

# **CALIFORNIA PUBLIC UTILITIES COMMISSION**

Water Division

## **INSTRUCTIONS FOR WATER CONSERVATION, RATIONING AND SERVICE CONNECTION MORATORIA**

Standard Practice U-40-W

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**SAN FRANCISCO, CALIFORNIA**

**July 2007**

## INSTRUCTIONS FOR WATER CONSERVATION, RATIONING AND SERVICE CONNECTION MORATORIA

### **A—PURPOSE AND SCOPE**

1. The purpose of this standard practice is to provide guidance to Water Division staff, to the public and to utilities as to steps to be taken when the utility suffers from a water shortage. The three levels of action are voluntary rationing, mandatory rationing and a service connection moratorium.

### **B—BACKGROUND**

2. General Order 103, Chart 1, and Standard Practice U-22-W, Determination of Water Supply Requirements of Water Systems, address water supply requirements, but supply can be affected temporarily due to drought or decreased production of a utility's wells. When this happens, utilities may have to resort to mandatory conservation or may have to institute a service connection moratorium.

3. Parties may also protest service area extensions (see Standard Practice U-14-W) over concern that the available supplies may be inadequate to serve the new customers, which would be the equivalent of a service connection moratorium (see Section F)<sup>1</sup>.

4. The position of the Commission in overall water supply planning was set forth in Decision 99-04-061, April 22, 1999 (see Appendix A to this Standard Practice).

### **C—DEVELOPMENT OF CONSERVATION AND RATIONING**

5. In mid-1976, due to a drought, the Commission opened an Order Instituting Investigation (OII, Case No. 10114, June 8, 1976) to determine what actions to take. In early 1977, the Commission issued an emergency decision that allowed water utilities to distribute water conservation kits and to implement cost effective water conservation programs.

6. The Commission was once again faced with drought conditions in mid-1988. The Commission opened OII 89-03-005 that allowed all classes of water utilities to file a water conservation and rationing plan consisting of two distinct parts: Rule 14.1 (a "voluntary conservation" program) and Schedule 14.1 (the mandatory rationing and penalty part). This plan was based primarily upon the Department of Water Resources and Metropolitan Water District's model plans, but also

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<sup>1</sup> In Resolution No. 4154, August 5, 1999, the Sierra Club protested Valencia Water Company's Advice Letters 84 and 85 for service area extension. The Commission found in the favor of Valencia, that it had adequate supplies, but ordered the utility to file its Water Management Program by application so the long-term water availability issues could be heard.

incorporated aspects of the North Marin Water District, East Bay Municipal Utility District, and California Water Service Company's existing conservation and rationing plans. The main objective of Rule 14.1 and Schedule 14.1 was to have a plan readily available for any utility that needed conservation and/or rationing methods. This plan allowed regulated utilities to achieve conservation of 17.5% to 26%.

7. The drought was officially declared over in February 1993 and the OII was closed. Because history shows that drought occurs in California about once every ten years, Rule 14.1 has remained in place. When conditions become severe, the utility may file an advice letter to institute Schedule 14.1. The Commission must approve implementation of this schedule by resolution.

### **D—VOLUNTARY RATIONING**

8. Voluntary rationing consists of the steps described in Rule 14.1 (Appendix B). This Tariff Rule should be in the tariff book of every utility that might suffer from a water shortage.

### **E—MANDATORY RATIONING**

9. Mandatory rationing consists of the steps described in Schedule 14.1. The utility adds schedule 14.1 to its tariff book by filing an advice letter with full justification. Staff will prepare a resolution for consideration by the Commission. The Commission must approve the imposition of mandatory conservation.

10. Schedule 14.1 may be modified to fit the needs of the utility and its particular water shortage situation. The following provisions are examples of what might be included in a typical Schedule 14.1:

- A. Prohibit nonessential and unauthorized water use, including:
  - i. use for more than minimal landscaping in connection with new construction;
  - ii. use through any meter when the company has notified the customer in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to effect such repairs within five days;
  - iii. use of water which results in flooding or runoff in gutters or streets;
  - iv. use of water through a hose for washing cars, buses, boats, trailers or other vehicles without a positive automatic shut-off valve on the outlet end of the hose;
  - v. use of water through a hose for washing buildings, structures, sidewalks, walkways, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas;
  - vi. use of water to clean, fill or maintain levels in decorative fountains;

- vii. use of water for construction purposes unless no other source of water or other method can be used;
  - viii. service of water by any restaurant except upon the request of a patron; and
  - ix. use of water to flush hydrants, except where required for public health or safety.
- B. Establish customer water allocations at a percentage of historical usage with the corresponding billing periods of a non-drought year being the base.
  - C. Establish an allocation of a percentage of historical usage with the corresponding billing periods of a non-drought year being the base for consumption for users of process water (water used to manufacture, alter, convert, clean, grow, heat or cool a product, including water used in laundries and car wash facilities that recycle the water used).
  - D. Establish a minimum allocation of a number of Ccf per month (one Ccf is one hundred cubic feet) for any customer regardless of historical usage.
  - E. Establish an exceptions procedure for customers with no prior billing period record or where unusual circumstances dictate a change in allocation.
  - F. Establish a penalty ("conservation fee") of \$2.00 per Ccf for usage over allocated amounts, provided, however, that banking of underusage from month to month is allowed.
  - G. Provide that penalty funds are not to be accounted for as income, but are to be kept in a separate reserve account for disposition as directed by the Commission.
  - H. Provide that, after written warning for nonessential or unauthorized water use, for subsequent violations the utility may install a flow restrictor to be left in a minimum of three days. The second time a flow restrictor is installed it may be left in until rationing ends.
  - I. Establish charges of \$25, \$50, or actual cost depending on meter size for removing restrictors, and provide that continuing nonessential or unauthorized use may result in disconnection.
  - J. Establish an appeal procedure first through the utility, then to the Commission staff through the Executive Director, then to the Commission via a formal complaint.

