

RESOLUTION 2015-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT AUTHORIZING THE IMPLEMENTATION OF PENALTIES FOR NON-COMPLIANCE WITH MANDATORY WATER USE RESTRICTIONS AND RESCINDING RESOLUTION 2015-02

WHEREAS, On May 5, 2015 the State Water Resources Control Board (State Board) adopted updated emergency water use regulations intended to safeguard urban water supplies in the event of continued drought, minimize the potential for waste and unreasonable use of water, and to achieve a 25 percent statewide potable water usage reduction ordered by Governor Brown in his April 1, 2015 executive order, and

WHEREAS, The Board of Directors has discussed and desires to implement penalties and, or fees for failure by any water user to comply with mandatory water use restrictions adopted by the State Water Resources Control Board and The Beaumont-Cherry Valley Water District to achieve a mandatory 36 percent reduction in urban water usage as compared to 2013, and

WHEREAS, the drought conditions that formed the basis of Governor Brown's executive order continue to exist; and

WHEREAS, the Board of Directors declares the conditions continue to exist to implement water usage restrictions in accordance with the Urban Water Management Plan adopted by the Board of Directors, and additional outdoor water use restrictions approved by the Office of Administrative Law (OAL) on May 18, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Beaumont-Cherry Valley Water District declares the following:

1. Implementation of the emergency water use regulations was previously adopted by the Board of Directors of the Beaumont-Cherry Valley Water District by Resolution 2015-02 which shall be rescinded by the adoption of this resolution.
2. A Level 2 Water Supply Shortage continues to exist within the Beaumont - Cherry Valley Water District service area.
3. The water conservation measures identified in this resolution are mandatory and violations are subject to penalties, fees, and remedies as described in the Water Code and District Rules and Regulations.
 - All persons using water provided by the Beaumont-Cherry Valley Water District shall comply with the restrictions as defined in this resolution, except where recycled water or other non-potable water is used.
 - The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited;
 - The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle is prohibited;

- The application of potable water to sidewalks, and driveways is prohibited;
- The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system is prohibited;
- Irrigating turf or ornamental landscapes during and 48 hours after measurable precipitation is prohibited;
- Restaurants and other food service establishments may only serve water to customers on request;
- Operators of hotels and motels must provide guests with the option of choosing not to have towels and linens laundered daily; notice of this option must be prominently displayed;
- The irrigation with potable water of landscapes of ornamental turf on public street medians
- The irrigation with potable water off landscapes outside newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development
- Lawn watering, park, school and street median landscape watering is restricted to Monday and Friday between the hours of 8:00 pm. and 8:00 am.

4. Penalties for non-compliance. The following financial penalties will be imposed when a customer violates the Mandatory Restrictions set forth in Section 3 of this Resolution.

a) First Violation – Written Notice.

Any notice required by this Resolution may include, for example and not by way of limitation, the following information: (i) The water conservation stage and restrictions that are in effect; (ii) Actions required for compliance in order to prevent future violations; and (iii) Penalties and enforcement actions which may be imposed for future violations.

b) Second Violation – A penalty will be imposed in an amount equal to 10 percent of the customer's current water bill.

c) Third Violation – A penalty will be imposed in an amount equal to 20 percent of the customer's current water bill.

d) Fourth Violation – A penalty will be imposed in an amount equal to 30 percent of the customer's current water bill.

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AND RESCINDING RESOLUTION 2015-02**

- e) Fifth Violation and any subsequent violation – A penalty will be imposed in an amount equal to 50 percent of the customers current water bill.

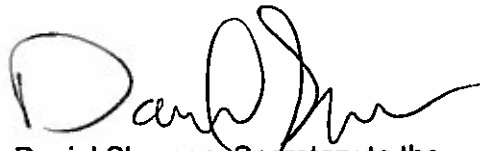
In the event of any violation after the fifth violation, the General Manager, or his/her designee, may determine, in his/her reasonable discretion that the continued violation of the restrictions set forth in this Resolution warrant the initiation of procedures for the termination of water service pursuant to Part 15 of the District's Regulations Governing Water Service.

ADOPTED, This 8th day of July, 2015

ATTEST:



Ken Ross, President of the
Board of Directors of the
Beaumont Cherry Valley Water District
District



Daniel Slawson, Secretary to the
Board of Directors of the
Beaumont Cherry Valley Water