

TITLE: Drought Contingency Plan		PAGE: 1 of 6
EFFECTIVE DATE: April 23, 2019	City Ordinance #496-19; Amended Chowchilla Municipal Code Chapter 13.04 – Water Service	

**A. PURPOSE**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, To protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions,

The Chowchilla City Water Department hereby adopts the following regulations and restrictions on the delivery and consumption of water to ensure that Municipal Code Section 13.04.200, “No person shall willfully waste water supplied by the City Water Department”, is achieved.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in this plan.

The Chowchilla City Water Department will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of public hearings, newsletters, bill inserts and the World Wide Web.

The service area of the Chowchilla City Water Department is located within the Madera Regional Water Management Area and City of Chowchilla has provide a copy of this plan to the Central Valley Regional Water Quality Control Board.

**B. GENERAL POLICY**

The Chowchilla City Council, or their designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Mayor of the City of Chowchilla, or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this plan.

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the Chowchilla City Water Department. The terms “person” and “customer” as used in the Plan may include individuals, corporations, partnerships, associates, and all other legal entities. The Chowchilla City Council, or their designee shall monitor water supply and/or demand conditions according to necessity and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on the recommendations of the Department of Water Resources.

## **Drought Response Triggers - Declaring Water Conservation Levels**

### **Standard Water Conservation Measures – Normal Water Supply**

Water supply conditions are adequate to meet the demands of the City's Customers. The goal of this stage is the use of water efficiently in conformance with the water conservation Best Management Practices (BMPs) specified in the City's Urban Water Management Plan. Requirements specified in this stage are applicable to and in force at all times and in all other stages of this regulations. The following requirements shall be in force during Normal Water Supply and in all subsequent stage declarations unless the Council modifies or adds to these restrictions:

1. In the use of water supplied by the City of Chowchilla, the following requirements shall apply:
  - a. Washing of exterior asphalt or concrete areas with potable water is prohibited except for those businesses that are governed by the Food and Drug Administration or State or County Health Department requirements that require these areas to be washed for health purposes. Documentation indicating such regulations must be provided to the director.
  - b. The use of potable water for washing cars, boats or other vehicles is prohibited without the use of a quick acting positive shutoff nozzle on the hose and the use of buckets for washing with water from the hose used for light rinsing. These regulations apply to both residential customers and fundraising events. The business owner at which a fundraising car wash is held is responsible for both the enforcement of these regulations and any citations which may result due to abuse of these regulations.
  - c. All new construction and remodeling or additions to habitable areas with a valuation in excess of five thousand dollars (\$5,000.00) will be required to install or replace existing faucets and showerheads with low flow devices and toilets with ultra-low flow units that are in compliance with Senate Bill 407.
2. Exceptions: The City Administrator or designee may grant an exception from the requirements of this chapter for any of the following reasons:
  - a. Water use is necessary to public health and safety or for essential government services; or
  - b. Recycled water is being used; or
  - c. Water use is necessary due to the medical needs of the water customer; or
  - d. An alternative water source/supply is available for use.
3. Exemptions: The City Council may grant an exemption to the requirements of this chapter, with or without conditions, if it determines that a water customer would otherwise experience extreme financial hardship that cannot be mitigated.
  - a. The City Council shall review any requests for an exemption from compliance with this chapter.
  - b. A written request for an exemption must be submitted to the City Clerk a minimum of two weeks prior to the regularly scheduled City Council meeting at which the exemption is to be considered.
    - i. If appropriate, the City Council may require the customer granted an exemption to reduce water use by other appropriate alternative methods.

- ii. Notwithstanding, any other provision of this code, there shall be no right to further administrative review or appeal of the determination of exemption of the City Council.
- c. The City Council may establish and “exemption processing fee” by resolution.

### **Declaring Conservation Level A**

The City Council may declare the conservation level based on a determination made by the City Administrator, or based upon any reduction in water supply or delivery that the City Council determines in its sole discretion necessitates water conservation pursuant to this chapter.

The City Council may determine and order water prohibitions and restrictions **Levels I – IV** as outlined herein. The City Council will publish a notification in a newspaper of general circulation a declaration of the level of conservation to be implemented. Compliance within five days of publication of the declaration is mandatory.

1. **Level I – Conservation Measures.** The goal of this measure is to have residents and businesses voluntarily comply with best practice water conservation measures, with the goal of reducing average water consumption by ten percent. Water tanks and wells will be monitored by the water department.
  - a. At this level of the conservation plan, the goal is to inform the public of the pressing need to conserve water. This can be done through information and education measures, which can directly affect water-use habits of the city’s customer base.
    - i. Examples: Water bill inserts, pamphlets upon request, partnering with local schools to encourage water conservation practices, creating workshops for local plumbers, plumbing fixture water utilities, and builders or landscape and irrigation service providers are all examples of education and information measures the city can implement.
  - b. The goal of this measure is to have residents and businesses voluntarily comply with best practice water conservation measures, with the goal of reducing average water consumption by ten percent (10%). Water tanks and wells will be monitored by the water department
  - c. The following restrictions shall apply:
    - i. Customers shall water outdoor landscaping no more than three days per week. The Council may designate dates and times for outdoor landscaping watering by adopting rules or regulations through a resolution.
    - ii. Landscape watering for municipal parks will be reduced from six to four days or less per week, unless otherwise directed by rules or regulations adopted pursuant to Chowchilla Municipal Code Section 13.04.160.
    - iii. Drilling of new water wells and/or deepening of existing water wells for either agricultural or domestic uses must be reviewed by the director of public works prior to commencement of work. Such work will be approved or denied based on the evaluation or prior and/or current use of the land.
2. **Level II – Conservation Measures.** All prohibitions and restrictions in Level I shall apply, and in additions.
  - a. Customers shall water outdoor landscaping no more than two days per week. The Council may designate dates and times for outdoor landscaping watering by adopting

