

RESOLUTION NO. 12-22

RESOLUTION OF THE BOARD OF DIRECTORS OF RUNNING SPRINGS WATER DISTRICT DECLARING A STAGE 2 WATER SHORTAGE PURSUANT TO ITS WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, on October 19, 2021, Governor Newsom proclaimed a condition of statewide drought emergency and reaffirmed the call for local agencies to voluntarily reduce water use by 15 percent compared to 2020 to protect water reserves and complement local conservation mandates, which was preceded by drought proclamations on April 12, 2021, May 10, 2021, and July 8, 2021; and

WHEREAS, Governor Newsom's State of Emergency Proclamation acknowledges that the State of California is experiencing critically dry conditions; and

WHEREAS, a third consecutive year of exceptionally low precipitation, snowpack, and runoff is impacting California's water supplies and resulting in near record low storage in California's largest reservoirs; and

WHEREAS, on March 28, 2022, Governor Newsom issued Executive Order N-7-22 directing the State Water Resources Control Board (SWRCB) to consider adopting drought emergency water conservation regulations to prepare for and mitigate the effects of the drought conditions; and

WHEREAS, on March 18, 2022, the Department of Water Resources reduced the State Water Project (SWP) allocation from 15 percent to 5 percent of contract amounts. This is the second consecutive year of 5 percent allocation and is the lowest three-year combined allocation in the history of the SWP; and

WHEREAS, on May 24, 2022, the SWRCB implemented Emergency Regulations for urban drought response actions, specifically requiring all urban water suppliers who submitted a Water Shortage Contingency Plan to the Department of Water Resources to implement at minimum, demand reduction actions identified in the supplier's Water Shortage Contingency Plan for a shortage level ten to twenty percent by June 10, 2022; and

WHEREAS, under N-7-22 and the SWRCB Emergency Regulations, the District is required to implement all demand reduction actions identified in its Water Shortage Contingency Plan for a stage 2 shortage level; and

WHEREAS, Water Code Section 31026 provides that the District has the power to restrict the use of water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the waste of water or the use of water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the District and may prohibit use of such water during such periods for specific uses which the District may from time to time find to be nonessential; and

WHEREAS, pursuant to California Water Code Section 375, the District is authorized to implement a water conservation program to reduce the quantity of water used by persons within its jurisdiction for the purpose of conserving the water supplies of the District; and

WHEREAS, under N-7-22 and the SWRCB Regulations, the District is required to implement demand reduction actions identified in its Water Shortage Contingency Plan for a shortage level of ten to twenty percent by June 10, 2022; and

WHEREAS, the District has adopted a Water Shortage Contingency Plan under the Urban Water Management Planning Act; and

WHEREAS, pursuant to the District's Water Shortage Contingency Plan, the District may take action by resolution to declare, change, and rescind, as applicable, the particular stage of the water supply shortage, or as in the current situation, implement demand reduction actions as required by a State of California regulation.

NOW, THEREFORE, the Running Springs Water District hereby resolves as follows:

SECTION 1. Incorporation of Recitals. All of the foregoing Recitals are true and correct, and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

SECTION 2. Compliance With SWRCB Emergency Regulation. The Board hereby determines that the District is not currently projecting water supply shortage conditions, but nevertheless, it must implement all Stage 2 Water Shortage demand reduction actions, pursuant to and as defined in the District's Water Shortage Contingency Plan, which equates to a 10 to 20 percent reduction in supplies, in compliance with the SWRCB Emergency Regulation.

SECTION 3. Declaration Of Stage 2 Water Shortage. The Board hereby declares a Stage 2 Water Shortage, and pursuant to the District's Water Shortage Contingency Plan section 1.4, current water supply and demand conditions, and the SWRCB Emergency Regulation, the Board hereby establishes the following demand reduction actions as set forth below.

