

ORDINANCE NO. 42

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE LAKE
ARROWHEAD COMMUNITY SERVICES DISTRICT, COUNTY OF
SAN BERNARDINO, STATE OF CALIFORNIA**

**ESTABLISHING LANDSCAPE WATER CONSERVATION
REQUIREMENTS.**

(See Resolution 96-19)

WHEREAS, Pursuant to Article 10, §2 of the California Constitution, the water resources in the State of California and County of San Bernardino must be put to beneficial use to the fullest extent of which they are capable. Waste or unreasonable use of water must be prevented and conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof;

WHEREAS, It is the policy of the District to promote the conservation and efficient use of water and to prevent the waste of this valuable resource. The continuation of economic prosperity in the Lake Arrowhead area is dependent upon adequate supplies of water being available for users;

WHEREAS, Landscape design, installation, and maintenance can and should be water efficient, while respecting the economic, environmental, aesthetics and lifestyle choices of individuals and property

owners. Landscapes are essential to the quality of life in the Lake Arrowhead area since they provide areas for recreation and also enhance the environment by cleaning air and water, preventing erosion, offering fire protection and replacing ecosystems lost to development;

WHEREAS, the purpose of this Ordinance is to establish regulations to reduce landscape water consumption within the climatic, geologic and topographical conditions existing in the Lake Arrowhead area.

THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Authority to Adopt Ordinance. Pursuant to sections 375 et seq. and 1009 of the Water Code, the Board of Directors has the authority to adopt a water conservation program in order to reduce the quantity of water for purposes of conserving water supplies of the District.

Section 2. Promotion of Water Efficient Landscape Design, Installation, and Maintenance. In order to promote landscape maintenance practices which foster landscape water conservation, the following conservation measures should be utilized at all times regardless of the applicability of any Lake Level Drought Stage or Water Treatment Plant Production Capacity Water Restriction Stage, as further described in this Ordinance.

- (a) The use of water for any purpose should not result in flooding, run-off in gutters, driveways, streets or adjacent lands.
- (b) Sidewalks, walkways, driveways, parking areas, patios, porches, verandas, or any like area should not be washed off with water from hoses or by any other means for dust control or any decorative reason.
- (c) Irrigation of all landscapes, plants, trees and land should be done between the hours of 6:00 p.m. and 8:00 a.m., with the exception of newly seeded plants and other new planting, which may be watered intermittently until rooting is established.
- (d) Customers should refrain from irrigating landscapes on Saturday and Sunday between Memorial Day and Labor Day, except in the case of newly seeded plants and other new planting, which may be watered intermittently until rooting is established.
- (e) Water lines, faucets and other facilities should be maintained so they do not leak water.
- (f) Lawns, trees, shrubs and other landscaping should not be watered beyond what is needed for natural growth and to sustain life. Water should not be permitted to pool or collect to the point of run-off. New irrigation systems for both residential and commercial uses should

be installed with the proper irrigation systems appropriate to the area and terrain. Any planting within the drip line of any tree should be compatible with the proper needs of the tree. Plantings should be grouped according to their water requirement.

(g) Turf applications in commercial and residential areas should be limited to 30% of the area to be landscaped. Planting of water conserving plants adaptable to the climatic region is encouraged.

(h) For new landscape construction or installation, automatic electric irrigation controllers should be installed.

(i) Parks, schools, golf courses and all public use lands should be irrigated only between the hours of 10:00 p.m. and 5:00 a.m.

(j) Landscaping which is part of a registered historical site should be exempt from the provisions of this Ordinance, except in the event of the Third Stage of Drought or Plant Capacity Restriction, as further described in this Ordinance.

Section 3. Policy to Promote Conservation. It is the policy of the District to educate customers on the benefits of water efficient landscaping practices and to promote the utilization of said practices through the following means:

- (a) Public education programs to inform the public on the benefits of conservation, including the potential savings in water and sewer bills.
- (b) Information and materials concerning this Ordinance will be available at the District offices to help the community understand and comply with its provisions.
- (c) This Ordinance, which has been endorsed by the local licensed landscape professionals, shall be provided by the District to new property owners upon issuance of a permit for new construction or development. Customers will be encouraged to consult with a licensed landscape professional to assist them in meeting the requirements of this Ordinance.
- (d) The public will be notified of Drought and Plant Capacity Restriction Stages through the appropriate notice procedures, as well as through the local and regional newspapers and cable television. In addition, the District will post “Water Watch” public advisory signs at various locations throughout the Lake Arrowhead area.
- (e) This Ordinance shall be reviewed and revised from time to time in the discretion of the Board of Directors. Such review shall

take place at a minimum, each Spring.

Section 4. Water Shortage Emergency

(a) In addition to the conservation measures set forth in Section 2, which shall be in effect as of the effective date of this Ordinance, the Board may declare a water shortage emergency condition to prevail whenever it finds that the ordinary requirements of customers cannot be satisfied without depleting the District's water supply to the extent there would be insufficient water for human consumption, sanitation, and/or fire protection.

(b) The Board shall make this determination upon adoption of an Ordinance in accordance with the authority and procedures set forth in Water Code section 350 et seq. In addition, said authority may be exercised in the event the Board determines that the water shortage emergency condition does not constitute an immediate emergency, but is necessary due to a threatened water shortage.