## **F—SERVICE CONNECTION MORATORIUM**

11. A service connection moratorium is sometimes imposed by the California Department of Health Services. The California Water Code, Section 350 et seq.,

provides that any public water supplier may, after public notice and hearing, declare a water shortage emergency within its service area whenever it determines that the ordinary demands and requirements of its consumers cannot be satisfied without depleting the water supply to the extent that there would be insufficient water for human consumption, sanitation, and fire protection. After it has declared a water shortage emergency, it must adopt such regulations and restrictions on water delivery and consumption as it finds will conserve its water supply for the greatest public benefit. Section 357 requires that suppliers which are subject to regulation by the CPUC shall secure its approval before making such regulations and restrictions effective.

12. Section 2708 of the Public Utilities Code states:

**2708.** Whenever the commission, after a hearing had upon its own motion or upon complaint, finds that any water company which is a public utility operating within this State has reached the limit of its capacity to supply water and that no further consumers of water can be supplied from the system of such utility without injuriously withdrawing the supply wholly or in part from those who have theretofore been supplied by the corporation, the commission may order and require that no such corporation shall furnish water to any new or additional consumers until the order is vacated or modified by the commission. The commission, after hearing upon its own motion or upon complaint, may also require any such water company to allow additional consumers to be served when it appears that service to additional consumers will not injuriously withdraw the supply wholly or in part from those who theretofore had been supplied by such public utility.

13. To establish a service connection moratorium the utility must:

- a. Hold a public meeting under Section 350 and 351 of the Water Code
- b. Add the following language to each service schedule:

**“MORATORIUM**

No service shall be provided to any premises not previously served within the \_\_\_\_\_ Service Area as defined on the Service Area Map filed as a part of these tariffs.”

**G—EXEMPTIONS**

14. Some decisions to impose a moratorium contain exceptions. For example in Citizen’s Utilities (CUCC) Montara District:

“The moratorium shall not apply to owners of real property who are customers of CUCC on or before the date of this order, or their successors in interest, if any change in the use of their property

will not increase their demand upon the system.” (D.86-05-078, Ordering Paragraph 3.)

15. D.86-05-078 also provided that prospective customers could seek an exemption from the moratorium by filing an application with the Commission showing that extraordinary circumstances required an exemption.

16. In D.00-06-020, June 8, 2000 the Commission granted an application and authorized Citizens Utilities to install a water service connection to applicant’s property at APN 037-278-090 following cessation of service at applicant’s property at 888 Ocean Boulevard in Montara. Costs were to be borne by applicant. The order made it clear that water service could not be reinstated at 888 Ocean Boulevard absent a lifting or easing of the moratorium. Such determinations were also delegated to staff<sup>2</sup>.

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<sup>2</sup> D.86-05-078, May 28, 1986, Ordering Paragraph 4.

### The Commission's Role in Water Planning

The two state agencies primarily responsible for overseeing water planning are the California Department of Water Resources, which manages the State Water Project and produces the California Water Plan, and the State Water Quality Control Board and Regional Water Quality Control Boards which have authority over water allocation and water quality protection.

In addition to the state agencies which have broad planning and management powers, local government also has a part in water use decisions. For example, county boards of supervisors, county water agencies, land use planning agencies, city governments, municipal water districts and many special districts all have a role in the use of water in California.

In this context, the Commission has recognized the futility of one party taking unilateral action to protect a groundwater basin:

Rehabilitation of the Santa Maria Groundwater Basin is not the responsibility of, and is beyond the physical and financial resources of any single individual, company, or agency. Even if [Southern California Water Company] were to stop drawing from the basin entirely and injected into the basin the entire 7,900 AFY it desires to obtain from the [Central Coast Water Authority], the basin's fundamental problems of declining quantity and water quality would not be solved. Most simply put, the basin's salvation as a water resource requires the immediate, undivided, sincere and selfless attention of all its users.

(Re Southern California Water Company, 48 CPUC2d 511, 519 (D.93-03-066)(emphasis in original).)

The Commission's role is limited to ensuring that each jurisdictional water utility provides its customers with "just and reasonable service, . . . and facilities as are necessary to promote the safety, health, comfort and convenience of its patrons, employees, and the public." (§ 451.) The Commission has further delineated the service standard in its General Order 103 where it proscribes Standards of Service

including water quality, water supply, and water pressure, as well as many other details of service.

The Commission has not, however, dictated to investor-owned utilities what method of obtaining water must be used to meet its present and future responsibility of providing safe and adequate supply of water at reasonable rates. (Southern California Water, 48 CPUC2d at 517.)

Which is not to suggest that the Commission ignores issues of water availability in its regulation of water utilities. The Commission requires that all water utilities prepare, file, and update a water management plan which includes identification of water sources as well as consumption projections over 15 years. These plans are updated by the utility as part of its general rate case.



RULE NO. 14.1  
WATER CONSERVATION AND RATIONING PLAN

GENERAL INFORMATION

If water supplies are projected to be insufficient to meet normal customer demand, and are beyond the control of the utility, the utility may elect to implement voluntary conservation using the portion of this plan set forth in Section A of this Rule after notifying the Commission's Water Division of its intent. If, in the opinion of the utility, more stringent water measures are required, the utility shall request Commission authorization to implement the mandatory conservation and rationing measures set forth in Section B.

The Commission shall authorize mandatory conservation and rationing by approving Schedule No. 14.1, Mandatory Water Conservation and Rationing. When Schedule No. 14.1 has expired, or is not in effect, mandatory conservation and rationing measures will not be in force. Schedule No. 14.1 will set forth water use violation fines, charges for removal of flow restrictors, and the period during which mandatory conservation and rationing measures will be in effect.

When Schedule No. 14.1 is in effect and the utility determines that water supplies are again sufficient to meet normal demands, and mandatory conservation and rationing measures are no longer necessary, the utility shall seek Commission approval to rescind Schedule No. 14.1 to discontinue rationing.

In the event of a water supply shortage requiring a voluntary or mandatory program, the utility shall make available to its customers water conservation kits as required by Rule 20. The utility shall notify all customers of the availability of conservation kits.

