

**WATER UTILITY  
RULE NO. 21**

**WATER CONSERVATION**

(Amended by Resolution No. UB-06-2017)

**A. DEFINITIONS:**

The following words, terms and phrases, shall have the meanings ascribed to them under this Rule, except where the context clearly indicates a different meaning:

**Baseline Water Conditions:** For the purposes of this Rule 21, a baseline water condition is when desired/projected water consumption is 20% below 2013 water consumption levels.

**Commercial and public agency water user includes:** (1) any water user or customer conducting business, either retail, commercial, or industrial; and (2) any water user that is a public or governmental entity, such as the state government, school district, community college, the county, city or municipal government, or special district; and (3) any water user that owns and manages residential property, including HOAs, where the water meter serves landscaped areas commonly shared by multiple residential units.

**Excess runoff:** water accumulation on streets, gutters, neighboring properties or other surfaces in an amount sufficient to cause flow.

**Residential water user:** water customers that pay for water service to their individual residential dwelling unit or customers that pay for water service provided to single dwelling units that are rented or leased.

**Water user:** any person, customer or property served within the incorporated boundaries of the city and the area outside the city boundary served by the city water utility.

**Water Utility:** Azusa Light & Water's water utility.

**B. APPLICABILITY:**

This rule shall apply to all water users within the service area of Azusa Light & Water.

**C. WATER USER RESPONSIBILITY:**

Water users are deemed to have under control at all times their water distribution and facilities and to know the manner and extent of their water use and excess runoff. In multiple dwellings, the owner is the water user in control of the premises and is in control and responsible for the water usage.

**D. MANDATORY WATER CONSERVATION MEASURES:**

Unless formally suspended and/or modified by the Azusa Utility Board from time-to-time, the following Mandatory Water Conservation Measures shall be in continuous effect.

1. No water user shall cause or permit Excess Runoff to occur from any hose, pipe, valve, faucet, sprinkler or irrigation device onto any sidewalk, street or gutter or to otherwise escape from the property if such flow or runoff can reasonably be prevented.
2. If a break or leak occurs within the water user's plumbing or private distribution system, the leak shall be repaired within 48 hours after the water user discovers the leak or after the water user is notified of the leak.
3. Watering of grass, lawns, ground cover, open ground, shrubbery, crops, gardens and trees, including agricultural irrigation, in a manner or to an extent which allows Excess Runoff from the area being watered shall not be permitted. Runoff which is a natural consequence of conservative watering, either by hand or mechanical sprinkling facilities, is permitted so long as such runoff is not Excess Runoff.
4. There shall be no lawn (turf) watering and landscape irrigation between the hours of 9:00 a.m. and 6:00 p.m. on any day of the week. Lawn (turf) watering shall be limited to no more than 30 minutes per location per day.
5. Water users shall not operate a water hose without a positive shutoff nozzle.
6. There shall be no washing down of sidewalks, walkways, driveways, garages, patios, parking lots and all other paved surfaces, except to alleviate immediate health, fire or sanitation hazards.
7. It is unlawful to remove, replace, alter or damage any water meter or any components thereof, including but not limited to the meter face, its counters that register water usage, wires and transceivers, and any flow-restricting device that may be installed.
8. Water from fire hydrants shall not be used for any purpose other than to fight fires or for other activities where such use is immediately necessary to maintain the health, safety and welfare of the residents and customers in the water utility's service area (such as required flushing by utility personnel). Metered water use for control of dust and at construction sites shall be considered necessary to maintain health and safety and are eligible uses of water from fire hydrants.
9. The utility may require commercial water users to submit diagrams of irrigation

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systems for all water meters that are supplying water exclusively for irrigation purposes. Such diagrams are to show, at a minimum, location of irrigation meter, meter number, and irrigation sprinklers or stations connected to the dedicated irrigation water meter. Other information may be required, including copy of a water conservation plan and landscape irrigation schedules.

10. Washing of motor vehicles, trailers, boats and other types of equipment shall be done only with a hand-held bucket or a hose equipped with a positive shutoff nozzle for quick rinse, except that washing may be done with reclaimed wastewater or by a commercial car wash using recycled water. No Excess Runoff shall result from such activities.
11. No potable water shall be used to fill or maintain water levels in fountains, ponds, lakes or other similar aesthetic structures, unless such water is part of a recirculating system.
12. There shall be no watering during rain events or within 48 hours after rain events.
13. Irrigation of ornamental turf in public street medians is prohibited except as a limited byproduct of keeping existing median trees healthy.