(c) Upon adoption of an Ordinance establishing such an emergency, the Board shall then have the authority to adopt such regulations and restrictions on the delivery and consumption of water as will, in the discretion of the Board, conserve the District's water

supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection. Such regulations shall thereafter remain in place during the period of the emergency and until the Board determines that the District's water supply has been replenished or augmented. Such regulations may include, but shall not be limited to, the responses set forth in Sections 5 and 6 below.

Section 5. Lake Level Drought Stages. A water shortage emergency may be declared, pursuant to Section 4, in the event the following Lake Level Drought Stages are determined to exist:

- | | | |
|-----|-------------------------|----------------------|
| (a) | Normal Level | Above 5,100 feet |
| (b) | First Stage of Drought | 5,100 - 5,093.6 feet |
| (c) | Second Stage of Drought | 5,093.6 - 5,087 feet |
| (d) | Third Stage of Drought | Below 5,087 feet |

The following responses may be made in the event said Lake Level Drought Stages are determined to exist:

- (e) Normal Level. When the Lake is at a Normal Level, only the conservation measures set forth in Section 2 will be in effect.
- (f) First Stage of Drought. In the First Stage of Drought, close observation will be made of the Lake Level. The District

shall provide on-going notification to the public so that proper measures can be taken to prepare landscapes for more severe drought conditions.

(g) Second Stage of Drought. In the Second Stage of Drought, watering shall be reduced to three times a week at their normal cycles.

(h) Third Stage of Drought. In the event of a Third Stage of Drought, the following shall take place:

(i) There will be no new landscaping constructed until the Lake returns to at least the First Stage of Drought.

(ii) The watering of all landscapes outside of 30 feet from structures for fire protection shall be prohibited, with the exception of pine and native trees.

Section 6. Water Treatment Plant Production Capacity

Water Restriction Stages. A water shortage emergency may be declared pursuant to Section 4, in the event the Water Treatment Plant Production Capacity Water Restriction Stages identified in Exhibit 1 are determined to exist. The following responses may be made in the event said Water Treatment Plant Production Capacity Water Restriction Stages are determined to

exist:

- (a) Normal Capacity. During Normal Capacity, only the conservation measures set forth in Section 2 will be in effect.
- (b) First Stage of Restriction. During the First Stage of Restriction, close observation will be made to plant production capacity. The District shall provide on-going notification to the public so that proper measures can be taken to prepare landscapes for more severe restrictions. In the event the plant production capacity decreases further, second and third stage measures will be taken as needed.
- (c) Second Stage of Restriction. During the Second Stage of Restriction, watering shall be reduced to three times a week at their normal cycles.
- (d) Third Stage of Restriction. During the Third Stage of Restriction, the watering of all landscapes outside of 30 feet from structures for fire protection shall be prohibited, with the exception of pine and native trees.
- (e) In the event it is determined that the Third Stage of Restriction conditions are likely to continue for more than a certain period of time, as determined by the Board pursuant to Section 4, all

landscape irrigation shall be prohibited.

Section 7. Violation of Water Shortage Emergency

Ordinance.

An Ordinance adopted pursuant to a water shortage emergency, as set forth in Section 4, may provide for penalties including, but not limited to, the following:

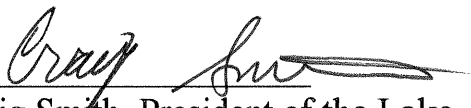
- (a) First offense: Surcharge of 25% of the affected month's total water bill.
- (b) Second offense: Surcharge of 50% of the affected month's total water bill.
- (c) Third offense: Surcharge of 100% of the affected month's total water bill.
- (d) Fourth offense: Termination of water service.

Section 8. Effective Date. This Ordinance shall be effective upon adoption.

THE FOREGOING ORDINANCE was introduced at a meeting of the Board of Directors of the Lake Arrowhead Community Services District held on May 28, 1996, following a Public Hearing, notice of which was published in The Mountain News once a week for two successive weeks, on May 16, 1996 and May 23, 1996.

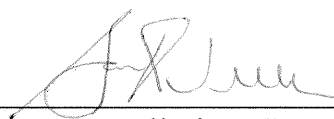
ADOPTED by the Board of Directors of the Lake Arrowhead Community Services District at a regular meeting held on the 28th day of May, 1996, by the following vote:

Ayes:	Huber, Kendrick, Shaw
Noes:	None
Abstentions:	None
Absent:	Jarrett, Smith



Craig Smith, President of the Lake Arrowhead Community Services District and of the Board of Directors thereof.

ATTEST:



Gary R. Valladao, Secretary of the Lake Arrowhead Community Services District and of the Board of Directors thereof.

SEAL

Ordinance No. 42

Exhibit 1

Establishing Landscape Water Conservation Requirements

Water Treatment Plant Production Capacity Water Restriction

Restriction Stage	Plant Production Capacity	Consecutive Days Without Recovery	Percent of Zone 1 Reservoir Capacity to Achieve Recovery
Normal	Up to 75%		
First Restriction Stage	75% to 80%	Up to 2 Days	80%
Second Restriction Stage	75% to 80% or 80% to 85%	More than 2 Days Up to 2 Days	80% 80%
Third Restriction Stage	85% or Above or, if there is a failure of any intake, booster or clearwell pump.	1 Day	90%
