

EAST NILES COMMUNITY SERVICES DISTRICT

**AN ORDINANCE OF THE EAST NILES COMMUNITY SERVICES DISTRICT
SETTING FORTH MANDATORY WATER CONSERVATION REQUIREMENTS**

Ordinance No. 2015-01

BE IT ORDAINED by the Board of Directors of the East Niles Community Services District as follows:

WHEREAS, on January 17, 2014, the Governor of the State of California issued a proclamation of a state of emergency based upon then-existing water conditions within California; and

WHEREAS, on April 25, 2014, the Governor issued a proclamation of a continued state of emergency based upon continued drought conditions existing within the state of California; and

WHEREAS, pursuant to Title 23, California Code of Regulations, Section 863 (23 CCR 863), the California State Water Resources Control Board has determined that the drought conditions that formed the basis of the Governor's emergency proclamations continue to exist, and will likely continue to exist; and

WHEREAS, pursuant to Title 23, California Code of Regulations, Section 865 (23 CCR 865) the State Water Resources Control Board has required that certain urban water suppliers must, among other matters "... implement all requirements and actions of the stage of its water shortage contingency plan that includes mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed ..."; and

WHEREAS, the East Niles Community Services District's Water Shortage Contingency Plan contains, within Stage III, restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed; and

WHEREAS, the East Niles Community Services District intends to comply with 23 CCR 865 and will therefore implement all requirements and actions that are set forth in Stage III of its Water Shortage Contingency Plan.

NOW, THEREFORE, BE IT ORDAINED THAT, the following water conservation restrictions regarding potable water supplies, and the application and use of same, are effective immediately upon adoption of this ordinance, and shall continue until December 23, 2015, unless otherwise extended or shortened by the East Niles Community Services District Board of Directors:

1. The District will conduct public outreach for voluntary reduction;
2. The District will provide education regarding water conservation methods;
3. No washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, or patios, except when it is necessary to alleviate safety or sanitation hazards shall be allowed;
4. No watering unpaved drive approaches, driveways, and sidewalks except when it is necessary to alleviate safety or sanitation hazards shall be allowed;
5. No application of water to outdoor landscapes in a manner that causes undue or excessive runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures shall be allowed;
6. Users may only use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system;

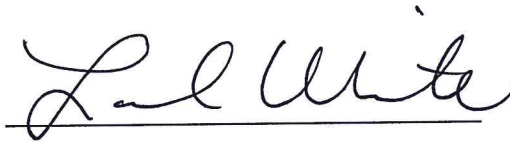
7. Users may irrigate nursery and commercial grower's products before 9 a.m. and after 6 p.m. only, but watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time;
8. Users may only use re-circulated water to operate ornamental fountains or decorative water features;
9. Users may only wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on site. Avoid washing during hot conditions (over 95 degrees) when additional water is required due to evaporation;
10. Providers shall serve and refill water in restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased only upon request;
11. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel must prominently display notice of the option in each guestroom using clear and easily understood language;
12. The District shall provide prompt notice to a customer whenever the District obtains information that indicates that a leak may exist within the end-user's exclusive control. The customer must repair all water leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager;
13. Use recycled or non-potable water for construction purposes when available; and
14. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system, on the same schedule set forth in Item (b) below, by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation:
 - a. No application of water to outdoor landscapes during and within 48 hours after measurable rainfall is allowed;
 - b. Watering of outdoor residential and commercial landscapes will be limited to certain days of the week as follows:
 - i. Residences and commercial properties with even-numbered addresses will be able to water on Sunday, Wednesday, and Friday.
 - ii. Residences and commercial properties with odd-numbered addresses will be able to water on Tuesday, Thursday, and Saturday.
 - iii. Watering of outdoor landscapes will not be allowed on Monday.
 - c. Watering of outdoor landscapes will be permitted to only between the hours of 6:00 p.m. and 9:00 a.m.; and
 - d. Commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, shall implement water efficiency measures to reduce potable water usage as may be required by the State of California, the State Water Resources Control Board, or other appropriate state agency.

PASSED AND ADOPTED at a special meeting of the Board of Directors of East Niles Community Services District held on the 30th Day of April 2015, by the following roll call vote:

AYES: Directors Dominguez, Harger, Mayberry and White

NOES: None

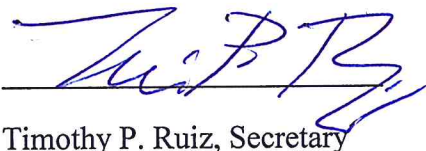
ABSENT: Director Ruiz



Vice President of the Board of Directors

East Niles Community Services District

Attest:



Timothy P. Ruiz, Secretary



SECRETARY'S CERTIFICATE

I, Timothy P. Ruiz, Secretary of the Board of Directors of the East Niles Community Services District, do hereby certify that the foregoing is a full, true and correct copy of an Ordinance duly passed and adopted at a meeting of the Board of Directors of said District duly and specially and legally held at the special meeting place thereof on the 30th day of April, 2015, and at which meeting a majority thereof was present; that at said meeting said Ordinance was introduced by Director Mayberry, seconded by Director Harger, passed and adopted by the following vote:

AYES: Directors Dominguez, Harger, Mayberry and White

NOES: None

ABSENT: Director Ruiz

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said Ordinance is a full, true and correct copy of the original Ordinance adopted at said meeting and entered in said minutes. That said Ordinance has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of the East Niles Community Services District this 30th day of April, 2015.



A handwritten signature in blue ink, which appears to read "Timothy P. Ruiz", is written over a horizontal line.

Secretary, Board of Directors

East Niles Community Services District