

Drought Contingency Plan

City of Huron

P.O. Box 339 Huron, CA 93239-0339

Water System No. 1010044

April 15, 2015

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Huron hereby adopts the following regulations and restrictions on the delivery and consumption of water through an ordinance/or resolution.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section XI of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Huron by means of public hearing and postings around the city.

Section III: Public Education

The City of Huron will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of city-wide publications and bill inserts.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Huron is located within the Central Valley Regional Water Quality Control Board and City of Huron has provided a copy of this Plan to the State Water Resources Control Board.

Section V: Authorization

The City Manager, or his/her designee is hereby authorized and directed to implement the

applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his /her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Huron. The terms “person” and “customer” as used in the Plan may include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as schools, hospitals, clinics, retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by City of Huron.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-way and medians.

Non-essential water use: water uses that are neither essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

The City Manager or his/her designee shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on:

The amount of water provided by the U.S. Bureau of Reclamation.

Section IX - Drought Response Triggers

Stage 1 Triggers -- Water Shortage WATCH Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII-Definitions, when the water supply available to the City of Huron is reduced by 5% or when, pursuant to requirements specified in the U.S. Bureau of Reclamation wholesale water purchase contract with the U.S. Bureau of Reclamation, notification is received requesting initiation of Stage 1 of the Drought Contingency Plan or when implemented by a resolution of the City Council whenever the Council finds to do so is necessary to protect the public health, safety and general welfare of the public.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days.

Stage 2 Triggers -- Water Shortage WARNING Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when the water supply available to the City of Huron is reduced by 10% or when, pursuant to requirements specified in the U.S. Bureau of Reclamation wholesale water purchase contract with the U.S. Bureau of Reclamation, notification is received requesting initiation of Stage 2 of the Drought Contingency Plan or when implemented by a resolution of the City Council whenever the Council finds to do so is necessary to protect the public health, safety and general welfare of the public.

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 Triggers -- EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when the water supply available to the City of Huron is reduced by 20% or when, pursuant to requirements specified in the U.S. Bureau of Reclamation wholesale water purchase contract with the U.S. Bureau of Reclamation, notification is received requesting initiation of Stage 3 of the Drought Contingency Plan or when implemented by a resolution of the City Council whenever the Council finds to do so is necessary to protect the public health, safety and general welfare of the public.

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when the water supply available to the City of Huron is reduced by 50% or when, pursuant to requirements specified in the U.S. Bureau of Reclamation wholesale water purchase contract with the U.S. Bureau of Reclamation, notification is received requesting initiation of Stage 4 of the Drought Contingency Plan or when implemented by a resolution of the City Council whenever the Council finds to do so is necessary to protect the public health, safety and general welfare of the public.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 15 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

Section X: Drought Response Stages

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The City Manager or his/ her designee shall notify the public by means of: publication in a newspaper of general circulation, signs posted in public places, and direct mail to each customer.

Additional Notification:

The City Manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities in the event of Stage 2, 3, or 4 conditions:

- Mayor / Chairman and members of the City Council / Utility Board
- Fire Chief(s)
- CDPH or County LPA (Environmental Health Dept.)
- Major water users
- Critical water users, i.e. hospitals
- Parks / street superintendents & public facilities managers

Stage 1 Response -- Water Shortage WATCH Conditions

Target: Achieve a voluntary 10 percent reduction in total water use.

Best Management Practices for Supply Management:

- (a) Reduction in water main flushing.
- (b) Water audit is conducted to determine unaccounted for water losses and leak detection.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Stop washing down paved surfaces, including, but not limited to, sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards.

- (b) Stop water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. Similarly, stop water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- (c) Irrigate residential and commercial landscape before 10:00 a.m. and after 6:00 p.m. only.
- (d) Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system.
- (e) Irrigate nursery and commercial grower's products before 10:00 a.m. and after 6:00 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
- (f) Use re-circulated water to operate ornamental fountains.
- (g) Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.
- (h) Serve and refill water in restaurants and other food service establishments only upon request.
- (i) Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.
- (j) Repair all water leaks within five (5) days of notification by the City unless other arrangements are made with the City Manager or other person designated by the City Council.
- (k) Use recycled or non-potable water for construction purposes when available.

