



**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
VALENCIA HEIGHTS WATER COMPANY  
TO ADOPT WATER CONSERVATION MEASURES  
APRIL 23, 2015**

**WHEREAS**, California is in the midst of a severe drought; and

**WHEREAS**, Valencia Heights Water Company adopted a Conservation Plan in 2009; and

**WHEREAS**, Valencia Heights Water Company has seen a 14.5% reduction in water use through 2014, and;

**WHEREAS**, on March 17, 2015, the State Water Resources Control Board adopted further emergency water use regulations that require water suppliers in California to reduce water usage by twenty percent (20%) and;

**WHEREAS**, on April 1, 2015, Governor Jerry Brown issued an Executive Order that requires water suppliers to reduce water usage by twenty-five percent (25%) statewide; and

**WHEREAS**, on April 1, 2015, the Governor issued an Executive Order, that prohibits irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or micro-spray systems.

**WHEREAS**, as the operator of a public water system, Valencia Heights Water Company (Company) **must** comply with the State Water Resources Control Board's regulations and Governor Brown's Executive Order; those regulations include the possibility of fines of up to \$10,000 per day to be imposed on water suppliers that are in non-compliance; and for those residents that live within the unincorporated Los Angeles County area, the County is requiring the Company to enforce the regulations, and to report repeat offenders to the County for enforcement.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF VALENCIA HEIGHTS COMPANY HEREBY ADOPTS THE FOLLOWING WATER CONSERVATION MEASURES DESIGNED TO COMPLY WITH APPLICABLE REGULATIONS AND EXECUTIVE ORDERS, WHICH SHALL APPLY TO ALL COMPANY CUSTOMERS EFFECTIVE JUNE 1, 2015:**

**SECTION 1. - WATER CONSERVATION MEASURES**

To prevent the waste and unreasonable use of water, and to promote water conservation, each of the following actions is **prohibited**; except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

**A. Washing of Hard Surfaces is Prohibited.**

1. No person shall use water to wash down any sidewalks, walkways, driveways, parking areas or other paved surfaces.

**B. Watering of Lawns and Landscaping.**

1. No person shall water or cause to be watered any lawn or landscaping between the hours of 7:00 a.m. and 7:00 p.m.
2. No person shall water or cause to be watered any lawn or landscaping more than once a day.

3. Watering of any lawn or landscaping shall be limited to not more than two (2) days per week, and no more than 15 minutes per station. For purposes of this resolution, a “week” shall be defined as starting at 12:01 a.m. on Sunday and ending at 12:00 midnight the following Saturday. For efficient operation of the water system, and to maintain water quality, **outdoor watering is prohibited on Sunday, Tuesday and Friday.**
  4. No person shall water or cause to be watered any lawn or landscaping to such an extent that runoff into adjoining streets, parking lots, alleys, and gutters occurs due to incorrectly directed and/or maintained sprinklers or excessive watering.
  5. No watering of lawns or landscaping shall occur within 48 hours after a measurable rain event.
- C. Water Leaks.** It shall be the duty of all persons to inspect all hoses, faucets, sprinkling systems and other plumbing fixtures for leaks. The Company shall promptly notify any customer when the Company becomes aware of a suspected leak at the customer’s property; and the customer shall, thereafter, promptly investigate the source of water loss, and repair the leak within 72 hours.
- D. Washing Vehicles.** No motor vehicle, boat, trailer, or other type of mobile equipment may be washed, except at a commercial carwash, unless such vehicle is washed by using a hand-held bucket or water-hose equipped with an automatic shutoff nozzle. No person shall leave a water hose running and unattended while washing a vehicle or at any other time, in accordance with this Resolution.
- E. Public Eating Places.** No restaurant, cafeteria, café, or other public place, where food is sold or served, shall serve drinking water to any customer unless specifically requested to do so by such customer.
- F. Motels.** Any operator of a motel or other temporary residential facility must provide guests with the option of choosing not to have towels and linens laundered daily. Such an operator must prominently display notice of that option in the guests’ rooms.
- G. Decorative Fountains.** No person shall use water to clean, fill, or maintain levels in decorative fountains, ponds, lakes, or other similar aesthetic structures unless such water flows through a recirculating system.
- H. Water Efficient Landscaping.** Customers are encouraged to install water efficient landscaping, plants and irrigation systems.

## **SECTION 2 – ENFORCEMENT - AUTHORITY TO IMPOSE FINES**

The Company will use any means available to enforce the mandated conservation measures including the daily monitoring of the Company’s “smart meters”.

The Company will issue a **Notice of Violation** by mail and/or personal delivery at least ten (10) days before taking enforcement action. Such notice will describe the date and violation observed by Company staff, along with the date by which the corrective action must be taken.

Pursuant to the mandate set forth in the State Water Resources Control Board’s emergency water use regulations, violation of any water conservation measure established under this Resolution shall be subject to the following penalties:

1. **First Violation:** The Company will issue a written notice of non-compliance, to be delivered by mail and/or personal delivery that sets forth the particular violation.

2. **Second Violation:** For a second violation within 30 days, the Company will issue a second written notice of non-compliance to be delivered by mail and/or personal delivery that sets forth the particular violation; and impose a monetary fine of an amount not to exceed one hundred dollars (\$100.00).
3. **Third Violations:** For a third violation within 30 days, the Company will impose a monetary fine, not to exceed two hundred dollars (\$200.00).

**For a Fourth and each subsequent violation within the preceding 30 days, the Company will impose a monetary fine of no less than three hundred dollars (\$300.00) and no more than five hundred dollars (\$500.00).**

4. **Appeal:** Any customer may appeal a Notice of Violation by filing a written Notice of Appeal with the Company no later than three (3) business days before the date scheduled for the enforcement action. Any Notice of Violation not timely appealed will be final. Upon receipt of a timely appeal, a meeting to discuss the appeal will be scheduled, and the Company will then mail a written notice to the customer informing the customer of the result of that meeting; and will require that an acknowledgement be returned to the office. Any decision by the Board of Directors on such appeal shall be conclusive and final.

The foregoing enforcement measures are being promulgated to conform to the State Water Resource Control Board's requirements as set forth in its approved regulations. In addition, the Company Bylaws state as follows in Section XI:

*If the Board of Directors determines a water shortage or drought exists that adversely impacts the Company's ability to obtain water supplies necessary to provide service to the Company's shareholders and customers, the Board of Directors may declare a water shortage within the area serviced by the Company. If such a declaration is made, the Company may enact a Water Conservation and Rationing Plan, which may include but not be limited to charges to provide incentive for the reduction of water use; fines to penalize excessive water use or waste; and water restriction measures. If that plan does not prove to be successful, the Board of Directors may, thereafter, take whatever steps in accordance with California law that it deems reasonably necessary to continue the Company's ability to provide water service.*

**SECTION 3.** The Company shall provide notice of the above provisions to all customers.

**SECTION 4.** If any section, subsection, paragraph, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid, illegal, impermissible or unenforceable, these decisions shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that this Resolution and each section, subsection, division, paragraph, sentence, clause, phrase, and portion thereof would have been adopted irrespective of the fact that one or more portions of this Resolution may be declared invalid, illegal, impermissible or unenforceable.

**THIS RESOLUTION WAS DULY PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS OF VALENCIA HEIGHTS WATER COMPANY AT ITS REGULAR MEETING ON APRIL 23, 2015.**