

Sec. 26-30. - Water conservation measures.

- (a) *Odd/even conservation.* To reduce demand, from May 1 to September 30 no person shall irrigate using the public water supply except on an odd/even basis as specified by the city council. If a property address is an even number, irrigation can take place on the even-numbered days of the week. If the property address is an odd number, irrigation can take place on the odd-numbered days of the week. This conservation measure applies to new sod and seed as well as established lawns, vegetation, shrubs, trees, and gardens.
- (b) *Time of day conservation.* To conserve water resources and prevent wasteful and harmful effects of irrigation during the midday hours, no person shall irrigate using the public water supply between the hours of 10:00 a.m. and 5:00 p.m. on any day of the week. This conservation measure applies to new sod and seed as well as established lawns, vegetation, shrubs, trees, and gardens.
- (c) *Rain sensors.* All new commercial, industrial institutional, and residential irrigation systems must have installed rain sensors on their irrigation systems at the time of installation. Existing commercial, industrial, institutional, and residential applications must have rain sensors installed on their irrigation systems no later than August 1, 2008.
- (d) *Watering ban.* Whenever the mayor or designee determines that a shortage of water threatens the city's water supply system or fire fighting abilities, the city will declare a partial or total watering ban during which water may not be used from the city's water supply systems for lawn and garden sprinkling, irrigation, or car washing. The effective date of the ban shall be made public through whatever means of communication the city deems appropriate and reasonable. Twenty-four hours after the effective date of the watering ban, any water customer who shall cause or permit water to be used in violation of the ban shall be issued an administrative citation as soon as possible, in an amount to be set from time to time by the city council. Each day of violation shall constitute a separate violation of the ban.
- (e) *Exceptions to water ban violations:*
  - (1) Hoses that are hand held by a person.
  - (2) Employees or agents of the city, in such instances wherein lawn, grass or turf used for play fields or areas owned and operated by the city that require more frequent watering to prevent unreasonable damage thereto.
  - (3) Upon request, a special permit to allow daily watering may be issued to a residential property owner with new seed or sod for a period not to exceed two calendar weeks.
  - (4) Upon request, a special permit to allow daily watering may be issued to any person owning or operating a commercial or business enterprise, such as a retail or commercial nursery, whose business is dependent upon sprinkling, irrigation or watering of plants, vegetation, lawn, grass, or turf owned, leased or operated by the business, for a period not to exceed two calendar weeks.
  - (5) Water toys or sprinklers that are used for children at play, provided children are present and actively playing.
- (f) *Violation; administrative citations.* Violations shall be determined and cited by the public works director or his/her designee(s).
  - (1) Upon discovery of a first violation, the violator shall be issued, either personally or by mail, a warning letter that sets for the violation and which shall describe the fine schedule for future violations.
  - (2) Upon subsequent violations the owner or current occupant of the premises where the violation occurred shall be issued, either personally or by mail, an administrative citation that sets forth the violation which shall carry an administrative fine as described in the city's fee schedule as set by the city council and maintained by the city clerk. Subsequent violations shall carry an enhanced administrative fine as described in the city's fee schedule.

- (3) The fines from administrative citations shall be added to the quarterly water bill of the owner or current occupant of the premises where the violation occurred. In the case of repeated violations, the city may in addition to imposition of the administrative fines, elect to secure compliance with the watering ban by all legal or equitable means available. All violations on record at the same location for the same resident will be forgiven after a period of three years has passed since the most recent violation, if all fines have been paid in full.
- (4) A violator may appeal the citation within five business days of its issuance by submitting a written appeal to the city administrator, whose decision is final. The administrator shall grant an appeal if the violator provides reasonable proof of an equipment failure as the cause of the violation. Reasonable proof may be shown by a letter or equipment invoice from a qualified vendor to show proof of equipment failure as the cause of the violation.

(Ord. No. 358, 3-27-08)

**Editor's note—**

Ord. No. 358, adopted March 27, 2008, deleted § 26-30, restricted hours of use of water supply, and enacted similar provisions to read as herein set out. Former § 26-30 derived from Ord. No. 261, adopted April 23, 1998.