

APPENDIX C
Landscape Water Management Regulations

A. Purpose

The purpose of these proposed landscape water management regulations is to provide a consistent mechanism for preventing the waste of water resources.

B. Lawn and Landscape Irrigation Restrictions

1. A person commits an offense if the person irrigates, waters, or knowingly or recklessly causes or allows the irrigation or watering of any lawn or landscape located on any property owned, leased, or managed by the person between the hours of 10:00 a.m. and 6:00 p.m. year round. Watering is limited to twice a week with schedule to be determined by the City Manger or his/her designee. Systems irrigating with non-potable water are exempt from this provision.
2. A person commits an offense if the person knowingly or recklessly irrigates, waters, or causes or allows the irrigation or watering of lawn or landscape located on any property owned, leased, or managed by that person in such a manner that causes:
 - a. over-watering lawn or landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or
 - b. irrigating lawn or landscape during any form of precipitation. This restriction applies to all forms of irrigation, including automatic sprinkler systems; or
 - c. the irrigation of impervious surfaces or other non-irrigated areas, wind driven water drift taken into consideration.
3. A person commits an offense if the person knowingly or recklessly operates a lawn or irrigation system or device on property that the person owns, leases, or manages that:
 - a. has broken or missing sprinkler head(s); or
 - b. has not been properly maintained to prevent the waste of water.

C. Rain and Freeze Sensors

1. Any new irrigation system installed must be equipped with rain and freeze sensing devices in compliance with city ordinance, state design and installation regulations. Existing irrigation systems are encouraged to install rain and freeze sensing devices.
2. A person commits an offense on property owned, leased or managed if the person:

- a. knowingly or recklessly installs or allows the installation of new irrigation systems in violation of Subsection C.1; or
- b. knowingly or recklessly operates or allows the operation of an irrigation system that does not comply with Subsection C.1.

D. Variances

1. In special cases, variances may be granted to persons demonstrating extreme hardship or need. Variances may be granted by the Board of Directors or designee under the following circumstances:
 - a. the applicant must sign a compliance agreement agreeing to irrigate or water the lawn and/or landscape only in the amount and manner permitted by the variance; and
 - b. the variance must not cause an immediate significant reduction to the water supply; and
 - c. the extreme hardship or need requiring the variance must relate to the health, safety, or welfare of the person making the request; and
 - d. the health, safety, and welfare of the public and the person making the request must not be adversely affected by the requested variance.
2. A variance will be revoked upon a finding that:
 - a. the applicant can no longer demonstrate extreme hardship or need; or
 - b. the terms of the compliance agreement are violated; or
 - c. the health, safety, or welfare of the public or other persons requires revocation.

E. Enforcement

1. No person shall knowingly or intentionally allow the use of water from the Talty WSC for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Board President, or his/her designee, in accordance with provisions of this Plan. A mandatory surcharge will added according to the appropriate drought response stage.
2. **First Violation** - A written notice of violation will be given to the Member. Written notice may be hand delivered, placed on the front door of the dwelling or by US Postal mail delivery.

3. ***Second Violation*** - The Corporation may terminate service at the meter for a period of up to twenty- four (24) hours. The normal Disconnect/Reconnect fee shall apply for restoration of service.
4. Any person, including a person classified as a water customer of the Talty WSC in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttal presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children.
5. Any employee of the Talty WSC is authorized to give written notice or to initiate enforcement after consultation with the Board President.