- 
- rules or regulations through a resolution.
- b. Hotels, restaurants, and bars are encourage to only provide drinking water to customers upon request.
  - c. Landscape watering for municipal parks will be reduced to three days or less per week, unless otherwise directed by rules and regulations adopted pursuant to Chowchilla Municipal Code Section 13.04.160.
  - d. Drilling of new water wells and/or deepening of existing water wells for either agricultural or domestic used must be reviewed by the director of public works prior to commencement of work. Such work will be approved or denied based on the evaluation of the impact on existing water resources. At Level II and above, prior and/or current use of the land will not be the only factor considered.
3. **Level III – Conservation Measures.** All prohibitions and restrictions in Level I and II shall apply, and in addition.
- a. Customers shall water outdoor landscaping no more than one day per week. The Council may designate dates and times for outdoor landscaping watering by adopting rules or regulations through a resolution.
  - b. Personal vehicles may only be washed once per week, on the assigned watering day, and only with the use of a quick-acting positive shut off nozzle.
  - c. Hotels are encouraged to implement laundry conservation measures by encouraging patrons to reuse lines and towels.
  - d. Landscape watering for municipal parks will be reduced to two days or less per week and restrictions shall be implemented on golf course watering, unless otherwise directed by rules or regulations adopted pursuant to Chowchilla Municipal Code Section 13.04.160.
4. **Level IV – Conservation Measures.** All prohibitions and restrictions in Levels I, II, and III shall apply, and in addition:
- a. Watering of outdoor landscapes is prohibited. This restriction shall not apply to the following categories of use:
    - i. Maintenance of trees and shrubs that are watered on the same schedule set forth in subsection C.
      1. By using a bucket,
      2. Hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;
    - ii. Maintenance of existing landscaping for erosion control;
    - iii. Maintenance of plant materials identified to be rare or essential to the wellbeing of rare animals;
    - iv. Maintenance of landscaping within municipal parks and golf course greens, provided that such irrigation does not exceed one day per week.
    - v. Watering of livestock; and
    - vi. Public works projects and actively irrigated environmental mitigation projects.
  - b. Swimming pool filling or refilling is prohibited.

## C. IMPLEMENTATION AND OVERSIGHT

### Penalties

1. Unless otherwise provided, any water customer violating any provision of this chapter shall be guilty of an infraction, and each day or portion thereof such violation is in existence shall be a new and separate offense.
2. Any water customer determined to be guilty of a violation:
  - a. **1<sup>st</sup> Violation** shall be given a written reminder for compliance.
  - b. **2<sup>nd</sup> Violation** within a one-year period, a fee of fifty dollars (\$50.00) shall be charged.
  - c. **3<sup>rd</sup> Violation** within a one-year period, a fee of (\$100.00) shall be charged.
  - d. **4<sup>th</sup> Violation** within a one-year period, a fee of (\$150.00) shall be charged. Additionally:
    - i. **Any unmetered customer** shall have a meter installed after the fourth violation at the customer's expense.
      1. The cost of the meter installation shall be added to the customer's account and paid over a maximum six (6) month period.
    - ii. **For Any Customers** who incurs four (4) or more water waste violations or does not comply with the water efficient landscape requirements within a one-year period, the City may implement any or all of the following measures:
      1. **Require a customer to get a landscape evaluation, lawn water audit, and water budget, as appropriate, in order to learn efficient water use. This work would be completed at customer expense;**
      2. **Require a customer to repair any defects in the watering system of such customer within fourteen (14) days' notice by the city to repair;**
      3. **Installation by the City of flow restrictors or termination of water service for exterior use;**
      4. **Termination of all water service to customer.**
        - a. No water service shall be limited or discontinued until the City Administrator or his/her designee provides a written notice of intent to limit or discontinue such service and the reason for such decision,
        - b. And further, provides such water customer notice of the right to request an administrative review and hearing pursuant to the procedures set forth in Section 1.10.080, Title 1, of the City Municipal Code.
3. In addition to the foregoing, during any declared state of emergency by the State or City related to drought or potable water conditions that mandate water conservation in the City, State or Federal regulations that mandate water conservation in the City, or during local water shortages, the City Council may by resolution adopt mandatory water usage limits and impose penalties on the customer for violations of those usage limits. The penalties shall be added to the customer's account. A violation of the usage limits shall also be deemed a violation of the Municipal Code.

- 
4. Water service shall be turned off and discontinued to any premises on or from which water supplied by the City is being disposed or used in violation of any law of the City other than wasting or noncompliance with water efficient landscape requirements. Water service shall not be restored to any premises until the owner and the occupant thereof terminate any violation and agree not to continue to repeat such violation. Such agreement shall be guaranteed by a cash deposit in such sum as the Director of Finance shall fix, not to exceed (\$100.00).