1. There shall be no hose washing of sidewalks, walkways, driveways, parking areas, or other paved surfaces, except as required for sanitary purposes.
2. Washing of motor vehicles, trailers, boats, and other mobile equipment shall be done only with a hand-held bucket or a hose equipped with a positive shutoff nozzle for quick rinses, except that washing may be done at the immediate premises of a commercial car wash using recycled water.
3. 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.
4. No restaurant, hotel, cafe, cafeteria, or other public place where food is sold, served, or offered for sale shall serve drinking water to any customer unless expressly requested.

5. All customers of the District shall promptly repair all leaks from indoor and outdoor plumbing fixtures.
6. No lawns or landscaped areas shall be watered more often than every third day, or between the hours of 7:00 a.m. to 7:00 p.m.
7. No customer of the District shall cause or allow the water to run from landscaped areas into an adjoining street, sidewalks or other paved areas due to incorrectly directed or maintained sprinklers or excessive watering.
8. Residential Users:
 - a. Full-time residents of the District shall be entitled to use up to 760 cubic feet of water per month, and part-time residents of the District shall be entitled to use up to 300 cubic feet of water per month in a Stage 2 Shortage, without penalty.
 - b. The amount of water used in excess of 760 cubic for full-time residents, and in excess of 300 cubic feet for part-time residents, shall be reduced by ten to twenty percent (10% - 20%) of their consumption used in 2013.
9. Commercial Users:
 - a. Except as provided in subsection b, below, commercial businesses, restaurants, and other commercial users shall be required to reduce their water consumption for each billing period by ten percent (10%) of their consumption used in 2013.
 - b. Water use for commercial laundromats shall be limited to no more than the amount of water used on the customer's premises during a timeframe designated by the Board.
10. Park and Recreation User Category:
 - a. Park and Recreation facilities shall be required to reduce their water consumption for each billing period by ten percent (10%) of their consumption used in 2013
11. Public School Facility User Category:
 - a. The local Public School facility shall be required to reduce their water consumption for each billing period by ten percent (10%) of their consumption used in 2013.
12. Outside Service Agreements:
 - a. During a Phase 2 shortage, water deliveries by the District to areas being served pursuant to District's standard outside service agreements will be reduced for each billing period by ten percent (10%) of their consumption used in 2013.
13. Undeveloped Property Residential Water Meters:
 - a. An undeveloped property that has a residential water meter installed for irrigation purposes will have the meter turned off and service discontinued. Service will not be resumed until after the water shortage has been lowered to a Phase 1 shortage, or no water shortage is declared.
14. Irrigation Water Meters:
 - a. A developed property which has installed an irrigation water meter used solely for irrigating vegetation will have the meter turned off and service discontinued. Service will not resume until after the water shortage has been lowered to a Phase 1 shortage, or no water shortage is declared.

SECTION 4. Fines For Noncompliance. Financial penalties consistent with the Water Shortage Contingency Plan, Ordinance 17, or both, will be assessed when a customer who violates the requirements set forth in this Resolution in the reasonable discretion of the General Manager, or designated representative.

SECTION 5. Non-Functional Turf Irrigation Ban. Under N-7-22 and while it and its implementing SWRCB Emergency Regulations are in effect, to prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites, provided however, the use of water is not prohibited to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need. “Non-functional turf” means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events and excludes sports fields and turf that is regularly used for human recreational purposes. Taking any action prohibited in this section is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs, and this fine is in addition to and does not supersede or limit any other remedies, civil or criminal.

SECTION 6. Purpose and Intent. The purpose and intent of imposing the requirements and financial penalties, as set forth in this Resolution, are to limit the use of water to beneficial purposes only and to prohibit and restrict the unnecessary and wasteful use of water except to the extent expressly authorized herein.

SECTION 7. Future Stage(s). The Board may make a determination as to when it may be necessary to move to a further Stage, or a lesser Stage, under the Water Shortage Contingency Plan, or as required by further State of California regulations.

