

**ROSAMOND COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2015-6**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
ROSAMOND COMMUNITY SERVICES DISTRICT, IMPLEMENTING
STAGE 3 OF THE ORDINANCE 2009-1, THE WATER CONSERVATION
(NO WASTE) PROGRAM**

WHEREAS, on April 1, 2015, an Executive Order directs the State Water Board to impose restrictions to achieve an aggregate statewide 25% reduction in water use through February 2016. The Executive Order stipulates the 25% reduction in water use compared to 2013; and

WHEREAS, on July 15, 2014, the State Water Board adopted California Code of Regulations, title 23, sections 863, 864, and 865, as an emergency regulation because of emergency drought conditions, the need for prompt action, and current limitations in the existing enforcement process; and

WHEREAS, 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 diversion 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 report”; and

WHEREAS, on April 25, 2014, the Governor suspended the California Environmental Quality Act’s application to the State Water Board’s adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation; and

WHEREAS, these regulations shall remain in effect until the end of February 2016 unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions as described in Water Code section 1058.5.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ROSAMOND COMMUNITY SERVICES DISTRICT resolves as follows:

1. The Board of Directors finds and determines that because of the prevailing conditions in the State, the current statewide drought, and the declared policy of the State, the District manage its water resources for the general welfare to ensure their beneficial use to the fullest extent of which they are capable, the District hereby finds and determines that it is necessary and appropriate for the District to implement, and enforce Stage 3- Moderate Water Shortage from the Water Conservation (No Waste) Program, Ordinance 2009-1, to reduce the quantity of water used by consumers within the District to ensure that there is sufficient water for human consumption,

sanitation, and fire protection.

2. Water Conservation Stage 3. – Moderate Water Shortage.

(A) Water Conservation Stage 3 is also referred to as a “Moderate Water Shortage” and applies during periods when the District will not be able to meet all of the water demands of its customers. Water Conservation Stage 3 may be caused by, but is not limited to, any or all of the following circumstances or events:

(1) a regional or statewide water supply shortage exists and a regional public outreach campaign is being implemented asking or requiring all persons to reduce water use;

(2) groundwater wells are inoperable or unusable (such as by power outages, mechanical failure, or contamination);

(3) alternative water supplies are limited or unavailable;

(4) groundwater levels or groundwater quality is approaching levels which may require augmentation of the groundwater basin or other actions necessary to protect the groundwater basin as prescribed by the California Department of Water Resources, the Regional Water Quality Control Board, Kern County, or some other regulatory body.

(B) The objective of the measures undertaken in Water Conservation Stage 3 is to reduce water system consumption within the District by fifteen to twenty percent.

(C) Except as otherwise provided in this Section 9, all water conservation and drought response measures of Water Conservation Stages 1 and 2 shall be in full force and effect during Water Conservation Stage 3. Upon declaration of a Water Conservation Stage 3 by the Board of Directors, implementation by the District and publication of notice, the following water conservation and drought response measures shall apply:

(1) Water customers shall reduce their water consumption by fifteen to twenty percent from the Base Year Consumption Amount for the duration of Water Conservation Stage 2. Provided, however, the Base Year Consumption Amount for any subsequent fiscal year shall be determined by the District as appropriate in the event that the District is required to continue Water Conservation Stage 3 for more than twelve months.

(2) Lawns and/or ground cover may be watered and landscaping may be irrigated, including construction meter irrigation, only during the following designated hours and designated days:

(a) lawns and/or ground cover may be watered and landscaping may be irrigated for properties with odd number street addresses, parks, and public right of ways, only on Saturdays and Wednesdays between the hours of 6:00 p.m. and 6:00 a.m.;

(b) lawns and/or ground cover may be watered and landscaping may be irrigated for properties with even number street addresses only on Sundays and Thursdays between the hours of 6:00 p.m. and 6:00 a.m.;

(c) watering lawns and/or ground cover and irrigating landscaping is prohibited on Mondays and Fridays from 6:00 a.m. to 6:00 p.m.

(3) Notwithstanding the provisions of Section 9(C)(2) hereof, the use of graywater to irrigate fruit trees, lawns and ground covers, and ornamental trees and shrubs is permitted on any day and at any time. Provided, however, graywater may only be used in accordance with Kern County Health Department regulations.

(4) Irrigation timers shall be adjusted to comply with the provisions of Section 7(C)(2) hereof.

(5) The washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment is permitted only during the hours of 5:00 p.m. to 7 p.m. or to coincide with daylight savings PST, on Saturdays, Sundays, and Mondays with a hand-held bucket or a hand-held hose equipped with an automatic, positive shut-off nozzle for quick rinses. Washing is permitted at any time on the immediate premises of a commercial car wash. The use of water by all types of commercial car washes not using partially reclaimed or recycled water shall be reduced in volume by an amount determined by the Board of Directors. Further, such washings are exempt from these regulations where the health, safety, and welfare of the public is contingent upon frequent vehicle cleanings, such as garbage trucks and vehicles used to transport food and perishables.

