

ORDINANCE NO. 2021-61

**AN ORDINANCE ESTABLISHING RULES AND REGULATIONS PROHIBITING
WASTEFUL USE OF WATER AND PROVIDING FOR ENFORCEMENT**

NORTH COAST COUNTY WATER DISTRICT

WHEREAS, California is experiencing a second dry year and periodic droughts are a historic fact in the State of California; and

WHEREAS, the District has undertaken a substantial public outreach effort to encourage its customers to reduce water use and conserve water during this state-wide drought, past droughts, and at all times; and

WHEREAS, the District's 2020 Water Shortage Contingency Plan Update, adopted on June 16, 2021, as part of its 2020 Urban Water Management Plan pursuant to California Water Code Sections 10610 *et seq.*, includes prohibitions on the wasteful use of water at all times; and

WHEREAS, California Water Code Section 375 *et seq.* authorizes the District to adopt and enforce water use regulations to reduce the quantity of water used for the purpose of conserving water supplies; and

WHEREAS, the District has published, posted notice of, and held a public hearing providing the public an opportunity to comment on this Ordinance.

NOW, THEREFORE, BE IT ORDAINED that the Board of Directors of the North Coast County Water District hereby takes the following actions:

Section 1. Findings

The District hereby finds and determines that it is necessary to adopt rules and regulations pertaining to the wasteful use of water, for the purposes of conserving and protecting the District's water supplies for the greatest public benefit, reducing the quantity of water unnecessarily used, and deterring and preventing the waste or unreasonable use or unreasonable method of use of valuable water resources.

Section 2. Water Use Prohibitions

The District, to promote water conservation, adopts each of the following water waste reduction actions, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- A. Potable water shall not be used to water outdoor landscapes in a manner that causes more than incidental runoff into non-irrigated areas, walkways, roadways, parking lots, or other hard surfaces.
- B. Hoses shall be equipped with a shut-off nozzle for washing vehicles, sidewalks, walkways, or buildings.
- C. Ornamental fountains or other decorative water features shall only use recirculated water or recycled water.
- D. Potable water shall not be applied in any manner to any driveway, sidewalk, or other hard surface except when necessary to address immediate health and safety concerns.
- E. Potable water shall not be applied to outdoor landscapes during and within 48 hours after rainfall measuring one tenth of one inch in a 24-hour period. Measurement to be taken at District Office located at 2400 Francisco Blvd, Pacifica.
- F. Potable water shall not be used to irrigate ornamental turf on public street medians.
- G. Restaurants and other food service operations shall serve water to customers only upon request.
- H. Customers are obligated to fix leaks, breaks, or malfunctions in lines, fixtures, or facilities. Loss or escape of water through breaks, leaks, or malfunctions in the water user's plumbing, distribution, or irrigation system is prohibited for any period time after such leak, break, or

malfunction should have reasonably been discovered and corrected. Leaks, breaks, or malfunctions must be corrected in no more than five days of District notification. The District, at its sole discretion, may temporarily shut off service if unable to contact the account holder on record.

- I. Hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily, and the hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- J. Single-pass cooling systems on new construction shall not be allowed.
- K. Recreational water features shall be covered when not in use.

Section 3. Enforcement

- A. Education. If the District believes that water has been or is being used in violation of the above restrictions, the District will try to educate the customers by contacting them and informing the customer about the violation, potential penalties, and compliance requires.
- B. Written Notice. If there is a second violation, the District will send a written notice to the customer specifying the nature of the violation and the date and time of occurrence and request that the customer cease the violation and take prompt remedial action. The District will provide the customer with a copy of this Ordinance and inform the customer that failure to comply may result in termination of water service.
- C. On-Site Notification. If a third violation is observed by the District, after the original written notice, the District will make reasonable efforts to notify the customer of the violation and post a notice on the front door or other point of entry onto the property requiring the customer to cease the violation and take remedial action within 48 hours of the on-site

notification. Failure to comply after the on-site notification may result in the temporary termination of water service.

D. Termination of Water Service

1. In the event that a further violation(s) is observed by District personnel 48 or more hours after the on-site notification, it will be deemed a willful violation of the mandatory restrictions prohibiting wasteful water use and the District may terminate water service or install a flow restrictor.

2. The customer shall be responsible for paying the District's costs incurred in enforcing this Ordinance, including providing the on-site notification, installing a flow restrictor, and terminating and restoring water service, on a time and material basis.

3. The customer shall pay all fees and charges above, and the customer's account must be in good standing, in order for the District to proceed with the reconnection of water service after it has been terminated.

Section 4. Appeal

Any customer who disputes a staff determination of a violation(s) of the above restrictions may appeal the termination of water service or installation of a flow restrictor in writing to the General Manager. The written appeal must be addressed to the General Manager and include (1) the customer's name; (2) address; (3) account number; (4) a description of the violation(s); (5) the enforcement action taken; and (6) a detailed explanation of the basis of the appeal. The General Manager will evaluate each written appeal based on the following criteria: (1) public health; (2) public safety; and (3) regulatory requirements of a state, federal, or local agency, including the District's regulations. The General Manager's decision may be appealed to the Board of Directors. The decision of the Board of Directors shall be final.

Section 5. Effective Date

All provisions of this Ordinance shall become effective after the publication of this Ordinance.

Section 6. Publication


District staff is hereby directed to arrange for this Ordinance to be published once in a newspaper of general circulation in the District and to be posted on the District's website within ten days after its adoption.

PASSED AND ADOPTED this 18th day of August, 2021, by the following vote:

AYES: Directors Ash, Burgett, Cosgrove, De Jarnatt and Piccolotti


NOES: None

ABSENT: None



President, Board of Directors
North Coast County Water District

ATTEST:



Secretary of the District