall be added to the Water User's bill at the property where the violation occurred. The District may also discontinue the Water User's water service at the property where the violation occurred in accordance with District procedures. 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 District's discretion.

**3.4.11 District Enforcement Costs.** District shall be reimbursed for its costs and expenses in enforcing the provisions of this Section 3.4, including such costs as District incurs for District staff to investigate and monitor the Water User's compliance with the terms of this Section. Charges for installation of flow-restricting devices or for discontinuing or restoring water service, as the District incurs those charges, shall be added to the Water User's bill at the property where the enforcement costs were incurred.

## **ADMINISTRATION**

**3.4.14 General.** The provisions of this Section 3.4 shall be administered and enforced by the District through the General Manager, who may delegate such enforcement to one or more employees or contractors of the District.

**3.4.15 Utility Accounts.** Accounts shall not be established for new customers, including the transfer of accounts upon change of ownership, until the customer complies with the provisions of this Section 3.4. In pursuing the objectives of this Section 3.4 the General Manager shall seek the cooperation of other utility purveyors within the District's service area. The District will request that other utility purveyors not permit the establishment of new accounts until the customer complies with the provisions of this Section 3.4.

**3.4.16 Discretionary Exemptions.** The Board may, in its discretion, exempt Water Users and individual facilities of Water Users from the provisions of this Section 3.4, or impose reasonable conditions in lieu of compliance with this Section 3.4, if the Board finds that any of the following conditions exist:

- a) **Hardship.** The requirements of this Section 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 Section 3.4 would create an emergency condition, as determined by the Board 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 Section 3.4 would not increase the quantity of water consumed by the Water User or otherwise adversely affect service to other Water Users. In granting any such relief, the departure from the requirements of this Section 3.4 shall be limited to the minimum necessary to address the circumstances upon which such departure is required by a Water User.

**3.4.17 Appeals.** Any customer or applicant for a variance permit may appeal any decision under this Section 3.4 in accordance with Section 6.7.

## **REQUIREMENTS FOR NEW CONSTRUCTION**

**3.4.18 Mandatory Fixtures.** Low water use plumbing fixtures are mandatory for all new construction and any remodeling which involves the installation of new or additional plumbing fixtures. The low water use plumbing fixtures installed pursuant to this Section 3.4.18 shall not be replaced with fixtures which allow greater water use.

### **Section 3.5 Declining Groundwater Levels.** (Ref. Ord. 500-07)

**3.5.1 Policy and Purpose.** The purpose of this Section 3.5 is to regulate, manage, conserve and protect the District's ongoing water supply in such a manner that the District's water supply, including but not limited to the groundwater resources within the