(6) The overfilling of swimming pools and spas is prohibited. The filling or refilling of ponds, streams, and artificial lakes is prohibited.

(7) The operation of any ornamental fountain or similar structure is prohibited except for short periods of time to prevent damage.

3. Water Conservation Stage 2. – Minimum Water Shortage.

(A) Water Conservation Stage 2 is also referred to as a “Minimum Water Shortage” and applies during periods when a reasonable probability exists that the District will not be able to meet all of the water demands of its customers. Water Conservation Stage 2 may be caused by, but not limited to, any or all of the following circumstances or events:

(1) a regional water supply shortage exists and a regional public outreach campaign is being implemented asking or requiring all persons to reduce water use;

(2) groundwater wells are inoperable or unusable (such as by power outages, mechanical failure, or contamination);

(3) alternative water supplies are limited or unavailable;

(4) groundwater levels or groundwater quality is approaching levels which may require augmentation of the groundwater basin or other actions necessary to protect the groundwater basin as prescribed by the California Department of Water Resources, the Regional Water Quality Control Board, Kern County, or some other regulatory body.

(B) The objective of the measures undertaken in Water Conservation Stage 1 is to reduce water system consumption within the District by ten to fifteen percent.

(C) Upon declaration of a Water Conservation Stage 2 by the Board of Directors, implementation by the District and publication of notice, the following water conservation and drought response measures shall apply:

(1) The District shall determine the total amount of water delivered to the property of each customer in the prior fiscal year (the "Base Year Consumption Amount"). Water customers shall reduce their water consumption by ten to fifteen percent from the Base Year Consumption Amount for the duration of Water Conservation Stage 2. Provided, however, the Base Year Consumption Amount for any subsequent fiscal year shall be determined by the District as appropriate in the event that the District is required to continue Water Conservation Stage 2 for more than twelve months.

(2) Lawns and/or ground covers may be watered and landscaping may be irrigated, including construction meter irrigation, for a maximum of 25 minutes per day only during the following designated hours and designated days:

(a) lawns and/or ground cover may be watered and landscaping may be irrigated for properties with odd number street addresses, parks, and the public right of ways, only on Saturdays, Mondays, and Wednesdays between the hours of 6:00 p.m. to 6:00 a.m. during the winter months and 8:00 p.m. to 8 a.m. during the summer months;

(b) lawns and/or ground cover may be watered and landscaping may be irrigated for properties with even number street addresses only on Sundays, Tuesdays, and Thursdays between the hours of 6:00 p.m. to 6:00 a.m. during the winter months and 8:00 p.m. to 8 a.m. during the summer months;

(c) watering lawns and/or ground cover and irrigating landscaping is prohibited on Fridays;

(3) All irrigation timers shall be adjusted to comply with the provisions of Section 8(C)(2) hereof.

(4) Notwithstanding the provisions of Section 8(C)(2) hereof, the use of gray water to irrigate fruit trees, lawns and ground covers, and ornamental trees and shrubs is permitted on any day and at any time. Provided, however, gray water may only be used in accordance with Kern County Health Department regulations.

(5) All swimming pools, spas, ponds, and fountains shall be equipped with recirculating pumps.

(6) All plumbing leaks, improperly adjusted sprinklers, or other water conduits/fixtures that require repair or adjustment shall be corrected to the satisfaction of the District.

(7) Water customers shall read their water meters at least once each month to monitor their water consumption.

(8) Use of water from fire hydrants shall be limited to firefighting, related activities or other activities necessary to maintain the health, safety, and welfare of the public.

(9) All new Single Family Residence and Duplex homes shall be equipped with dual water meters and shall initially reduce water through landscape meters.

4. The Board does hereby affirm, based on the entire record before it, that this Resolution: 1) are necessary; 2) do not exceed the estimated cost for providing the service for which they are charged; 3) are not discriminatory; 4) do not exceed that allowed to be imposed by all applicable laws; 5) have been adopted in compliance with all applicable laws; and, 6) may be imposed in compliance with all applicable laws.

5. This Resolution shall take effect immediately and the rates provided for herein shall have immediate effect.

6. Any prior District ordinance or resolution, or part thereof, which is not in direct conflict herewith, shall remain in full force and effect.

7. The Secretary of the District Board shall certify to the passage and adoption of this Resolution.

Passed and adopted by the Rosamond Community Services District Board of Directors, at a meeting held on this 21st day of April, 2015.

Morrison "Ed" MacKay, President
Board of Directors
Rosamond Community Services District

ATTEST:

Secretary, Board of Directors
Rosamond Community Services District