

CHAPTER 14.06 WATER CONSERVATION

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14.06.010 DECLARATION OF INTENT.

The ordinance codified in this chapter is intended to allocate equitably, City supplied water during the time when a water shortage exists to ensure that sufficient water will be available for human consumption, sanitation, and fire protection. (Ord. 883 § 1, passed 7-13-2009)

14.06.020 DECLARATION OF WATER EMERGENCY.

A water emergency shall be declared whenever the following occurs:

- A. The City is unable to maintain a 10% buffer between its ability to replenish water in its storage tanks and the total daily demand for water; or
- B. A level of 80% or less of the total storage capacity providing pressure to the City water distribution system is reached and the City is unable to replenish water in its storage tanks in a reliable manner; or
- C. The City is unable to keep the finished water tanks at predetermined levels for more than 24 hours. Levels shall be determined upon consultation with Public Works and Fire Department staff; or
- D. The City is mandated by the State of California to implement water conservation measures.

(Ord. 883 § 1, passed 7-13-2009; Ord. 919, § 2, passed 08-24-2015)

14.06.030 AUTHORITY TO DECLARE WATER EMERGENCY.

The City Council may declare a water emergency when the City Manager or designee advises that 1 or more of the conditions identified in § [14.06.020](#) has occurred. The City Council may implement any conservation stage necessary depending on the drought conditions or water shortage.

(Ord. 883 § 1, passed 7-13-2009; Ord. 919, § 3, passed 08-24-2015)

14.06.040 [RESERVED].

14.06.050 PROHIBITED WATER USES DURING WATER EMERGENCY.

Compliance with this section is mandatory. The following uses of potable water supplied by the City of Fort Bragg are prohibited during a water emergency 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. *Stage 1 – 10% Goal for Reducing Water Usage.*

1. *End-User Requirements.*

- a. To prevent the waste and unreasonable use of potable water and to promote water conservation, each of the following actions is prohibited:

- (1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, nonirrigated areas, private and public walkways, roadways, parking lots, or structures.

- (2) 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 or device attached to it that causes it to cease dispensing water immediately when not in use.
- (3) The application of potable water to driveways, sidewalks, and similar hardscapes.
- (4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
- (5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall.
- (6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
- (7) The irrigation with potable water of ornamental turf on public street medians.
- (8) The irrigation with potable water of landscapes outside of 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.

b. *Other Uses of Water Prohibited During a Water Emergency.*

- (1) The use of any hose or similar device, irrespective of whether a nozzle, valve, or other shut-off mechanism is attached thereto, for washing or cleaning the exterior surface of any dwelling, garage, commercial or industrial building. Persons painting building exteriors shall be exempted from this provision when potable water is used to clean or prepare a surface for painting during a Stage 1 water conservation emergency.
- (2) The use of potable water for filling or refilling any existing or new swimming pool. Replenishing existing pools which have lost water due to evaporation shall be permitted.
- (3) The use of potable water in construction projects for backfill consolidation or compaction, or for dust control purposes; provided, however, that the City Manager may permit the use of potable water upon a determination by the City Manager that no other source of water for the purpose is available, or that no other method of compaction, consolidation, or dust control is reasonably available. The reuse of water system flush water is permitted.
- (4) The use of water through, with or by any plumbing, sprinkler, watering or irrigation system, or other device, equipment, or appliance which is broken or defective, or which, for any reason, fails to use water in the ordinary and customary manner or quantity for which it was designed, constructed, or manufactured.

c. To promote water conservation, 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 shall prominently display notice of this option in each guestroom using clear and easily understood language.

2. To prevent waste and unreasonable use of potable water and to promote water conservation, outdoor irrigation of ornamental landscapes or turf with potable water shall be limited to no more than 2 days per week for all water users.

3. Other prohibitions include the tampering of any part of the water system to circumvent the prohibitions contained within this section. Such actions include tampering with hydrants or water meters.

B. *Stage 2 – 20% Goal for Reducing Water Usage.* All of the prohibited uses of potable water during a Stage 1 water emergency are prohibited during a Stage 2 water emergency. In addition, the following uses of potable water are prohibited during a Stage 2 water emergency:

- 1. *Irrigation.* Irrigation or watering of any landscaping using potable water is prohibited.

2. *Restaurants.* The use of disposable plates, cups, and flatware is encouraged during a Stage 2 water emergency.

3. *All Other Water Uses.* All users of potable water shall reduce their potable water consumption by 20% as compared to the same month of the previous year.

C. *Stage 3 – 30% Goal for Reducing Water Usage.* All of the prohibited uses of potable water during a Stage 1 water emergency and a Stage 2 water emergency are prohibited during a Stage 3 water emergency. In addition, the following uses of potable water are prohibited during a Stage 3 water emergency:

1. *Swimming Pools.* Replenishing existing pools which have lost water due to evaporation shall not be permitted during a Stage 3 water emergency.

2. *Restaurants.* The use of disposable plates, cups, and flatware is required during a Stage 3 water emergency.

3. *All Other Water Uses.* All users of potable water shall reduce their potable water consumption by 30% as compared to the same month of the previous year.

(Ord. 883 § 1, passed 7-13-2009; Ord. 919, § 5, passed 08-24-2015)

14.06.060 MINOR AND MAJOR OFFENSES DURING WATER EMERGENCY.

The following table indicates whether a violation of the water use prohibitions established in § 14.06.050 is a “minor offense” or a “major offense” during a Stage 1, Stage 2, and Stage 3 water emergency. Penalties for violations are established by resolution of the City Council pursuant to § 14.06.090.

