

RESOLUTION NO. 747

**OF THE BOARD OF DIRECTORS OF LAKE HEMET MUNICIPAL WATER DISTRICT TO IMPLEMENT
MANDATORY EMERGENCY WATER CONSERVATION**

WHEREAS, Lake Hemet Municipal Water District ("District") is a water district empowered to provide water service to customers within the District service area, and

WHEREAS, due to inadequate snowfall and rainfall, opposition to the development and construction of water supply facilities and legal restrictions on the flow of State Water Project water to Southern California, Southern California, and the District in particular, is experiencing shortages in water supplies, and

WHEREAS, as a result of the above, the District recognizes that it is evident the drought is continuing and statewide supply is 20 percent less than normal demand, and

WHEREAS, the drought conditions will likely continue for the foreseeable future and, as a result, the District implemented a voluntary water conservation program to reduce water use and put into action on March 20, 2014 by Resolution No. 737, and

WHEREAS, conservation of water by all District customers that have not already conserved will help relieve the problems caused by the shortage in water supplies, and

WHEREAS, Water Code section 1058.5 grants the State Water Resources Control Board ("SWRCB") the authority to adopt emergency regulations in certain drought years in order to: "Prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation", and

WHEREAS, on July 15, 2014 the SWRCB adopted emergency water conservation regulations prohibiting all individuals from engaging in certain water use practices and would require mandatory conservation-related actions of public water suppliers during the current drought emergency, and

WHEREAS, in order to be compliant with the State's 20% reduction goal, the District Board of Directors must issue a mandatory water use restriction, and

WHEREAS, following the making of findings as required by law, the District has the power and authority to adopt mandatory water conservation measures within its boundaries pursuant to Chapters 3 through 3.7 of Division 1 and Chapter 2 of Division 20 of the California Water Code, and

WHEREAS, the District is required to comply with State law, including regulations adopted by the SWRCB, codified at Title 23 of the California Code of Regulations and is authorized pursuant thereto to implement its requirements, and

WHEREAS, in order to meet the requirements of the Water Code section 10632, the District will implement and include the following required customer actions for Stage III mandatory restrictions

(without the imposition of an emergency rate structure at this time as called for in the current Drought Management Plan, Stage II); and,

WHEREAS, if there are any conflicts or inconsistencies between this resolution and the Drought Management Plan, the terms herein shall prevail, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Lake Hemet Municipal Water District as follows:

Section 1: Findings: The Board of Directors of the District hereby finds and declares as follows:

- 1) Should existing drought conditions continue, or should the District lose its water production capacity, there may be insufficient water available for human consumption, sanitation and fire protection.
- 2) The provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code §21080(b)(4) and (8).

Section 2: Declaration of Stage III Extreme Water Supply Shortage Emergency: The Board of Directors of the District, in accordance with the above findings, hereby determines and declares the existence of an emergency condition within its service area, and further determines and declares that the regulations and restrictions on delivery of water and consumption of water within its service area as hereinafter set forth are necessary, in the sound discretion of the Board of Directors of the District, to conserve the water supply for the greatest public benefit.

Section 3: Authorization to Implement Restrictions on Water Consumption: The Board of Directors of the District hereby authorizes the General Manager of the District to take specific steps to meet water conservation goals, regulations and restrictions on water consumption as hereinafter set forth.

Section 4: Conservation Goal and Authorized Actions. The conservation goal of the District and the State Water Board is a reduction in water use of twenty percent (20%), which goal is subject to adjustment from time to time based upon demands, supplies, and conservation. The General Manager is authorized to implement Paragraphs 1 through 10 of this resolution to meet said conservation goal.

Mandatory Water Conservation Regulation. The General Manager shall take all steps necessary to advise the District's customers of the following mandatory regulations and to enforce them in accordance the District's existing policy:

1. No person shall cause any water to flow away from property owned, occupied, or controlled by such person, in any gutter, ditch, or in any other manner over the surface of the ground so as to constitute water waste runoff.
2. No water shall be used to wash down sidewalks, driveways or parking areas, except to alleviate immediate fire or sanitation hazard.