SECTION 8. CEQA. The Board finds that adopting and enforcing mandatory restrictions on water use in order to comply with SWRCB Emergency Regulations is exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15268 and Public Resources Code Section 21080(b)(1) as a ministerial action. The Regulations mandate that each urban water supplier enact a shortage stage according to the Water Shortage Contingency Plan, which equates to a 20 percent reduction of water supply as imposed by the SWRCB. Therefore, an action to declare a particular drought stage is not a discretionary action, and as such, it is statutorily exempt from CEQA.

SECTION 9. Ratification. In order to comply with the SWRCB Regulations’ June 10, 2022 deadline, on June 10, 2022, the General Manager implemented all Stage 2 Shortage demand reduction actions of the Water Shortage Contingency Plan, and the Board now hereby ratifies that action by the General Manager.

SECTION 10. Severability. If any section, subsection, clause, or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby resolves that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or

more sections, subsections, sentences, clauses, or phrases or the application thereof be held invalid.

APPROVED, SIGNED and ADOPTED this 15th day of June 2022.

PASSED AND ADOPTED by the Board of Directors of Running Springs Water District this 15th day of June 2022 by the following vote:

AYES: MACKZUM, TERRY, CONRAD

NOES: 0

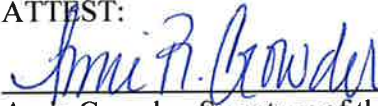
ABSENT: ACCIANI, DYBERG

ABSTAIN: 0



Errol Mackzum, President of the Board of
Directors of the Running Springs Water District

ATTEST:



Amie Crowder, Secretary of the Board of
Directors of the Running Springs Water District



**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2022-0018**

**TO ADOPT AN EMERGENCY REGULATION
TO REDUCE WATER DEMAND AND IMPROVE WATER CONSERVATION**

WHEREAS:

1. On April 21, May 10, July 8, and October 19, 2021, Governor Newsom issued proclamations that a state of emergency exists statewide due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment.
2. These proclamations urge Californians to reduce their water use.
3. On March 28, 2022, Governor Newsom signed an Executive Order directing the State Water Resources Control Board (State Water Board or Board) to consider adopting emergency regulations to increase water conservation. The Executive Order includes a request that the Board require urban water suppliers to implement Level 2 of their water shortage contingency plans, establish water shortage response actions for urban water suppliers that have not submitted water shortage contingency plans, taking into consideration model actions that the Department of Water Resources, and establish a ban on the irrigation of non-functional turf by entities in the commercial, industrial, and institutional sectors.
4. Many Californians and urban water suppliers have taken bold steps over the years to reduce water use; nevertheless, the severity of the current drought requires additional conservation actions from urban water suppliers, residents, and the commercial, industrial, and institutional sectors.
5. Water conservation is the easiest, most efficient, and most cost-effective way to quickly reduce water demand and extend limited water supplies through this summer and into the next year, providing flexibility for all California communities. Water saved is water available next year, giving water suppliers added flexibility to manage their systems effectively over time. The more water that is conserved now, the less likely it is that a community will experience dire shortages that may require water rationing or other emergency actions.
6. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for irrigation of lawns and outdoor landscaping irrigation. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