**E. OPTIONAL WATERING RESTRICTIONS:**

From time to time, the Director of Utilities may recommend and implement lawn and landscape watering restrictions as deemed appropriate to obtain desired water use reduction goals. Possible restrictions include the following:

1. Three days per week watering
2. Three days per week watering during Summer Period (April 1 through October 31) and two days per week during Winter period (November 1 through March 31)
3. Two days per week watering
4. Two days per week watering during Summer Period and one day per week watering during Winter Period
5. One day per week watering
6. Voluntary restrictions only

When recommending lawn/landscape restrictions, the Director of Utilities may specify the maximum amount of time a particular location can be watered, the time(s) of day for allowed watering, and exceptions for various watering methods and types of water.

**F. CURRENT LAWN/LANDSCAPE WATERING RESTRICTIONS:**

**Effective June 1, 2017**, water customers may water their lawns, landscapes and other turf areas subject to the following:

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For Residential and Commercial/HOA customers, lawn (turf) and landscape watering shall be restricted to the following days:

	<b>Summer Months (April through October)</b>	<b>Winter Months (November through March)</b>
<b>Residential</b>		
Even Address	Tuesday, Thursday, Sunday	Thursday, Sunday
Odd Address	Monday, Wednesday, Saturday	Wednesday, Saturday
<b>Commercial/HOA</b>	Monday, Wednesday, Friday	Monday, Friday

1. If a hand-held hose with a positive shut-off nozzle; a bucket or watering can; a rain barrel; a drip irrigation system; or reclaimed, recycled or gray wastewater is used; lawn or landscape watering may be done on any day.
2. **All Mandatory Water Conservation Measures of Section D shall continue to apply** to include paragraph D4 which says:
 

“There shall be no lawn (turf) watering between the hours of 9:00 a.m. and 6:00 p.m. on any day of the week. Lawn (turf) watering shall be limited to no more than 30 minutes per location per day.”
3. In order to facilitate recharge of the local groundwater basin in preparation for future water shortage periods, water users shall actively seek to limit total water usage in any month to an amount equal to (or less than) the corresponding month of the prior calendar year.

**G. ADDITIONAL WATER SHORTAGE DECLARATIONS:**

**1. Phase I Water Shortage:**

A Phase I Water Shortage may be declared by the Director of Utilities if it has been determined that there is need to reduce water consumption by five percent (5%) below Baseline Water Conditions based on available water supply and demand information.

**2. Phase II Water Shortage:**

A Phase II Water Shortage may be declared by the Director of Utilities if it has been determined that there is need to reduce water consumption by ten percent (10%) below Baseline Water Conditions based on available water supply and demand information.

**3. Phase III Water Shortage:**

A Phase III Water Shortage may be declared by the Director of Utilities if it has been determined that there is need to reduce water consumption by fifteen percent (15%) below Baseline Water Conditions based on available water supply and demand information.

**4. Phase IV Water Shortage:**

A Phase IV Water Shortage may be declared by the Director of Utilities if it has been determined that there is need to reduce water consumption by twenty percent (20%) or more Baseline Water Conditions based on available water supply and demand information.

Prior to making a public announcement of a Water Shortage phase, the Director of Utilities shall document the basis for the water shortage declaration and communicate this information to the Utility Board.

If a Water Shortage phase is declared, water users will be subject to the Commodity Drought Rate Schedule corresponding to the adopted water shortage phase (see Section C of the Water Rate Schedule).

Azusa Light & Water shall publish the declaration of a Water Shortage phase in a local newspaper of general circulation, including the applicable Commodity Drought Rate Schedule and implementation/effective date of the declaration.

**H. REQUEST FOR RELIEF FROM COMPLIANCE:**

1. A water user may file a written request for relief from compliance with the various programmatic water use restrictions of this Rule 21 to the Director of Utilities. The Director of Utilities may delegate his duties and responsibilities for review of "Relief Requests" under this section as appropriate.
2. The Relief Request may include a request that the water user be relieved, in whole or in part, from the water use restrictions in effect during a declared water shortage. A water user may not apply for relief from Commodity Drought Rates.
3. The Relief Request may include various justifications for exemption, including but not limited to the following:
  - a. Whether any additional reduction in water consumption will result in unemployment or significant loss of income from commercial or industrial activities;
  - b. Water uses during new construction;

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- c. Adjustments to water use caused by emergency health or safety hazards;
  - d. Water use necessary for reasons related to family illness or health.
4. In order to be considered, a water user must submit a written request for relief including the justification for such relief to the Director of Utilities. No relief shall be granted unless the water user shows that the maximum practical reduction in water consumption has been achieved by the water user. No relief shall be granted to any water user who, when requested by the Director of Utilities, fails to provide any information necessary for resolution of the water user's Relief Request. The decision to issue relief or exemption from certain rules or requirements shall be issued within 15 days of receiving all required information and provided in writing to the water user.
5. A decision hereunder may be appealed to the City Manager through a written appeal request within 15 days of receipt of an adverse decision. The City Manager's decision will be issued within 15 days following an appeal hearing and this decision will be final.