Prohibited water use [Applicable paragraph(s) from §14.06.050 noted]	Stage 1	Stage 2	Stage 3
Defective equipment [14.06.050(A)(1)(b)(4)]	First violation – minor offense Repeat violations – major offenses	First violation – minor offense Repeat violations – major offenses	Major offense
Lawns/landscaping, overflow or watering within 48 hours of a storm [14.06.050(A)(1)(a)(1)] [14.06.050(A)(1)(a)(5)]	First violation – minor offense Repeat violations – major offenses	Major offense	Major offense
Surface flow – washing of sidewalks, driveways, etc. [14.06.050(A)(1)(a)(3)]	First violation – minor offense Repeat violations – major offenses	Major offense	Major offense
Washing vehicles, without shut-off nozzle [14.06.050(A)(1)(a)(2)]	First violation – minor offense Repeat violations – major offenses	Major offense	Major offense
Washing building exteriors, painting preparation exempted [14.06.050(A)(1)(b)(1)]	First violation – minor offense Repeat violations – major offenses	Major offense	Major offense
Swimming pools [14.06.050(A)(1)(b)(2)] [14.06.050(C)(1)]	Major offense	Major offense	Major offense

Prohibited water use [Applicable paragraph(s) from §14.06.050 noted]	Stage 1	Stage 2	Stage 3
Fountains and other decorative water features [14.06.050(A)(1)(a)(4)]	First violation – minor offense Repeat violations – major offenses	Major offense	Major offense
Construction [14.06.050(A)(1)(b)(3)]	First violation – minor offense Repeat violations – major offenses	Major offense	Major offense
Irrigation and exterior watering [14.06.050(A)(1)(a)(8)] [14.06.050(A)(2)] [14.06.050(B)(1)]	First violation – minor offense Repeat violations – major offenses	Major offense	Major offense
Tampering with hydrants or water meters [14.06.050(A)(3)]	Major offense	Major offense	Major offense
Restaurants [14.06.050(A)(1)(a)(6)] [14.06.050(B)(2)] [14.06.050(C)(2)]	First violation – minor offense Repeat violations – major offenses	First violation – minor offense Repeat violations – major offenses	Major offense
Hotels/motels and spas [14.06.050(A)(1)(c)]	First violation – minor offense Repeat violations – major offenses	First violation – minor offense Repeat violations – major offenses	Major offense

(Ord. 883 § 1, passed 7-13-2009; Ord. 919, § 6, passed 08-24-2015)

14.06.070 USE OF WATER TANKS ENCOURAGED.

Residents or property owners wishing to install private water tanks that cover no more than 120 square feet and meet existing setback requirements may construct or install such tanks without first obtaining building permits. Private water tanks may be filled from roof runoff or from other sources. Private water tanks may not be filled from the public water supply if a water emergency has been declared.

(Ord. 883 § 1, passed 7-13-2009)

14.06.080 INSTALLATION OF CONSERVATION DEVICES IN REMODELS AND NEW CONSTRUCTION.

No building permit shall be issued for new construction, and remodeling of kitchens, bathrooms, and landscaping projects, where the plumbing fixtures to be installed do not meet the following standards:

- A. All water closets and associated flush/o/meter valves, if any, shall use no more than 1.6 gallons per and urinals and associated flush/o/meter valves shall use no more than one gallon per flush.
- B. Shower heads shall emit no more than 2.5 gallons per minute, interior faucet aerators shall emit no more than 2.2 gallons per minute.
- C. Potable hot water piping in accessible unconditioned areas leading from water heaters shall be insulated to provide an installed conductance of 0.33 or less.

- D. Installed irrigation systems shall consist of drip or soaker hose type technology, or water efficient sprinkler system on a timer.
- E. A pressure regulating device designed to limit the water pressure not to exceed fifty PSI shall be installed at the service entrance of each individual occupancy.
- F. In other than residential occupancies, all lavatory faucets must be equipped with a metering valve designated to close by spring or water pressure when left unattended (self-closing).
- G. In development where more than thirty thousand square feet is to be maintained as landscaping, all landscaping irrigation facilities shall be served by a separate water system utilizing an on-site well. Such well shall meet the city's backflow preventative standards and shall be used for no other purpose but supporting the irrigation system.
- H. Commercial car-wash facilities using City water must install water conservation devices, including low-flow nozzles and trigger-activated wands. Automatic car-wash units shall have trigger activated wash, rinse and wax cycles.
- I. Continuous flow equipment having a flow in excess of five gallons per minute must have a recycling system approved by the city engineer.
- J. All new development of more than ten residential units in size, or which require water meters of two inches or more in size, shall be required to apply to the city council for a water service permit. In considering the permit application, the city council shall consider the impact of the proposed water service on the water supply capacity of the city, the status of water production, water conservation measures proposed by the developer and the impact upon water pressure of neighboring properties.
- K. Public hot water showers shall all be retrofitted with low flow shower head devices.

(Ord. 883 § 1, passed 7-13-2009)

14.06.090 VIOLATION – PENALTY.

- A. Penalties for violation of this chapter shall be established by resolution of the City Council, as amended from time to time, and shall include penalties for minor and major offenses for each water emergency stage. Each day any violation of this chapter is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. Administrative citations for minor and major offenses may be served either personally on the water user (when feasible) or by certified mail, return receipt requested, to the address shown on the utility bill.
- B. Penalties for minor and major offenses shall be added to the utility bill; failure to pay the penalty will result in the water being shut off at this location.
- C. All penalties collected and increased revenue realized shall be deposited in the water enterprise capital improvements account and used to increase the City's water storage capacity.
- D. Water users may contest the imposition of a penalty by following the procedures established in Fort Bragg Municipal Code § [14.04.034](#).

(Ord. 883 § 1, passed 7-13-2009)