

CHAPTER 5

WATER CONSERVATION MEASURES

SECTION:

- 8-5-1: Purpose
- 8-5-2: Application And Exceptions
- 8-5-3: Prohibited Conduct
- 8-5-4: Additional Conservation Measures
- 8-5-5: Enforcement, Penalty For Violations

8-5-1: **PURPOSE:** The city council recognizes that water is not an unlimited resource and has determined and specifically finds that it is in the public interest to require the conservation of the public's water resources. The purpose of this chapter is to promulgate water conservation measures and set forth penalties for noncompliance. (Ord. 2009-05, 9-15-2009)

8-5-2: **APPLICATION AND EXCEPTIONS:** This chapter shall apply to all landscapes within the city, with the following exceptions:

- A. New lawns that require frequent irrigation for establishment purposes within ninety (90) days of planting;
- B. Short cycles required for testing, inspecting and maintaining irrigation systems;
- C. Properties currently being used for agricultural purposes; and
- D. Other situations as specifically permitted in advance by the city's public works director. (Ord. 2009-05, 9-15-2009)

8-5-3: **PROHIBITED CONDUCT:**

- A. Sprinkler irrigation of lawns and landscapes is prohibited between the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M.

- B. Sprinklers shall be adjusted to water the intended lawn and landscapes while avoiding wasteful watering of sidewalks, driveways and similarly impermeable surfaces.
- C. Each sprinkler irrigation cycle shall be limited in such a way as to avoid oversaturation of the intended lawn or landscape. The point of oversaturation is reached when water is running off of the intended lawn or landscape and into the streets or gutters. (Ord. 2009-05, 9-15-2009)

8-5-4: ADDITIONAL CONSERVATION MEASURES:

- A. In time of scarcity of water, whenever it shall, in the judgment of the city council, be necessary, the council may, by proclamation, limit the use of water to such an extent as may be necessary for the public good.
- B. It shall be unlawful for any person by himself, his or her family, or agents, to violate any proclamation made by the mayor or council under this section. If any violation shall occur, then the violator shall be subject to the penalties set forth in section 8-5-5 of this chapter. (Ord. 2009-05, 9-15-2009)

8-5-5: ENFORCEMENT, PENALTY FOR VIOLATIONS:

- A. Enforcement Authority: The Fruit Heights City public works director and code enforcement authorities are authorized to enforce all provisions of this chapter.
- B. Violation Of This Chapter: Any individual who violates any provisions of this chapter shall be issued a written notice of violation. The written notice shall be served upon a responsible individual at the address of violation or shall be affixed to the property where the violation occurred. The notice shall also be mailed to the individual of record and to any other person known to the city who is responsible for the violation. Such notice shall describe the violation and order that it be corrected, cured or abated immediately or within such specified time as the city determines is reasonable under the circumstances. Failure to receive such notice shall not invalidate further actions by the city.
- C. Issuance Of Citations: The city council authorizes the city to issue citations to individuals who fail to timely correct a violation after

receiving a notice of violation. Citations shall be issued with graduated penalties as outlined in the Fruit Heights City fee schedule. (Ord. 2009-05, 9-15-2009)