7. The use of potable water to irrigate turf on commercial, industrial, or institutional properties that is not regularly used for human recreational purposes or for civic or community events can be reduced in commercial, industrial, and institutional areas to protect local water resources and enhance water resiliency.
8. Public information and awareness are critical to achieving conservation goals, and the Save Our Water campaign (SaveOurWater.com), run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response.
9. SaveWater.CA.Gov is an online tool designed to help save water in communities. This website lets anyone easily report water waste from their phone, tablet, or computer by simply selecting the type of water waste they see, typing in the address where the waste is occurring, and clicking send. These reports are filed directly with the State Water Board and relevant local water supplier.
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.
11. On March 28, 2022, the Governor suspended the environmental review required by the California Environmental Quality Act to allow State Water Board-adopted drought conservation emergency regulations and other actions to take place quickly to respond to emergency conditions.
12. Water Code section 1058.5 grants the State Water Board 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, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”
13. On May 13, 2022, the State Water Board issued public notice that it will consider the adoption of the regulation at the Board’s regularly scheduled May 24, 2022 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.
14. The emergency regulation exempts suppliers from enforcing connection moratoria, if their Level 2 demand management actions call for them, because new residential connections are critical to addressing the state’s housing supply shortage. However, the Board recognizes connections for other projects may not be appropriate given the shortage conditions and urges water suppliers to carefully evaluate new development projects for their water use impacts.

15. Disadvantaged communities may require assistance responding to Level 2 conservation requirements, including irrigation restrictions, temporary changes to rate structures, and prohibited water uses. State shortage contingency plans aimed at increasing water conservation, and state and local agencies should look for opportunities to provide assistance in promoting water conservation. This assistance should include but not be limited to translation of regulation text and dissemination of water conservation announcements into languages spoken by at least 10 percent of the people who reside in a water supplier's service area, such as in newspaper advertisements, bill inserts, website homepage, social media, and notices in public libraries.
16. The Board directs staff to consider the following in pursuing any enforcement of section 996, subdivision (e): before imposing monetary penalties, staff shall provide one or more warnings; monetary penalties must be based on an ability to pay determination, consider allowing a payment plan of at least 12 months, and shall not result in a tax lien; and Board enforcement shall not result in shutoff.
17. The Board encourages entities other than Board staff that consider any enforcement of this regulation to apply these same factors identified in resolved paragraph 16. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain their enforcement discretion in enforcing the regulation, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 996, as appended to this resolution as an emergency regulation that applies to urban water suppliers, as defined by Water Code section 10617.
2. State Water Board staff shall submit the regulation to the Office of Administrative Law (OAL) for final approval.
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes.

4. This regulation shall remain in effect for one year after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions or unless the State Water Board renews the regulation due to continued drought conditions, as described in Water Code section 1058.5.
5. The State Water Board directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulation.
6. The State Water Board directs staff to, by January 1, 2023, survey urban water suppliers on their experience protecting trees and tree cover during drought, with attention to disadvantaged communities. The survey shall inquire about challenges encountered, strategies used, costs, and successes in protecting trees.
7. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 24, 2022.

AYE: Chair E. Joaquin Esquivel
 Vice Chair Dorene D'Adamo
 Board Member Sean Maguire
 Board Member Laurel Firestone

NAY: None

ABSENT: Board Member Nichole Morgan

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

ADOPTED EMERGENCY REGULATION TEXT

Version: May 24, 2022

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 3.5. Urban Water Use Efficiency and Conservation

Article 2. Prevention of Drought Wasteful Water Uses

§ 996. Urban Drought Response Actions

(a) As used in this section:

(1) "Commercial, industrial and institutional" refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners' associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities' members or separate interests.

(2) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

(3) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.

(4) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(5) "Non-functional turf" means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events.

(6) "Plant factor" has the same meaning as in section 491.

(7) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(8) "Turf" has the same meaning as in section 491.

(9) "Urban water supplier" has the same meaning as Water Code section 10617.

(10) "Water shortage contingency plan" means the plan required by Water Code section 10632.

(b) Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section

10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.

(c) (1) Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2).

(2) Notwithstanding subdivision (c)(1), urban water suppliers shall not be required to implement new residential connection moratoria pursuant to this section.

(3) Notwithstanding subdivision (c)(1), an urban water supplier may implement the actions identified in subdivision (d) in lieu of implementing the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code section 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), provided the supplier meets all of the following:

(i) The supplier's annual water supply and demand assessment submitted to the Department of Water Resources demonstrates an ability to maintain reliable supply until September 30, 2023.

