

## 8.50.055 Water conservation phases.

The water conservation policy shall consist of four phases regulating the outside use of water which is defined as any use other than the use of water inside of a residence, including but not limited to irrigation of lawns and landscaping (irrigation sprinkler systems, sprinklers attached to a garden hose, flood irrigation by garden hose); sports fields; gardens; washing vehicles, decks, driveways, sidewalks, buildings, or other like surfaces; filling of pools or ponds; and similar water use. The four phases of water conservation are defined as follows:

A. *Phase I – Voluntary.* This is a voluntary water conservation program where property owners and residents served by the CSA, during all months of the year, are requested to practice and conduct outside irrigation/watering conservation. Irrigation of lawns and landscaping would be authorized on Tuesdays, Thursdays, and Saturdays of each week for odd numbered addresses and on Wednesdays, Fridays, and Sundays of each week for even numbered addresses. No outside watering would occur at any time on Mondays of any week during summer months defined as May through October of each year. There would be no watering for any dust control purposes and no irrigation of native landscaping. Outside irrigation during the authorized and stated days (odd or even numbered addresses) would be limited to the time periods between 5:00 a.m. through 10:00 a.m. and 5:00 p.m. through 10:00 p.m. No outside irrigation would be authorized during the hours before or after these stated hours of each day.

B. *Phase II – Mandatory.* This is a mandatory water conservation program where property owners and residents served by the CSA would be required to follow specific outside water use regulations. During this phase, all requirements outlined in subsection (A) of this section, “Phase I – Voluntary,” shall be mandatory and there shall be no washing of decks, driveways, sidewalks, buildings, or other like surfaces unless accomplished by use of a pressure washer that has a functioning shut-off nozzle that is automatic and water is not running on the surface of the ground. Washing of boats, vehicles, trailers, or other like equipment is permissible only when washing is accomplished through use of hoses with nozzles providing automatic or manual shut-off and water is not running on the surface of the ground. No ponds or swimming pools may be filled during this phase. This phase is not intended to prevent property owners or residents from hand-watering (not through use of any sprinklers) landscape plants, plants in containers, pots, or planters. Hand watering is permissible so long as the hose being used contains a nozzle providing automatic or manual shut-off and watering is not being conducted by flood irrigation, sprinkler systems, or by sprinklers being left in operation. This phase is not intended to restrict watering of vegetable gardens so long as such watering is not accomplished by use of sprinklers or flood irrigation and there is no waste of water occurring.

C. *Phase III – Declaration of Drought.* If conditions of drought are identified by official order or proclamation by the Governor or State Water Resources Control Board, the General Manager is authorized to issue notification to property owners and residents of the CSA that additional watering restrictions will be implemented and enforced; Phase II restrictions will be enforced and additional restrictions may be imposed that implement further prohibitions for outside use of water, including days and times of day. The General Manager will request ratification of the additional regulations at the next regular meeting following receipt of any official order, drought declaration, or proclamation from the Governor.

D. *Phase IV – Emergency.* This is water conservation where it is determined by the General Manager that a critical water shortage exists or some other bona fide emergency condition exists that requires immediate and effective water conservation to maintain the maximum water levels necessary for public health and safety. During this phase, all Phase I and Phase II regulations will be in effect and the General Manager is authorized to post notices and implement and enforce additional outside water use restrictions, including prohibition on any outside water use during the term of the emergency condition. The General Manager will request ratification of any imposed additional regulations as well as ratification of continuing this phase of water conservation at the next regular meeting, or any special meeting, called by the Board of Directors. (Ord. 1090, eff. 3/5/20)

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**The Sierra County Code is current through Ordinance 1097, passed February 2, 2021.**

Disclaimer: The clerk of the board's office has the official version of the Sierra County Code. Users should contact the clerk of the board's office for ordinances passed subsequent to the ordinance cited above.

**Note:** This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

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## **8.50.060 Manager's authority to implement phases.**

The General Manager may unilaterally impose Phase II restrictions for a period not exceeding 30 days and Phase III restrictions for a period not exceeding 14 days and should the General Manager determine that a period in excess of the time frames specified may be required, a special meeting of the Board of Directors shall be conducted to determine the need for additional restricted periods. Periods in excess of those authorized to be imposed by the General Manager must be approved by the Board of Directors. This does not have any effect upon a compliance order or emergency order issued by the state of California.

The General Manager shall have the authority to impose Phase III restrictions for a period not to exceed 14 days, during which time a special or regular meeting of the Board of Directors shall be convened, at which time the Board may determine that it is necessary to continue the Phase III restrictions. (Ord. 1090, eff. 3/5/20)

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## **8.50.065 Notification.**

Notification of any Phase I or II requirements may be provided by a sign located at the entrance to the Sierra Brooks Subdivision, by mailers or by a newsletter, or by other such means as the General Manager deems appropriate. Phase III requirements shall include all notification provided for Phase I or II requirements and shall also include posting of notices on each property containing a valid service connection and/or the use of posters or pamphlets or street signs. (Ord. 1090, eff. 3/5/20)

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## 8.50.070 Violations of water conservation policies and remedy.

- A. Phase I restrictions are voluntary and there shall be no action taken for violation of its provisions.
- B. Phase II restrictions, when imposed, shall be enforced by the General Manager, and as determined necessary, when a violation has occurred or is in the process of occurring, a notice of violation shall be served in writing to the owner of property causing the violation. If any violation continues after the issuance of a notice of violation, the General Manager shall impose any or all of the following:
1. An administrative penalty shall be assessed in the amount of \$250.00 for each day that the violation is occurring;
  2. Installation of a flow restriction device on the service line to the property that is subject of the violation and located within the meter box maintained by the County Service Area;
  3. Termination of service and disconnection of the water service to the property.

Violation of any Phase III restrictions is hereby declared to be a hazard to public health and safety and shall result in the General Manager issuing a written notice of violation to the property owner causing the violation. In the event that a property owner fails to immediately correct the violation as directed in the notice of violation, the General Manager shall impose the remedies and/or administrative penalties for Phase II violations. In addition the General Manager shall have the authority to disconnect the water service which shall be preceded by a written notice of intent to disconnect issued to the property owner prior to the actual disconnection of the service; provided, however, in the case of the imminent failure of the water system due to lack of water, the General Manager shall have authority to immediately disconnect service for a property in violation of the water restrictions. If the water service is disconnected, a notice of disconnection shall be posted on the property and no reconnection shall occur until the fees as required by resolution of the Board of Directors have been fully paid. (Ord. 1090, eff. 3/5/20)

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## 8.50.075 Appeals.

Any property owner who is subject to a notice of violation may appeal the determination of the General Manager to the Board of Directors. The appeal shall be in writing and shall be filed with the Sierra County Clerk-Recorder, with a copy to the General Manager, no later than 10 days after the date the notice of violation has been served (by personal service or by mail) on a property owner. During the processing on any appeal, the decision of the General Manager shall remain in full force and effect.

Any appeal filed shall be processed in accordance with the county's appeal procedures outlined in the County Code and any fees imposed to cover the cost of the appeal shall be provided by the party filing the appeal at the time of filing of the appeal. (Ord. 1090, eff. 3/5/20)

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