



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 25**

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
ESTABLISHING EMERGENCY DROUGHT REGULATIONS**

Be it ordained by the Board of Directors of the Town of Discovery Bay Community Services District as follows:

SECTION 1. Short Title

This Ordinance shall be known and may be cited as Town of Discovery Bay Drought Emergency Regulation Ordinance.

SECTION 2. Purpose

The purpose of this Ordinance is to protect the health, safety, and welfare of residents of the Town of Discovery Bay Community Services District; to respond to the current drought crisis and other possible crises in the future; to authorize the Board of Directors to declare a water shortage emergency; and to regulate water usage with the District for the purpose of conserving severely limited water resources.

SECTION 3. Water Shortage Emergency Declaration

The Board of Directors may declare a water shortage emergency by resolution and upon finding that additional water use restrictions are necessary for the immediate protection of health and safety or are required by State law.

A water shortage emergency declaration shall remain in effect until the Board of Directors finds and declares by resolution that the water shortage emergency condition has abated, has changed in degree, or no longer exists.

SECTION 4. Regulations

While a water shortage emergency declaration is in effect, the following activities shall be prohibited except where necessary to address an immediate health and safety need:

1. 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;
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 and sidewalks;
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. Outdoor irrigation of lawns, ornamental landscapes, or turf with potable water, except as follows:
 - a. Dwellings or establishments with odd numbered street addresses may use outdoor water before 1 p.m. and after 7 p.m. on Wednesdays and Sundays only;

- b. Dwellings or establishments with even numbered street addresses may use outdoor water before 1p.m. and after 7 p.m. on Tuesdays and Saturdays only.
- c. All dwellings, establishments, businesses, associations, parks or open spaces that are connected to an outdoor irrigation system which provides outdoor irrigation to multiple addresses, units and/or areas with or without an address may use outdoor water not more than two days per week for each zone or area controlled by that irrigation system.

SECTION 5. Enforcement

The General Manager of the District shall administer, implement and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the General Manager may be delegated by the General Manager to persons acting in the beneficial interest of or in the employ of the District.

SECTION 6. Violation

The General Manager, or his/her designee, may issue a Notice of Violation to any person, business, association, or other party who fails to comply with any condition of this Ordinance. Failure to comply with any condition of this Ordinance after the issuance of a Notice of Violation shall be punishable by a fine of \$25 for a first violation, a fine of \$50 for a second violation, a fine of \$100 for a third violation, and a fine of \$500 for a fourth violation and any subsequent violation thereafter. Each day upon which any condition of this Ordinance is violated shall constitute a separate violation.

Any use or activity in violation of the terms of this Ordinance is declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction. The District Board, in addition to other remedies, may institute any appropriate action or proceedings to prevent, abate, or restrain the violation. All costs, fees and expenses in connection with such action shall be assessed as damages against the violation.

SECTION 7. Severability

The various parts, paragraphs, section, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

SECTION 8. Adoption and Effective Date

This Ordinance is hereby declared to have been adopted by the District Board at a meeting thereof duly called and held on the 3rd day of September, 2014, and ordered to be given effect thirty (30) days after its first publication as mandated by statute.

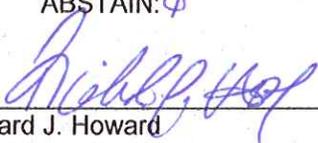
CERTIFICATION

Passed and adopted at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on September 3, 2014 by the following vote:



Mark Simon
Board President

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0



Richard J. Howard
Board Secretary