(continued)

RULE NO. 14.1  
(continued)

WATER CONSERVATION AND RATIONING PLAN

A. CONSERVATION - NON-ESSENTIAL OR UNAUTHORIZED WATER USE

No customer shall use utility-supplied water for non-essential or unauthorized uses as defined below:

1. Use of water through any connection when the utility has notified the customer in writing to repair a broken or defective plumbing, sprinkler, watering or irrigation system and the customer has failed to make such repairs within 5 days after receipt of such notice.
2. Use of water which results in flooding or run-off in gutters, waterways, patios, driveway, or streets.
3. Use of water for washing aircraft, cars, buses, boats, trailers or other vehicles without a positive shut-off nozzle on the outlet end of the hose. Exceptions include washing vehicles at commercial or fleet vehicle washing facilities operated at fixed locations where equipment using water is properly maintained to avoid wasteful use.
4. Use of water through a hose for washing buildings, structures, sidewalks, walkways, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas in a manner which results in excessive run-off or waste.
5. Use of water for watering streets with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public.
6. Use of water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or other method can be used.
7. Use of water for more than minimal landscaping in connection with any new construction.

(continued)

RULE NO. 14.1  
(continued)

WATER CONSERVATION AND RATIONING PLAN

A. CONSERVATION – NON-ESSENTIAL OR UNAUTHORIZED WATER USE (CONT.)

8. Use of water for outside plants, lawn, landscape, and turf areas more often than every other day, with even numbered addresses watering on even numbered days of the month and odd numbered addresses watering on the odd numbered days of the month, except that this provision shall not apply to commercial nurseries, golf courses and other water-dependent industries.
9. Use of water for watering outside plants, lawn, landscape and turf areas during certain hours if and when specified in Schedule No. 14.1 when the schedule is in effect.
10. Use of water for watering outside plants and turf areas using a hand-held hose without a positive shut-off valve.
11. Use of water for decorative fountains or the filling or topping off of decorative lakes or ponds. Exceptions are made for those decorative fountains, lakes, or ponds which utilize recycled water.
12. Use of water for the filling or refilling of swimming pools.
13. Service of water by any restaurant except upon the request of the patron.

B. RATIONING OF WATER USAGE

In the event the conservation measures required by Section A are insufficient to control the water shortage, the utility shall, upon Commission approval, imposed mandatory conservation and rationing. Rationing shall be in accordance with the conditions set forth in Schedule No. 14.1 as filed at the time such rationing is approved by the Commission.

Before mandatory conservation and rationing is authorized by the Commission, the utility shall hold public meetings and takes all other applicable steps required by Sections 350 through 358 of the California Water Code.

(continued)

RULE NO. 14.1

(continued)

WATER CONSERVATION AND RATIONING PLAN

C. ENFORCEMENT OF MANDATORY CONSERVATION AND RATIONING

1. The water use restrictions of the conservation program, in Section A of this rule, become mandatory when the rationing program goes into effect. In the event a customer is observed to be using water for any nonessential or unauthorized use as defined in Section A of this rule, the utility may charge a water use violation fine in accordance with Schedule No. 14.1.
2. The utility may, after one verbal and one written warning, install a flow-restricting device on the service line of any customer observed by utility personnel to be using water for any non-essential or unauthorized use as defined in Section A above.
3. A flow restrictor shall not restrict water delivery by greater than 50% of normal flow and shall provide the premise with a minimum of 6 Ccf/month. The restricting device may be removed only by the utility, only after a three-day period has elapsed, and only upon payment of the appropriate removal charge as set forth in Schedule No. 14.1.
4. After the removal of the restricting device, if any non-essential or unauthorized use of water shall continue, the utility may install another flow-restricting device. This device shall remain in place until water supply conditions warrant its removal and until the appropriate charge for removal has been paid to the utility.
5. If, despite installation of such flow-restricting device pursuant to the provisions of the previous enforcement conditions, any such non-essential or unauthorized use of water shall continue, then the utility may discontinue water service to such customer. In such latter event, a charge as provided in Rule No. 11 shall be paid to the utility as a condition to restoration of service.
6. Any monies collected by the utility through water use violation fines shall not be accounted for as income, but shall be accumulated by the utility in a separate account for disposition as directed or authorized from time to time by the Commission.
7. The charge for removal of a flow-restricting device shall be in accordance with Schedule No. 14.1.

(continued)

RULE NO. 14.1  
(continued)

WATER CONSERVATION AND RATIONING PLAN

D. APPEAL PROCEDURE

Any customer who seeks a variance from any of the provisions of this water conservation and rationing plan shall notify the utility in writing, explaining in detail the reason for such a variation. The utility shall respond to each such request.

Any customer not satisfied with the utility's response may file an appeal with the staff of the Commission. The customer and the utility will be notified of the disposition of such appeal by letter from the Executive Director of the Commission.

If the customer disagrees with such disposition, the customer shall have the right to file a formal complaint with the Commission. Except as set forth in this Section, no person shall have any right or claim in law or in equity, against the utility because of, or as a result of, any matter or thing done or threatened to be done pursuant to the provisions of this water conservation and rationing plan.

E. PUBLICITY

In the event the utility finds it necessary to implement this plan, it shall notify customers and hold public hearings concerning the water supply situation, in accordance with Chapter 3, Water Shortage Emergencies, Sections 350 to 358, of the California Water Code. The utility shall also provide each customer with a copy of this plan by means of billing inserts or special mailings; notification shall take place prior to imposing any fines associated with this plan. In addition, the utility shall provide customers with periodic updates regarding its water supply status and the results of customers' conservation efforts. Updates may be by bill insert, special mailing, poster, flyer, newspaper, television or radio spot/advertisement, community bulletin board, or other appropriate methods.

SCHEDULE NO. 14.1  
MANDATORY WATER CONSERVATION AND RATIONING

APPLICABILITY

This schedule applies to all water customers served under all tariff rates schedules authorized by the Commission. It is only effective in times of rationing, as required by Rule No. 14.1, and only for the period noted in the Special Conditions section below.

TERRITORY

This schedule is applicable within the entire territory served by the utility.

WATER USE VIOLATION FINE

When this schedule is in effect, the water use restrictions of the conservation program, in Section A of Rule 14.1, become mandatory. If a customer is seen violating the water usage restrictions, as outlined in Rule No. 14.1 and the Special Conditions below, the customer will be subject to the following fine structure:

First offense - written warning	
Second offense -	\$25
(of the same restriction)	
Third offense -	\$50
(of the same restriction)	
Each additional offense -	\$25 more than the previous
	fine imposed.
(of the same restriction)	

Offenses for separate water use restrictions will each start at the warning stage.