Stage 2 Response -- Water Shortage WARNING Conditions

Target: Achieve a 20 percent reduction in total water use.

Best Management Practices for Supply Management:

- (a) Discontinuation of water main flushing.
- (b) Meter replacement or other operational changes to reduce unaccounted for water

losses.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, in addition to the restrictions set forth in Stage One, the following water use restrictions shall apply to all persons:

- (a) Limit residential and commercial landscape irrigation to not more than three (3) assigned days per week on a schedule established by the City Manager, or other person designated by the City Council and posted by the City. During the months of November through May, landscape irrigation is limited to no more than once per week on the schedule established by the City Manager or other person designated by the City Council and posted by the City. This Section shall not apply to commercial growers or nurseries.
- (b) Limit lawn watering and landscaping irrigation using sprinklers to no more than ten minutes per watering station per assigned day. This provision does not apply to landscape irrigation systems using water efficient devices, including but not limited to: weather based controllers, drip/micro-irrigation systems and stream rotor sprinklers.
- (c) Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by paragraph (b) above on the same schedule as set forth in Section (a) above by using a bucket, hand-held hose with positive shut-off nozzle, or low volume non-spray irrigation.
- (d) Repair all leaks within seventy-two (72) hours of notification by the City unless other arrangements are made with the City Manager or other person designated by the City Council.
- (e) Stop operating ornamental fountains or similar decorative water features unless recycled water is used.
- (f) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash-down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response -- EMERGENCY Water Shortage Conditions

Target: Achieve a 35 percent reduction in total water use.

Best Management Practices for Supply Management:

- (a) Reduce irrigation of public spaces including parks and medians.
- (b) Begin researching alternative water supply sources.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 1 and 2 shall remain in effect during Stage 3 except:

- (a) Limit residential and commercial landscape irrigation to no more than two (2) assigned days per week on a schedule established by the City Manager or other person designated by the City Council and posted by the City. During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the City Manager and posted by the City. This section shall not apply to commercial growers or nurseries.
- (b) Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 5(b), on the same schedule set forth in section 6 (a) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation.
- (c) Stop filling or re-filling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level under this Ordinance.
- (d) Stop washing vehicles except at commercial car washes that re-circulate water, or by high pressure/low volume wash systems.
- (e) Repair all leaks within forty-eight (48) hours of notification by the City unless other arrangements are made with the City Manager or other person designated by the City Council.
- (f) Additionally, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates or letters of availability) shall be issued, except under the following circumstances:
 - I. A valid, unexpired building permit has been issued for the project; or
 - II. The project is necessary to protect the public's health, safety, and welfare; or
 - III. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of City.

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted

for a period of one year or less.

Stage 4 Response -- CRITICAL Water Shortage Conditions

Target: Achieve a 50 percent reduction total water use.

Best Management Practices for Supply Management:

- (a) Discontinue irrigation of public spaces including parks and medians.
- (b) Continue research and development of alternative water supply sources.

Water Use Restrictions for Reducing Demand: All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Stop all landscape irrigation, except crops and landscape products of commercial growers and nurseries. This restriction shall not apply to the following categories of use unless the City has determined that recycled water is available and may be lawfully applied to the use.
 - I. Maintenance of trees and shrubs that are watered on the same schedule set forth in section 6 (a) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;
 - II. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;
 - III. Maintenance of existing landscaping for erosion control;
 - IV. Maintenance of plant materials identified to be rare or essential to the well-being of rare animals;
 - V. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week according to the schedule established under section 6 (b) (1);
 - VI. Watering of livestock; and
 - VII. Public works projects and actively irrigated environmental mitigation projects.
- (b) Repair all water leaks within twenty-four (24) hours of notification by the City unless other arrangements are made with the City Manager.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains

or ponds are equipped with a recirculation system.

- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Section XI: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the City of Huron for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than five hundred dollars (\$500) and not more than One Thousand dollars (\$1,000). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$25, and any other costs incurred by the City of Huron in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Huron, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any employee of the City of Huron, police officer, or other public works employee designated by the City Manager, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation

was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

Section XII: Variances

The City Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Huron within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.