(ii) The supplier does not rely on, for any part of its supply, the Colorado River, State Water Project, or Central Valley Project, and no more than ten (10) percent of its supply comes from critically overdrafted groundwater basins as designated by the Department of Water Resources.

(iii) The supplier's average number of gallons of water used per person per day by residential customers for the year 2020 is below 55 gallons, as reported to the Board in the Electronic Annual Report.

(d) Each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources shall, by June 10, 2022, and continuing until the supplier has implemented all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), implement at a minimum the following actions:

(1) Initiate a public information and outreach campaign for water conservation and promptly and effectively reach the supplier's customers, using efforts such as email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.

(2) Implement and enforce a rule or ordinance limiting landscape irrigation with potable water to no more than two (2) days per week and prohibiting landscape irrigation with potable water between the hours of 10:00 a.m. and 6:00 p.m.

(3) Implement and enforce a rule or ordinance banning, at a minimum, the water uses prohibited by section 995. Adoption of a rule or ordinance is not required if the supplier has authority to enforce, as infractions, the prohibitions in section 995 and takes enforcement against violations.

- (e) (1) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.
- (2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.
- (3) Notwithstanding subdivision (e)(1), an urban water supplier may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40% of reference evapotranspiration.
- (f) The taking of any action prohibited in subdivision (e) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.
- (g) A decision or order issued under this section by the Board, or an officer or employee of the Board, is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, and 4185, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 377, 491, 1122, 10608.12, 10617, 10632, and 10632.1, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976.

Table 1-3. Water Use Reduction Requirements for Stages 1-6

Stage No.	Water Reduction Required					
	Maximum Residential Allocation without Penalty		Commercial, Park and Rec	Public School, Laundromats	Outside Service Agreements	Building Restrictions
	Full Time Residents (cubic feet/month)	Part Time Residents (cubic feet/month)				
Phase 1	LIMITED RESTRICTED USE -10% REDUCTION					
Phase 2	0-20% Reduction Over 760	0-20% Reduction Over 300	10%-20% Reduction	10%-20% Reduction	10%-20% Reduction	
Phase 3	650	250	20%-30% Reduction	20%-30% Reduction	20%-30% Reduction	
Phase 4	550	220	30%-40% Reduction	30%-40% Reduction	30%-40% Reduction	
Phase 5	475	190	40%-50% Reduction	40%-50% Reduction	40%-50% Reduction	
Phase 6	400	160	50%-60% Reduction	50%-60% Reduction	50%-60% Reduction	Restricted Meter

Phase 1 - Normal Conditions

During times of normal supply, it is recommended that water conservation be practiced within the home or business. Phase I also lists water uses considered non-essential to the public health, safety, and welfare, and would be considered wasting of water and are therefore prohibited. These include the following;

- There shall be no hose washing of sidewalks, walkways, driveways, parking areas, or other paved surfaces, except as required for sanitary purposes.
- Washing of motor vehicles, trailers, boats, and other mobile equipment shall be done only with a hand-held bucket or a hose equipped with a positive shutoff nozzle for quick rinses, except that washing may be done at the immediate premises of a commercial car wash using recycled water.
- 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.

- No restaurant, hotel, cafe, cafeteria, or other public place where food is sold, served, or offered for sale shall serve drinking water to any customer unless expressly requested.
- All customers of the District shall promptly repair all leaks from indoor and outdoor plumbing fixtures.
- No lawns or landscaped areas shall be watered more often than every third day, or between the hours of 8:00 a.m. to 4:00 p.m.
- No customer of the District shall cause or allow the water to run from landscaped areas into an adjoining street, sidewalks or other paved areas due to incorrectly directed or maintained sprinklers or excessive watering.