3. No person shall cause or allow any water to be wasted due to sub-standard, leaky or faulty outdoor water fixtures or water-using distribution devices.
4. Water from fire hydrants, except for construction and dust control purposes, shall not be used for any purpose other than to fight fires or for other activities where such use is immediately necessary to maintain the health, safety and welfare of the residents of the District.
5. Landscape irrigation will only be allowed on odd or even days according to the last digit of the property location address. "Even" is Monday, Wednesday, Friday and "Odd" is Tuesday, Thursday, Saturday with no watering on Sunday. Landscape irrigation will only be allowed during the hours of 5 p.m. to 9 a.m. (restricted between 9 a.m. and 5 p.m.)
6. The washing of autos, boats, trailers or building only from a hand bucket, or hose equipped with a positive shut off device, and then only for quick rinses.
7. No water shall be used to clean, fill or maintain levels in decorative fountains, ponds, lakes or other similar aesthetic structures unless such water is part of a recycling system or with the use of reclaimed wastewater.
8. Water will not be used for the flushing of sewer lines and the flushing of water mains will not be allowed, except for immediate health and safety reasons or by special written permission by the General Manager.

Exemptions:

- a. The District will allow an exemption from the watering schedule if an ET based controller is installed and operating. *The ET Controller Exemption Form* must be completed and the installation verified by a licensed landscape architect or LHMWD staff.
- b. Watering schedules must be adhered to at all times. The District requires advance written notice of any maintenance activities requiring water use between the hours of 9:00 a.m. and 5:00 p.m.

Section 5: Duration of Water Emergency: The regulations, restrictions, and actions set forth herein shall take full force and effect on September 1, 2014 upon authorization by the Board of Directors and shall remain in full force and effect until April 24, 2015, or until otherwise directed by the SWRCB.

Section 6: Appeal: Decisions made by the District under the regulations set forth in this Resolution may be appealed by the customer. The customer can file a written appeal within 5 days to the General Manager of the District.

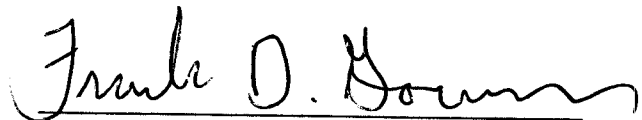
Section 7: Violation: This resolution shall only apply to potable water customers whose use is primarily limited to ornamental landscape and turf as set forth in SWRCB Resolution No. 2014-0038. A violation of the regulations and restrictions set forth herein may result in progressive warnings, fines, or result in discontinuance of service to consumers willfully violating the conservation measures set forth herein or such other penalty or restriction as may be allowed by law. The warnings and fines shall be in accordance with Exhibit "A". A fine shall not be issued until it has been approved by an ad hoc committee of the Board of Directors.

Section 8: Severability: If any portion of this Resolution is found to be unconstitutional or invalid, the District hereby declares that it would have enacted the remainder of this Resolution regardless of the absence of any such valid part.

Section 9: Effective Date: This Resolution shall take effect September 1, 2014.

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the General Manager to make amendments or refinements to the procedures adopted by this resolution to ensure compliance with conservation practices. Such amendments or refinements shall be reported to the Board for ratification.

PASSED AND ADOPTED at a general meeting of the Board of Directors of Lake Hemet Municipal Water District held on August 20, 2014.



President

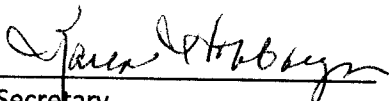
Attest: 
Asst. Secretary

EXHIBIT "A"

DROUGHT MANDATED IRRIGATION WATERING SCHEDULE

The taking of any action prohibited in Section 4, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. Violators will be issued a one-time warning with fines progressively increasing with continued violations as follows:

1st offense – Warning

2nd offense - Warning

3rd offense - Warning

4th offense - \$\$50.00 fine

5th offense - \$100.00 fine

6th offense - \$500.00 fine