

SAN SIMEON COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 85

AN ORDINANCE RELATING TO WATER CONSERVATION

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SAN SIMEON COMMUNITY SERVICES DISTRICT ("SSCSD") as follows:

SECTION 1: That Ordinances 64, 69, 70 and 80 are hereby repealed.

SECTION 2: There is hereby re-established the SSCSD Comprehensive Water Conservation Plan.

A. DECLARATION OF POLICY.

It is hereby declared that, because of the conditions prevailing within the SSCSD boundaries, the general welfare requires that the water resources available to SSCSD be put to the maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use, or unreasonable method of use of water be prevented and the conservation of such water is to be extended with a view to the reasonable and beneficial use thereof in the interests of the people of the SSCSD and for the public welfare.

The current water situation within the SSCSD is as follows:

1. Present water supplies are limited;
2. The chloride constituent of the SSCSD water fluctuates to undesirable levels periodically;
3. Long-term water supply projects are in process but not readily available;
4. SSCSD needs to conserve its available supplies to provide water to its existing customers.

Based upon the water situation within the SSCSD, the Board finds that an emergency water situation exists necessitating the immediate re-implementation of comprehensive water conservation measures.

B. APPLICATION.

The provisions of this Ordinance shall apply to all persons, customers and property served by the SSCSD wherever situated. No customer of SSCSD, or any employee or invitee of any customer of the SSCSD, shall knowingly make, cause, use or permit the use of SSCSD water for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision of this Ordinance, or in an amount in excess of

that use permitted by the following conservation measures. The term "SSCSD water," as used herein, shall not include reclaimed wastewater.

C. MANDATORY COMPLIANCE - WATER EMERGENCY.

The following restrictions shall apply to all persons effective immediately:

- (1) All outdoor irrigation of vegetation with SSCSD water shall be prohibited.
- (2) The washing of automobiles, trucks, trailers, boats, mobile homes, and other types of mobile equipment with SSCSD water shall be prohibited.
- (3) The use of SSCSD water for the filling, refilling or adding of water to swimming pools, wading pools, ornamental fountain, or spas shall be limited to the amount necessary to keep pool or fountain equipment operative and to refill for evaporative losses; and may be prohibited in the event that the SSCSD General Manager determines that further water conservation is necessary.
- (4) Use of water from fire hydrants shall be limited to fire fighting and/or other activities immediately necessary to maintaining the health, safety and welfare of the SSCSD.
- (5) Restaurants are prohibited from serving SSCSD water to their customers except when specifically requested by the customers.
- (6) SSCSD water shall not be used to wash down sidewalks, driveways, parking areas, buildings or other structures, except to alleviate immediate fire or sanitation hazards.
- (7) All sales of SSCSD water outside of the SSCSD limits shall be discontinued.

D. PENALTY.

Any person, corporation or association violating any provision of this Ordinance shall constitute an infraction on the first offense and a misdemeanor for each subsequent violation. The violation of each provision, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly; provided, however, compliance may be further sought through injunctive relief in the Superior Court.

E. SEVERABILITY.

If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances if for any reason is held to be unconstitutional, void or invalid, the invalidity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the Board of Directors in adopting this Ordinance that no portion thereof, or provisions, or regulation contained herein, shall become inoperative, or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 3: This Ordinance shall take effect and be in force immediately after its passage.

SECTION 4: This Ordinance shall be posted for one (1) week in three (3) public places in the District.

This Ordinance was INTRODUCED, READ, PASSED and ADOPTED on the 12th day of October, 1994, on the following roll call vote, to-wit:

AYES: Bob Hahn, Walt Blankenship, Dee Dee Ricci and Mabel Webster

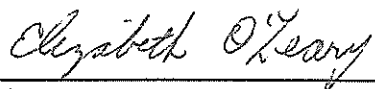
NOES: None

ABSENT: Ray Price



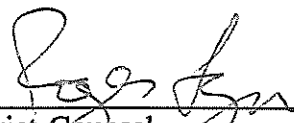
Chairman, Board of Directors

ATTEST:



District Secretary

APPROVED AS TO FORM:



District Counsel