The water use violation fine is in addition to the regular rate schedule charges.

(continued)

SCHEDULE NO. 14.1  
MANDATORY WATER CONSERVATION AND RATIONING (CONT.)

FLOW RESTRICTOR REMOVAL CHARGE

The charge for removal of a flow-restricting device shall be:

<u>Connection Size</u>	<u>Removal Charges</u>
5/8" to 1" . . . . .	\$25.00
1-1/2" to 2" . . . . .	\$50.00
3" and larger . . . . .	Actual cost

SPECIAL CONDITIONS

1. This tariff schedule shall remain in effect for period of six (6) months from the effective date set forth below.
2. There shall be no use of utility-supplied water for outside plants, lawn, landscape, and turf areas between the hours of 3:00 a.m. to 8:00 p.m., regardless of address or day of the month.
3. Water use violation fines may be applied to violations of Section A of Rule No. 14.1, which prohibits non-essential and unauthorized uses of water.
4. Water use violation fines must be separately identified on each bill.
5. All bills are subject to the reimbursement fee set forth on Schedule No. UF.

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1 BOARD OF DIRECTORS, LAKE COUNTY SANITATION DISTRICT

2 COUNTY OF LAKE, STATE OF CALIFORNIA

3 ORDINANCE 2291

4 AN ORDINANCE ESTABLISHING WATER CONSERVATION STANDARDS IN  
5  
6 PORTIONS OF THE LAKE COUNTY SANITATION DISTRICT

7 THE BOARD OF DIRECTORS OF THE LAKE COUNTY SANITATION DISTRICT,  
8 LAKE COUNTY, ORDAINS AS FOLLOWS:

9 SECTION I. PURPOSE AND FINDINGS

10 It is the purpose and intent of this ordinance to reduce use of potable water within the  
11 Lake County Sanitation District's service area.

12 FINDINGS

- 13 1. In support of its adoption of this ordinance, the Board of Directors of the Lake County  
14 Sanitation District approves each finding set forth in this part.
- 15 2. Water conservation has proven to be a successful mechanism to reduce per capita water  
16 consumption and unnecessary wastewater loads on treatment facilities.
- 17 3. Conservation efforts will reduce sewer flows to the treatment plant facilities operated by  
18 the Lake County Sanitation District.
- 19 4. The reduction of water demand and corresponding reduction in sewer flows which shall  
20 result from this ordinance is required to meet the health, safety, and societal needs of the  
21 general public and the Lake County Sanitation District's wastewater treatment facilities.
- 22 5. Greater per capita water consumption increases the entire community's vulnerability to a  
23 severe drought and places undue stress on wastewater treatment facilities.

24 SECTION II. APPLICABILITY

25 This ordinance shall apply only to those buildings which are served by the District's  
26 wastewater collection and treatment facilities with the exception of Lake County  
27 Sanitation District's Assessment Districts 9-1, 9-2, 9-3 and Middletown Assessment  
28 District 2-2.

1  
2 SECTION III. DEFINITIONS

3 The following definitions are applicable to this ordinance:

4 A. "Change of Ownership means a transfer of a present interest in real property,  
5 and a transfer of the right to beneficial use thereof, the value of which is substantially equal to  
6 the proportion of the ownership interest transferred. Every transfer of property shall qualify as a  
7 "change of ownership," except transfers of title which are exempt from property tax  
8 reassessment in accord with criteria used by the Lake County Assessor's Office in the  
9 implementation of California Constitution, Article XIII A, (i.e., transfers of title from one spouse  
10 to another) whether the transfer is voluntary, involuntary, by operation of law, by grant, gift,  
11 devise, inheritance, trust, contract of sale, addition or deletion of an owner, property settlement,  
12 or any other means. "Change of Ownership" affected other than by a contract of sale shall be  
13 deemed to occur at the time of actual transfer of title. A "Change of Ownership" resulting from a  
14 contract of sale or similar instrument shall be so regarded only if escrow is opened or a contract  
15 of sale is executed, whichever occurs last, on or after the effective date of this ordinance.

16 B. "Change of Use" means, in the case of commercial, industrial or public  
17 buildings, a change in the use to which the structure was previously devoted, to a substantially  
18 different use.

19 C. "District" means the Lake County Sanitation District.

20 D. "Existing Structure" means any structure built and available for use or  
21 occupancy within one hundred twenty (120) days of the effective date of this ordinance.

22 E. "Increase in floor area" means an increase in conditioned space such as  
23 bathrooms, living rooms and bedrooms. Conditioned space means areas within the insulated  
24 envelope of a building in which heating and cooling systems are available to control the  
25 temperature of the area.

26 F. "Low Water-Use Plumbing Fixtures" means any toilet using a maximum of  
27 1.6 gallons per flush, and shower heads designed to emit a maximum of 2.2 gallons per minute  
28 (gpm) of water.

G. "Public Authority Structure means buildings which are owned by local public  
agencies.

1           SECTION IV. RETROFIT UPON EXPANSION, CHANGE OF OWNERSHIP OR USE

2           A.       MANDATORY RETROFIT UPON CHANGE OF OWNERSHIP OR USE

3           All plumbing fixtures in existing structures, including residential, commercial, industrial,  
4 and public authority structures shall, at the time of change of ownership or change of use, be  
5 retrofitted, if not already so, exclusively with low water-use plumbing fixtures as defined by this  
6 ordinance. These fixtures shall be installed and maintained, and shall not be replaced with  
7 fixtures which allow greater water use.

8           B.       MANDATORY RETROFIT UPON EXPANSION OF USE

9           All structures, including residential, commercial, public authority, and industrial  
10 reconstruction, remodels or additions that add any bathroom(s), and/or increase in floor area of  
11 existing structures by twenty-five (25) percent or greater of the existing floor area shall meet  
12 “New Construction” low water-use plumbing fixture standards as defined by this ordinance for  
13 the entire facility, including retrofitting of plumbing fixtures within existing structures. Additions  
14 not involving conditioned space such as porches and garages are exempt from an increase in  
15 floor area.

