

Ordinance No. 15-02

An Ordinance of the Board of Directors Of Weaverville Community Services District Restricting Outdoor Irrigation to Two Days per Week

Section 1. California Emergency Conservation Regulations: On April 1, 2015, Governor Brown issued the fourth in a series of Executive Orders on actions necessary to address California's severe drought conditions, which directed the State Water Board to implement mandatory water reductions in urban areas to reduce potable urban water usage by 25 percent statewide. On May 5, 2015, the State Water Board adopted an emergency conservation regulation in accordance with the Governor's directive. The provisions of the emergency regulation went into effect on May 15, 2015. This Ordinance 15-02 is developed to satisfy the new regulation Section 865 (f)(1)(A) of Title 23 of the California Code of Regulations and has been developed as a result of passing Resolution 15-03 adopted on May 27, 2015 by the Weaverville Community Services District (WCSD) Board of Directors.

Section 2. Definitions: The following are definitions are intended solely for the interpretation of this ordinance.

- “**Odd Address**” – Odd numeric address as associated with WCSD account for parcel
“**Even Address**”- Even numeric address as associated with WCSD account for parcel
“**Ornamental**”- Not intended for human consumption
“**Turf**”- Grasses, lawns, ground cover, and other sprawling vegetation not intended for human consumption.
“**Drip Irrigation**”- a low-volume, low-pressure (regulated lower than system pressure) system that places water slowly and directly in the root zone of the desired plant, increasing the efficiency of the water applied. Water is delivered through emitters, drip tape or drip tubes placed either above or below ground. Micro-spray, micro-jet or micro-bubbler systems are included, so long as no emitter produces more than 2 gallons per hour.

Section 3. Irrigation Limitations: All customers of the Weaverville Community Services District including, residential, commercial, institutional, and industrial, shall limit all outdoor irrigation of ornamental landscapes and turf with potable water to two of the three days available for their corresponding address each week.

**Monday, Thursday, & Saturday for odd addresses
Tuesday, Friday, & Sunday for even addresses**

All irrigation is prohibited between the hours of 10:00am- 6:00 pm.

- a. Exceptions: The above limitations of Section 3 do not apply to the following;
1. Water from onsite wells, surface water, rain water, or other non-WCSD system water.
 2. Irrigation of hanging and/or container plants.
 3. Irrigation water from a greywater system which has been permitted by Trinity County or is exempt from permitting, pursuant to Section 1603A1.1 of the Department of Housing and Community Development Code.
 4. Irrigation by drip systems as defined in Section 2.

5. Irrigation of vegetation for commercial sale.
6. Irrigation with water captured from household use for conservation purposes.

Section 4. Enforcement and Penalties: Upon confirmation by WCSD Staff of irrigation or evidence of recent irrigation with WCSD potable water on unapproved watering days, the district will take the following actions;

1st occurrence – will receive a site visit by District staff with a verbal warning and a door hanger to notify the customer of the violation

2nd occurrence – will receive a site visit by District staff with a verbal notification, a door hanger, and assessed a \$10 penalty.

All occurrences thereafter – will receive a site visit by District staff with a verbal notification, a door hanger, and assessed a \$50 penalty.

Upon notification and placement of door hanger, said irrigation practices that are in violation must cease. Refusal to cease irrigation could result in further penalty and/or termination of service. Upon termination of service, customer will be responsible for a reconnection charge established by previous ordinance and payment of all current and past due charges prior to reconnection.

Section 5. Variance Request and Appeal: Any customer may apply for a variance to the watering times established above by submitting a request in writing to the General Manager for review. Said written requests shall be submitted on a form provided by the District and shall include but not be limited to customer name, address, phone number, account number, statement of hardship/reasons for desired variance, and desired irrigation schedule.

The General Manager shall respond to the variance request within 48hrs after receipt. Response shall be in writing from the General Manger or other district staff under the General Managers direction.

Customers will have an opportunity to appeal the decision of the General Manager on a form provided by the District. All appeals will be placed on the next available Board of Directors meeting agenda provided that the appeal form is received by the District office by 3:00 pm on the Friday before the Board of Directors meeting. Until the Board has had an opportunity to consider and decide the appeal request, the prior direction of the General Manager shall remain in effect.

Section 6. Enactment: This Ordinance is enacted in connection with the operation by the District of a general system for the distribution of domestic water supplies and is required to remain in compliance with emergency drought regulations developed by the State of California. This Ordinance 15-02 is hereby declared to be in full force and effect 30 days after its adoption by the Board of Directors of the District. Within 15 days of adoption, this Ordinance 15-02 will be published once in its entirety in the Trinity Journal for public notice. The Ordinance will also be available for public viewing at the District Office during regular business hours upon its adoption and published on the District's website. This Ordinance shall stay in effect through February 13, 2016 unless the California State Water Board makes the determination that the regulation is no longer necessary. If the State Water Board renews the regulation, then this ordinance shall stay in effect until the date determined upon renewal.

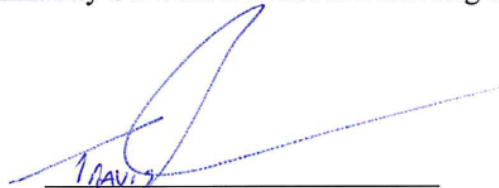
Section 7. Severability: If any section or provision of a section in this Ordinance or the application thereof to any person circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are severable. The Board of Directors of the District hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 8. No Mandatory Duty of Care: This Ordinance is not intended and shall not be construed or given effect in a matter which imposes upon the District or any officer or employee thereof, a mandatory duty of care towards persons or property within the District so as to provide a basis for civil liability for damages, except as otherwise imposed by law.

Section 9. Repeal of Conflicting Ordinances: All ordinances and parts of ordinances and resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist.

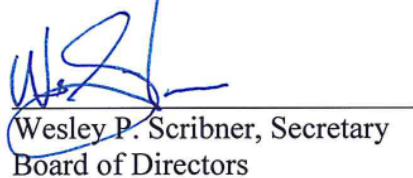
Section 10. Adoption: The foregoing Ordinance was duly and regularly adopted by a majority of the Board of Directors of the Weaverville Community Services District at a meeting held on June 24th, 2015

ADOPTED this 24th day of June, 2015.



Travis Perkins, Chairman
Board of Directors

ATTESTATION:



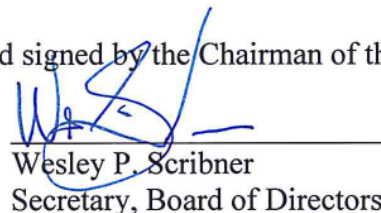
Wesley P. Scribner, Secretary
Board of Directors

STATE OF CALIFORNIA)
TRINITY COUNTY) ss.

I, **Wesley P. Scribner**, Secretary of the Board of Directors of the Weaverville Community Services District, do hereby certify that Ordinance No. 15-02 was introduced at a regular meeting of the Board of Directors of the Weaverville Community Services District held February 25, 2015, and was thereafter passed and adopted by the following vote:

AYES: Perkins, Moodie, Mcfadden NOES: Ottem
ABSENT: Cook ABSTAIN:

I further certify that Ordinance No. 15-02 was approved and signed by the Chairman of the Board on the date of its passage.



Wesley P. Scribner
Secretary, Board of Directors