

ORDINANCE NO. 82-034

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

MAY 6 1982

AN ORDINANCE ESTABLISHING A WATER CONSERVATION PROGRAM TO CONSERVE WATER RESOURCES AND ENERGY; AN ADMINISTRATIVE BOARD TO REVIEW WATER WASTE VIOLATORS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Article XI is added to Chapter 47 of the City Code as follows:

Section 47.400 Legislative Intent.

The City Council finds and determines:

- (a) That all municipal purveyors of water should encourage voluntary water conservation and prohibit certain domestic water uses inconsistent with water and energy conservation.
- (b) That approximately forty-six percent (46%) of raw water diverted and treated by the City water system is used for domestic irrigation purposes.
- (c) That maximum water demands are during the summer months with domestic irrigation demands exceeding all other demands.
- (d) That all water waste flows collected by the City's sanitary and combined sewerage systems require treatment and pumping prior to returning to the Sacramento River.
- (e) That with increasing costs for personnel, electrical energy, equipment and chemicals, it is desirable to reduce water waste.

Section 47.401 Paramount Ordinance.

Notwithstanding any provisions of the Sacramento City Code, uncodified ordinances heretofore adopted by the Council of the City of Sacramento, or rules, regulations, or resolutions of the City of Sacramento to the contrary, the provisions of this Article shall apply.

Section 47.402 Substandard Water Fixtures Prohibited

It shall be an infraction for any person to cause or allow any water received by such person(s) to be wasted due to leaky or faulty water fixtures or water using or disturbing devices, which are connected to the City water system, unless such person shall have first obtained the consent of the City Manager to do so.

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Section 47.403 Water Runoff Prohibited

It shall be an infraction on any person to knowingly or willingly cause or allow any water delivered by the city water system received by such person to become water waste runoff and to flow away from property owned or occupied by such person in any gutter, ditch, or other manner over the surface of the ground.

Water waste runoff shall mean water flowing away from property caused by excessive application(s) of water delivered by the City water system beyond reasonable or practical flow rates, water volumes, or duration of application.

Sections 47.404 to 47.429 Reserved

Section 47.430 Violation and Penalties

In the event any person shall violate any provision of Sections 47.402 or 47.403, the following shall apply:

1. For the first violation, the person who committed the violation shall be issued a written notice stating the type of violation.
2. For the second violation, the person who committed the violation shall be issued another written notice stating the type of violation, and the property owner shall be issued a written notice.
3. For the third violation, the person who committed the violation and the property owner shall be issued a written notice. For the Third violation, the subject property water rates shall be increased to five times (5) the normal monthly rates for the duration of the summer period from time of third violation to September 15, and then said water rates would return to their regular schedule.
4. For the fourth violation, the person who committed the violation shall be issued a written notice stating the type of violation, and the property owner shall be issued a written notice. For the fourth violation, the regular water rates will be permanently billed at five times (5) the normal monthly rates, as long as the same property owner is recorded on the tax rolls. In the event of a new property ownership or occupancy, the subject water rates may revert to the regular rate schedule upon review and approval by the Water Waste Appeals Board.

Sections 47.431 Water Waste Appeals Board

1. Any property owner may appeal their violation to the Water Waste Appeals Board for review and final determination, if they so desire. Hearings shall be conducted according to regulations promulgated by the City Manager.
2. The Water Waste Appeals Board shall be composed of two members, one of whom shall be from the Department of Finance and one shall be from the Department of Engineering, Division of Water and Sewers. The membership of the Board shall be appointed by and shall serve at the pleasure of the City Manager. The Board shall process all appeals under and make the determinations of violators described by this Section.

Sections 47.432 - 47.449 Reserved

Section 47.450 Fire and Other Emergencies

Nothing in this Article shall be construed to apply to use of water for purposes of extinguishing fire or any other similar emergency.

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Section 47.451 Consent of City Manager

Whenever in this Article a person is authorized to obtain the consent of the City Manager to do an act otherwise prohibited, the City Manager shall give such consent only where the City Manager determines:

1. There is no practical alternative manner in which the person making application may accomplish the desired result; and,
2. The desired result is of substantial importance when compared with the importance of conserving water resources and energy as set forth in this article.

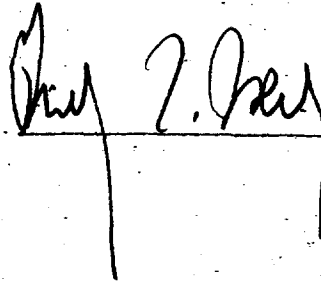
Section 47.452 City Exempt

The City of Sacramento, its officers, employees, and agents, when acting in the course and scope of their employment, shall be exempt from the provisions of this Article; provided, however, the City Manager shall make such rules and regulations as may be necessary in order for the City to conserve water resources and energy to the greatest extent practicable.

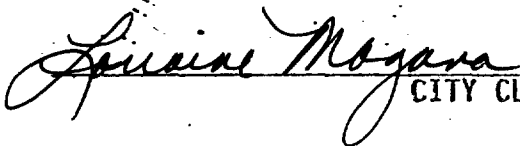
DATE PASSED FOR PUBLICATION: April 27, 1982

DATE ENACTED: May 6, 1982

DATE EFFECTIVE: June 5, 1982


MAYOR

ATTEST:


CITY CLERK

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