16           C.       RETROFIT EXEMPTION

17           (1)       1.6 GALLON TOILETS

18                     Previously installed toilets with fixtures using a maximum of 1.6 gallons per flush  
19 shall be exempted from the provisions of this section.

20           (2)       OTHER

21                     The Special Districts Administrator shall defer the retrofit requirement of this  
22 ordinance for any plumbing fixture for which present technology is not available  
23 to cause the required flow reduction, or where retrofitting is not otherwise  
24 technically feasible. When technically feasible, retrofit shall be required at the  
25 time technology becomes available.

26           D.       PROOF OF RETROFIT UPON CHANGE OF OWNERSHIP

27           Before the close of escrow for any change of ownership of real property within the  
28 District which is served by the District's wastewater collection and treatment facilities, the  
selling owner(s) or his authorized agent shall in the form and manner specified by the Special  
Districts Administrator, certify compliance with the retrofit requirements of this ordinance by  
one of the following methods:

- 1  
2 (1) Certification that the plumbing permit obtained in relation to plumbing fixture  
3 installation shows compliance with this ordinance. This certification shall be filed  
4 by the seller in the Lake County Special Districts Administration Office, or
- 5 (2) Certification by way of an inspection report, or other appropriate report (the  
6 Special Districts Administrator shall maintain a list of individuals qualified to  
7 provide this report) which verifies installation of low water-use fixtures  
8 throughout the structure as required by this ordinance. This certification shall be  
9 filed by the seller in the Lake County Special Districts Administration Office, or
- 10 (3) Certification by a building inspection by the appropriate City or County Building  
11 Official which verifies installation of low water-use fixtures throughout the  
12 structure as required by this ordinance. This certification shall be filed by the  
13 seller in the Lake County Special Districts Administration Office; or
- 14 (4) Certification that the plumbing fixtures throughout the structure have been  
15 retrofitted in compliance with this ordinance. This certification shall be filed by  
16 the seller in the Lake County Special Districts Administration Office along with a  
17 dated copy of the purchase receipt for each low water-use fixture, and a copy of  
18 the labor contract, or statement of self-installation, which evidences complete  
19 installation; or
- 20 (5) Waiver of proof of retrofit by the Special Districts Administrator before the close  
21 of escrow requirement of this section where the seller and buyer certify that the  
22 structure will begin to be remodeled or modified within one hundred twenty (120)  
23 days of the close of escrow, that the structure will be exclusively retrofitted with  
24 low water-use fixtures upon completion of construction, and the new owner shall  
25 allow inspection of the property by District staff or its authorized agent.

26 E. It shall be a violation of this ordinance for any buyer or seller to instruct an escrow agent  
27 to close escrow for any sale of property in the District served by wastewater collection and  
28 treatment facilities which does not comply with Subsection (d) of this section.

1 F. Subsection (d) shall not impose any affirmative or discretionary duty upon an escrow  
2 agent, acting in the capacity of escrow officer. Nothing in this ordinance shall be construed,  
3 either expressly or by implication, to provide for a criminal proceeding or create a civil liability  
4 against a title insurance company, as defined in Insurance Code Section 12340.10., or an  
5 underwritten title company, as defined in Insurance Code Section 12402, or their officers,  
6 directors, or employees, by reason of an alleged violation of this ordinance by a party or parties  
7 to an escrow at such a corporation.

8 **G. PROOF OF RETROFIT UPON CHANGE OF USE**

9 Prior to the change of use of any residential, commercial, industrial or public authority  
10 structure, the owner of record or his agent shall certify in writing to the Lake County, Sanitation  
11 District that prior to such change of use of the structure, the owner has complied with this  
12 ordinance, including all plumbing fixture retrofitting requirements. Change in use of such  
13 buildings made prior to submission of such written certification to the Special Districts  
14 Administrator shall constitute a violation of this ordinance.

15 **SECTION V. RECORDATION OF NOTICE**

16 Wherever the Special Districts Administrator determines that low water-use plumbing  
17 fixtures either have not been installed at the time of change of ownership or use, or when  
18 installed pursuant to the mandatory provisions of Section 4 have been removed since initial  
19 installation, the Special Districts Administrator may record a notice of violation with the office  
20 of the County Recorder. Before a decision is made to record a notice of violation, the owner(s) of  
21 the property will first be given notice and provided an opportunity to be heard on why a notice of  
22 violation should not be recorded. The owner(s) of the property, as revealed by the assessment  
23 roll on which the violation is situated and any other person responsible for the violation shall be  
24 notified of the recordation, if their address is known. The owner of record shall have ninety (90)  
25 days to take corrective action. Failure to take corrective action within ninety (90) days shall  
26 constitute a violation of this ordinance. The Special Districts Administrator shall cause a notice  
27 of correction to be recorded at such time as the property owner has established full compliance  
28 with the provisions of this ordinance.

1 SECTION VI. DISCRETIONARY EXEMPTIONS

2 The Special Districts Administrator may, at his/her discretion, exempt facilities from the  
3 provisions of this ordinance, or impose reasonable conditions in lieu of compliance therewith, if  
4 he determines that any of the following sections apply:

5 A. HARDSHIP

6 The Special Districts Administrator may grant all exemption for hardship where the  
7 requirements of this ordinance would cause an unnecessary and undue substantial hardship upon  
8 the owner, or purchaser of the facility, or the public. Substantial hardship may include, but is not  
9 limited to:

10 (1) Plumbing in an existing facility which does not match connections with low  
11 water-using plumbing fixtures and would, therefore, require partial replumbing of the structures,  
(for example, different rough-in dimensions).

12 (2) Unavailability of low water-using plumbing fixtures to match a well-defined  
13 historic architectural style (for example, Victorian, Mission Revival) in a locally, state or  
14 federally recognized building of historic significance, fitted with original plumbing fixtures.

15 B. EMERGENCY

16 The Special Districts Administrator may grant an exemption for emergency purposes  
17 when the requirements of this ordinance would create a condition affecting the health, sanitation,  
18 fire protection or safety of the facility owner or the public. Emergency conditions include, but  
19 are not limited to, sewer line grades that are insufficient to accommodate reduced flows caused  
20 by conversion of toilet(s) to 1.6 gallon flush as determined by the Special Districts Administrator  
or appropriate city or county engineer.