**I. NOTICES, CITATIONS, PENALTIES, CHARGES, AND SERVICE TERMINATION:**

Any employee of the Water Utility, or other employees as designated by the Director of Utilities, may issue citations for violations of this Rule 21. Water Users as defined in this Rule shall be presumed to be the violator. Imposed fines will be added to the water bill of a cited customer and failure to pay shall result in termination of water service. The Water Utility will impose the following penalties on violators of this Rule 21:

- 1. For violations of Sections D and F, first-time violators shall be provided with a courtesy notice (warning) for the violation. Upon second and subsequent violations, the violator shall receive a citation and fine pursuant to the next paragraph. **Note: Warnings and citations/fines received by water users prior to June 1, 2017 shall not be considered when issuing warnings and citations/fines on and after that date.**
- 2. If a violator has received a prior warning of a Rule 21 violation, the violator shall receive a citation and fine as specified below on a form that describes the nature of the violation, the rule violated, the date on which it occurred and the corrective measures to be taken:
  - a. Residential Water Users
    - i. For the first violation, \$50.00.
    - ii. For the second violation, \$100.00.
    - iii. For the third violation, \$200.00.

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iv. For a fourth and subsequent violations, \$200. In addition, the Director of Utilities may authorize the installation of a flow restriction device at the customer's premises or terminate water service for flagrant or continuing disregard by the customer of mandatory water shortage restrictions including the designated days of watering. Such flow restrictor installation or termination of service shall continue until the Director of Utilities is satisfied that the customer will comply with all water shortage rules going forward. The water user shall also pay flow restrictor installation and removal costs and, in the case of service termination, reconnection charges in effect at the time of service termination in order to restore water service.

b. Commercial and Public Agency Water Users

- i. For the first violation, \$100.00.
- ii. For the second violation, \$300.00.
- iii. For the third violation, \$600.00.
- iv. For a fourth and subsequent violation, \$600. In addition, the Director of Utilities may authorize the installation of a flow restriction device at the customer's premises or terminate water service for flagrant or continuing disregard by the customer of mandatory water shortage restrictions including the designated days of watering. Such flow restrictor installation or termination of service shall continue until the Director of Utilities is satisfied that the customer will comply with all water shortage rules going forward. The water user shall also pay flow restrictor installation and removal costs and, in the case of service termination, reconnection charges in effect at the time of service termination in order to restore water service.

**J. APPEAL/HEARING REGARDING VIOLATIONS:**

1. Any Water User receiving notice of a violation of this Rule 21 shall have a right to appeal the citation to the Assistant Director of Utilities – Customer Care & Solutions (or designee) within ten (10) days of the notice of violation. The appeal, and the basis for the appeal, shall be in writing and contain a contact email address or telephone number in case further information or clarification is desired. The decision by the Assistant Director shall be in writing and shall be made within 15 days of receipt of the appeal or date upon which all requested information or clarification is received by the Water Utility. For an appeal of a first citation, the decision of the Assistant Director shall be final.
2. A water user may request a hearing by the Director of Utilities (or designee) to appeal the decision by the Assistant Director for a second or subsequent citation. The request for hearing shall be made in writing within ten (10) days of the appeal decision.

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3. The appeal hearing will be scheduled to occur within a reasonable period of time following filing of the appeal. No formal rules of evidence shall apply. All evidence customarily relied upon by reasonable persons in the conduct of serious business affairs will be allowed, and the water user may present any such evidence which shows the alleged violation of this Rule's water use restrictions has not occurred. The decision of the Director of Utilities will be given in writing to the water user within 15 days after the appeal hearing, and that decision shall be final.

**K. ADDITIONAL MEASURES:**

The Azusa Utility Board may order implementation of water conservation measures in addition to those set forth in this Rule. Such additional water conservation measures shall be adopted by resolution published one time in a daily newspaper of general circulation covering the service area of the water utility. Any prohibitions on the use of water shall become effective immediately upon such publication or such later date as set forth in such resolution.

**L. EFFECT ON PUBLIC HEALTH AND SAFETY:**

Nothing in this Rule 21 shall be construed to require the Director of Utilities to curtail the supply of water to any water user when such water is required by that customer to maintain an adequate level of public health and safety.

**M. AZUSA MUNICIPAL CODE:**

Azusa Municipal Code Sections shall be updated to be consistent with this Rule 21.