Phase 2 – Water Shortage

A Phase 2 Shortage may be declared when the District's Board of Directors determines that the District may have a shortage of up to twenty percent (20%) in its water supply. The following restrictions and requirements shall be in effect during a Phase II Shortage:

- **Restrictions listed in Phase 1**
- **Residential User Category**
 - a) Full-time residents of the District shall be entitled to use up to 760 cubic feet of water per month, and part-time residents of the District shall be entitled to use up to 300 cubic feet of water per month in a Phase II Shortage, without penalty.
 - b) The amount of water used in excess of 760 cubic for full-time residents, and in excess of 300 cubic feet for part-time residents, shall be reduced by the percentage determined by the District's Board of Directors of up to twenty percent (20%).
- **Commercial User Category**
 - a) Except as provided in subsection b, below, commercial businesses, restaurants, and other commercial users shall be required to reduce their water consumption for each billing period by the percentage determined by the District's Board of Directors between ten percent (10%) to twenty percent (20%) of their consumption used in a timeframe designated by the Board upon declaration of a shortage.
 - b) Water use for commercial laundromats shall be limited to no more than the amount of water used on the customer's premises during a timeframe designated by the Board upon declaration of a shortage. Water used in excess of this amount shall be subject to the District's conservation surcharge rate, but shall not subject the customer to other penalty provisions of Ordinance No. 17 unless other provisions of Ordinance No. 17 are also violated.
- **Park and Recreation User Category:**
 - a) Park and Recreation facilities shall be required to reduce their water consumption for each billing period by the percentage determined by the District's Board of Directors between ten percent (10%) to twenty percent (20%) of their consumption used during a timeframe designated by the Board upon declaration of a shortage.
- **Public School Facility User Category:**

- a) The local Public School facility shall be required to reduce their water consumption for each billing period by the percentage determined by the District's Board of Directors between ten percent (10%) to twenty percent (20%) of their consumption used during a timeframe designated by the Board upon declaration of a shortage . Water usage in excess of that amount will be subject to the District's conservation surcharge rate but shall not subject the customer to the shut-off or violation provisions of Ordinance No. 17 unless other provisions of Ordinance No. 17 are also violated. The school shall make every effort to prevent water from being wasted or used in violation of Ordinance No. 17.
- Outside Service Agreements:
 - a) During a Phase 2 Shortage, water deliveries by the District to areas being served pursuant to District's standard outside service agreements will be reduced for each billing period by the percentage determined by the District's Board of Directors between ten percent (10%) to twenty percent (20%) of their consumption used in a timeframe designated by the Board upon declaration of a shortage. If during the billing period the District is charged a water usage surcharge by CLAWA, all water delivered under such outside service agreements shall have that CLAWA surcharge rate added to the rate normally charged by the District. In addition, water consumption in excess of the allowed monthly limit shall be subject to the District's surcharge rates as set forth in Section 10 of Ordinance No. 17.
- Undeveloped Property Residential Water Meters:
 - a) An undeveloped property that has a residential water meter installed for irrigation purposes will have the meter turned off and service discontinued in the event of a Phase II (or higher) Shortage. Service will not be resumed until after the declared water shortage has been lowered to a Phase I Shortage, or no water shortage is declared. The meter will remain in place unless the customer requests its removal, but the customer will not incur any monthly service charges. All monthly charges will be waived until after the declared water shortage has been lowered to a Phase I Shortage or no water shortage, at which time all monthly charges will resume.
- Irrigation Water Meters:
 - a) A developed property which has installed an irrigation water meter used solely for irrigating vegetation will have the meter turned off and service discontinued in the event of a Phase II (or higher) Shortage. Service will not be resumed until after the declared water shortage has been lowered to a Phase I Water Shortage or no water shortage is declared.
 - b) The meter will remain in place unless the customer requests its removal, but the customer will not incur any monthly irrigation meter service charges. However, all customary charges will remain in effect for the residential meter. All irrigation meter monthly charges will be waived until after the declared water shortage has been lowered to a Phase I Shortage or no water shortage, at which time all monthly charges will resume.