21 C. IN LIEU COMPLIANCE

22 The Special Districts Administrator may grant an exemption by imposing reasonable  
23 conditions in lieu of compliance with the requirements of this ordinance, where the conditions  
24 would not allow the quantity of water consumed by the facility to exceed the total water demand  
25 achieved if the low water-use plumbing fixture standards set by this ordinance has been used,  
26 and would not otherwise adversely affect service to any existing water consumer.  
27  
28

1 SECTION VII. APPEALS

2 A. CONTENT OF APPEAL

3 An appeal may be made to the Lake County Sanitation District Board of Directors by any  
4 public agency or person aggrieved by a decision of the Special Districts Administrator pursuant  
5 to this ordinance. The appeal shall be made in writing and shall be filed with the Clerk of the  
6 Board of Directors and shall contain the following information:

7 (1) The identity of the appellant and his interest in the decision;

8 (2) The Special Districts Administrator's decision, or the conditions which are  
being appealed;

9 (3) A clear, complete, but brief statement of the reasons why the appellant feels  
10 the decision or the conditions imposed were unjustified or inappropriate (this should include  
11 reasons the appellant disagrees with the findings of the Special Districts Administrator and  
12 specific facts in sufficient detail to notify interested persons of the nature of the appeal). The  
13 Board will not accept an appeal stated in generalities.

14 B. ACCEPTANCE OF APPEAL

15 An optional form for giving notice of appeal shall be provided by the Special Districts  
16 Administrator. The form need not be used if the notice of appeal is complete. An appeal shall not  
17 be accepted by the Clerk of the Board of Directors unless it is complete and complies with all  
18 requirements. The Clerk of the Board of Directors shall not accept a notice of appeal if it is  
19 obvious on the face of the notice that it is incomplete. If the Clerk of the Board of Directors  
20 rejects a notice of appeal, he/she shall inform the appellant of the nature of the deficiency, and  
shall identify the information necessary to complete the appeal.

21 SECTION VIII. ENFORCEMENT AND PENALTIES

22 A. The Special Districts Administrator shall be the officer primarily charged with  
23 enforcement of this regulation. All public employees of the Lake County Sanitation District who  
24 are vested with the duty or authority to issue permits or licenses, shall conform to the provisions  
25 of this ordinance, and shall issue no such permits or licenses in conflict with the provisions of  
26 this ordinance, and any such permits, licenses, or use, if issued in conflict with the provisions of  
27 this ordinance, shall be null and void.

28 B. A violation of any provision of this ordinance is a misdemeanor as set forth in Section  
806 of the Sewer Use Ordinance.

1 SECTION IX. CIVIL NUISANCE

2 A. Any building or structure set up, erected, constructed, altered, enlarged, converted,  
3 moved, maintained, sold, or the use of which is changed contrary to the provisions of this  
4 ordinance, and/or any use of any land, building, or premises, established, conducted, operated, or  
5 maintained contrary to the provisions of this ordinance, shall be hereby declared to be a violation  
6 of this ordinance and a public nuisance.

7 B. The Lake County Sanitation District may abate the public nuisance in accordance with  
8 the provisions and procedures of Chapter 13 of the Lake County Code pertaining to nuisance  
9 abatement which are hereby incorporated by reference as if fully set forth.

10 SECTION X REMEDIES CUMULATIVE

11 The remedies available to the District to enforce the ordinance are in addition to any other  
12 remedies available under the District's Rules and Regulation, or any other state statutes, and do  
13 not replace or supplant any other remedy but are cumulative thereto.

14 SECTION XI SEVERABILITY

15 If any section, paragraph, sentence, clause, or phrase of this ordinance, is, for any reason,  
16 held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or  
17 unenforceability shall not affect the validity or enforcement of the remaining portions of this  
18 ordinance, or of any other provisions of the Lake County Sanitation District's Rules and  
19 Regulations. It is the District's express intent that each remaining portion would have been  
20 adopted irrespective of the fact that any one or more sections, paragraphs, sentences, clauses, or  
21 phrases be declared invalid or unenforceable.

22 SECTION XII CODIFICATION

23 The Board of Directors directs that this Ordinance be codified as Appendix E to the Lake  
24 County Code.

25 SECTION XIII EFFECTIVE DATE

26 This Ordinance shall be in full force and effective on August 10, 1995 for all those areas served  
27 by the Southeast Regional Wastewater Treatment Plant.

28 This Ordinance shall be effective on December 31, 1996 for those areas served by the Northwest  
Regional Wastewater Treatment Plant.



1 SECTION XIV

2 This Ordinance shall take effect on the 10<sup>th</sup> day of August, 1995, and before the  
3 expiration of fifteen (15) days after its passage, it shall be published at least once in the Clear  
4 Lake Observer, a newspaper of general circulation printed and published in the County of Lake.

5 The foregoing ORDINANCE was introduced before the Board of Directors on the 5<sup>th</sup> day  
6 of July, 1995 and passed by the following vote on the 11<sup>th</sup> day of July, 1995.

7 AYES: Directors Whitney, Larson, Talley, Mackey and Merriman

8 NOES: None

9 ABSENT OR NOT VOTING: None

10 D.W. Merriman  
11 Chairman, Board of Directors

12 ATTEST: KELLY F. FOX, Clerk of the Board of Directors

13 By: Georgine Hunt

14 APPROVED AS TO FORM: CAMERON L. REEVES  
15 County Counsel

16 Cameron L. Reeves  
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Sonoma County, California, Code of Ordinances >> **CHAPTER 7D3 - WATER EFFICIENT LANDSCAPE >>**

**CHAPTER 7D3 - WATER EFFICIENT LANDSCAPE\***

**Editor's note—**

Ord. No. 5872, § I, adopted December 15, 2009, amended the Code by adding Ch. 7D3. § III reads:

**Editor's note—**

"The provisions of Section I of this ordinance are intended to supercede and replace Section 26-88-110 of the Sonoma County Code (Low Water Use Landscaping). The Director of the Permit and Resource Management Department is directed to initiate proceedings to repeal Section 26-88-110 of the Sonoma County Code. Until repealed, Section 26-88-110 of the Sonoma County Code shall be inoperative."

[Sec. 7D3-1. - Title and authority.](#)

[Sec. 7D3-2. - Purpose.](#)

[Sec. 7D3-3. - Applicability.](#)

[Sec. 7D3-4. - Landscape plan check.](#)

[Sec. 7D3-5. - Application fees.](#)

[Sec. 7D3-6. - Inspections.](#)

[Sec. 7D3-7. - Water efficient landscape standards.](#)

[Sec. 7D3-8. - Glossary.](#)

**Sec. 7D3-1. - Title and authority.**

This chapter is and may be cited as the "Sonoma County Water Efficient Landscape Regulations." This chapter is enacted pursuant to the Water Conservation in Landscaping Act (Government Code section 65591 et seq.).

*(Ord. No. 5872, § I, 12-15-2009.)*

**Sec. 7D3-2. - Purpose.**

This chapter is enacted for the purpose of regulating the design, installation, and maintenance of new and rehabilitated landscapes.

*(Ord. No. 5872, § I, 12-15-2009.)*

**Sec. 7D3-3. - Applicability.**

- A.** The provisions of this chapter shall apply to all of the following landscape projects:
- 1.** New and rehabilitated landscapes in multi-family residential, commercial, industrial, agricultural processing, and public agency projects requiring a building or grading permit or design review.
  - 2.** New and rehabilitated landscapes that are developer-installed in single-family residential projects requiring a building or grading permit or design review.
  - 3.** New and rehabilitated landscapes that are homeowner-provided and/or homeowner-hired in single-family residential projects involving new buildings or additions over four hundred (400) square feet and requiring a building or grading permit or design review, except where:
    - a.** The landscape area is less than five thousand (5,000) square feet;
    - b.** Turf is limited to no more than six hundred (600) square feet; and
    - c.** An irrigation system is installed and operated by a weather-based self-adjusting irrigation controller with a rain sensor.
- B.** The provisions of this chapter shall not apply to any of the following:

1. Registered local, state, or federal historical sites.
2. Ecological restoration projects that do not require a permanent irrigation system.
3. Mined-land reclamation projects that do not require a permanent irrigation system.
4. Plant collections, as part of botanical gardens and arboretums open to the public.

(Ord. No. 5872, § I, 12-15-2009.)

#### **Sec. 7D3-4. - Landscape plan check.**

- A. A landscape plan check shall be required prior to commencing any construction on a landscape project subject to the provisions of this chapter.
- B. A landscape plan check application shall be filed with the department on a county application form. Each landscape plan check application shall include all required fees and/or deposits, and all plans and specifications, and other information, materials, and submittals required by the department.
- C. A landscape plan check application may only be filed by the owner or authorized agent of the owner of the subject property, or other person with the written consent of the property owner.
- D. A landscape plan check application shall be approved when the director verifies that the proposed landscape project complies with the provisions of this chapter, other applicable provisions of this code, and the conditions of any applicable land use permit or other entitlement.

(Ord. No. 5872, § I, 12-15-2009.)

#### **Sec. 7D3-5. - Application fees.**

- A. The board of supervisors shall establish a schedule of fees for the processing of landscape plan check applications.
- B. No landscape plan check application shall be deemed complete, and processing shall not commence on any landscape plan check application until all required fees and/or deposits have been paid.

(Ord. No. 5872, § I, 12-15-2009.)

#### **Sec. 7D3-6. - Inspections.**

Landscape projects subject to the provisions of this chapter shall be subject to inspection as required by the director to verify compliance with the approved plans. No landscape project applicant shall be deemed to have complied with the provisions of this chapter until a final inspection of the work has been completed by the director. Inspections shall not be construed to approve a violation of the provisions of this chapter or other provisions of this code. Inspections presuming to give authority to violate or cancel the provisions of this chapter or other provisions of this code shall not be valid.

(Ord. No. 5872, § I, 12-15-2009.)

#### **Sec. 7D3-7. - Water efficient landscape standards.**

All landscape projects subject to the provisions of this chapter shall comply with the following standards.

- A. Plants.
  1. Selected plants shall not cause the estimated annual applied water use to exceed the maximum applied water allowance.
  2. Plants with similar water use needs shall be grouped together in distinct hydrozones and where irrigation is required the distinct hydrozones shall be irrigated with separate valves.
    - a. Low and moderate water use plants can be mixed, but the entire hydrozone shall be classified as moderate water use for maximum applied water allowance calculations.
    - b. High water use plants shall not be mixed with low or moderate water use plants.
  3. All non-turf plants shall be selected, spaced, and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.
  4. Turf shall not be planted in the following conditions:
    - a. Slopes exceeding ten (10) percent.

- b. Planting areas eight (8) feet wide or less.
    - c. Street medians, traffic islands, planter strips, or bulbouts of any size.
  - 5. Invasive plants are prohibited.
- B. Soil amendments, conditioning, and mulching.
  - 1. A minimum of eight (8) inches of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas.
  - 2. Compost or natural fertilizer shall be incorporated into the soil to a minimum depth of eight (8) inches at a minimum rate of six (6) cubic yards per one thousand (1,000) square feet, or according to specific amendment recommendations from a soils laboratory report.
  - 3. A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcover, or direct seeding applications.
- C. Water features.
  - 1. Recirculating water systems shall be used for all water features.
  - 2. Recycled water shall be used when available on site.
- D. Irrigation systems.
  - 1. All irrigation systems shall be designed and installed to meet irrigation efficiency criteria as described in the maximum applied water allowance.
  - 2. A dedicated irrigation meter or sub-meter shall be required.
  - 3. Irrigation systems with meters one and one-half (1.5) inches or greater shall have a high-flow sensor that can detect high flow conditions and have the capability to shut off the irrigation system automatically.
  - 4. Isolation valves shall be installed at the point of connection and before each valve or valve manifold.
  - 5. Weather-based self-adjusting irrigation controllers with rain sensors shall be required.
  - 6. Pressure regulation and/or booster pumps shall be installed so that all components of the irrigation system operate at the manufacturer's recommended optimal pressure.
  - 7. Irrigation systems shall be designed to prevent runoff or overspray onto non-targeted areas.
  - 8. Point source irrigation is required where plant height at maturity will affect the uniformity of an overhead system.
  - 9. A twenty-four-inch setback of overhead irrigation shall be required where turf is directly adjacent to a continuous hardscape that flows into the curb and gutter.
  - 10. Slopes greater than fifteen (15) percent shall be irrigated with point source or other low-volume irrigation technology.
  - 11. Separate valves shall be used to irrigate hydrozones with high water use plants and moderate or low water use plants.
  - 12. Trees shall be placed on separate valves except when planted in turf areas.
  - 13. Sprinkler heads, rotors, and other emission devices on one valve shall have matched precipitation rates.
  - 14. Head to head coverage shall be required unless otherwise directed by the manufacturer's specifications.
  - 15. Swing joints or other riser protection components shall be required on all risers.
  - 16. Check valves shall be installed to prevent low-head drainage.

(Ord. No. 5872, § 1, 12-15-2009.)

### **Sec. 7D3-8. - Glossary.**

As used in this chapter, the following terms and phrases shall have the meanings ascribed to them in this section, unless the context in which they are used clearly requires otherwise. The definition of a term or phrase applies to any of that term's or phrase's variants.

"Building permit" means any building permit under Chapter 7 of this code.

"Booster pump" means a pump used where the normal water system pressure is low and needs to be increased.

"California Invasive Plant Inventory" means the California Invasive Plant Inventory maintained by the California Invasive Plant Council.

"Check valve" means a valve located under a sprinkler head, or other location in the irrigation system, to

hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

"Compost" means the decayed remains of organic matter that has rotted into a natural fertilizer.

"Department" means the permit and resource management department.

"Design review" means any design review under Chapter 26 or 26C of this code.

"Director" means the director of the permit and resource management department or his or her authorized representative.

"Ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

"ET adjustment factor" means, except for special landscape areas, a factor of 0.6, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency. The ET adjustment factor for special landscape areas shall not exceed 1.0.

"Flow rate" means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

"Grading permit" means any grading permit under Chapter 11 of this code.

"Hardscape" means any durable material (pervious and non-pervious).

"Head to head coverage" means full coverage from one sprinkler head to the next.

"High-flow sensor" means a device for sensing the rate of fluid flow.

"High water use plant" mean any plant categorized as high water need by the water use classification of landscape species guide.

"Hydrozone" means a portion of the landscape area having plants with similar water needs that are served by a valve or set of valves with the same schedule.

"Invasive plant" means any plant listed on the California Invasive Plant Inventory.

"Irrigation efficiency" means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this chapter is 0.71.

"Irrigation meter" means a separate meter that measures the amount of water used for items such as lawns, washing exterior surfaces, washing vehicles, or filling pools.

"Isolation valve" means a valve used to isolate a portion of the piping system.

"Landscape area" means the dedicated landscape area on a property. Water features are included in the calculation of the landscape area. Areas dedicated to agricultural cultivation are not included. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other nonirrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

"Land use permit" means any ministerial or discretionary permit or approval granted by the county pursuant to Chapter 26 or 26C of this code to use a specific site for a particular purpose.

"Low-head drainage" means water that flows out of the system after the valve turns off due to elevation changes within the system.

"Low water use plant" means any plant categorized as low water need by the water use classification of landscape species guide.

"Maximum applied water allowance" means the upper limit of annual applied water for the established landscape area. It is based upon the area's reference evapotranspiration, the ET adjustment factor, and the size of the landscape area. The estimated total water use shall not exceed the maximum applied water allowance

"Mined-land reclamation project" means any surface mining operation with a reclamation plan approved in accordance with Chapter 26A of this code.

"Moderate water use plant" means any plant categorized as moderate water need by the water use

classification of landscape species guide.

"Mulch" means any organic material such as leaves, bark, straw, compost or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature and preventing soil erosion.

"New landscape" means any new landscaping project.

"Non-pervious" means any surface or material that does not allow the passage of water through the material and into the underlying soil.

"Overhead irrigation" means systems that deliver water through the air (e.g., pop-ups, impulse sprinklers, spray heads, rotors, micro-sprays, etc).

"Overspray" means the irrigation water that is delivered beyond the landscape area, wetting pavements, walks, structures, or other non-landscaped areas.

"Pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.

"Plant factor" means a factor that, when multiplied by reference evapotranspiration, estimates the amount of water used by needed plants. Plant factors cited in this chapter are derived from the department of water resources 2000 publication "Water Use Classification of Landscape Species."

"Precipitation rate" means the rate of application of water measured in inches per hour.

"Point of connection" means the point at which an irrigation system taps into the main water supply line.

"Point source irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

"Pressure regulation" means a valve that automatically reduces the pressure in a pipe.

"Rain sensor" means a system component that automatically shuts off and suspends the irrigation system when it rains.

"Recycled water" means non-potable water that meets California Department of Public Health statewide uniform criteria for disinfected tertiary recycled water. Recycled water is also known as reclaimed water.

"Reference evapotranspiration" means a standard measurement of environmental parameters that affect the water use of plants, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered.

"Rehabilitated landscape" means any re-landscaping project.

"Runoff" means water that is not absorbed by the soil or landscape to which it is applied and flows from the landscape area.

"Soils laboratory report" means the analysis of a soil sample to determine nutrient content, composition, and other characteristics, including contaminants.

"Special landscape area" means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water, and areas dedicated active play such as parks, sports fields, golf courses, where turf provides the playing surface.

"Sprinkler head" means a device that delivers water through a nozzle.

"Swing joint" means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

"Valve" means a device used to control the flow of water in the irrigation system.

"Valve manifold" means a one-piece manifold for use in a sprinkler valve assembly that includes an intake pipe having a water inlet and a plurality of ports adapted for fluid connection to inlets.

"Water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area.

"Weather-based self-adjusting irrigation controller" means a system component that uses local weather and landscape conditions to automatically adjust irrigation schedules to actual conditions on the site or historical weather data.

"Water use classification of landscape species guide" means the water use classification of landscape species guide published by the University of California Cooperative Extension, the department of water resources, and the bureau of reclamation, as it currently exists or may be amended in the future.

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*(Ord. No. 5872, § 1, 12-15-2009.)*

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