

RESOLUTION NO. 5 - 2015

A RESOLUTION OF THE BOARD OF DIRECTORS OF BELLFLOWER-SOMERSET MUTUAL WATER COMPANY TO ADOPT WATER CONSERVATION MEASURES

WHEREAS, California is in the midst of a severe drought, for which Governor Edmund G. Brown, Jr. has declared a state of emergency; and

WHEREAS, on March 17, 2015, the State Water Resources Control Board adopted further emergency water use regulations that require water suppliers in California to reduce water usage by twenty percent (20%); and

WHEREAS, on April 1, 2015, Governor Brown issued an Executive Order requiring water suppliers to reduce water usage by twenty-five percent (25%) statewide; and

WHEREAS, on April 18, 2015, the State Water Resources Control Board issued proposed regulations that require Bellflower-Somerset Mutual Water Company ("Company") to reduce its water consumption by twenty percent (20%) as compared to 2013; and

WHEREAS, as the operator of a public water system, the Company must comply with the State Water Resources Control Board's regulations and Governor Brown's Executive Order,

NOW, THEREFORE, THE BOARD OF DIRECTORS OF BELLFLOWER-SOMERSET MUTUAL WATER COMPANY HEREBY ADOPTS THE FOLLOWING WATER CONSERVATION MEASURES DESIGNED TO COMPLY WITH APPLICABLE REGULATIONS AND EXECUTIVE ORDERS, WHICH SHALL APPLY TO ALL COMPANY CUSTOMERS IMMEDIATELY UPON ADOPTION OF THIS RESOLUTION:

SECTION 1. - WATER CONSERVATION MEASURES

- A. Multi-unit master-metered properties.** The Company's Board of Directors finds that based on water usage data the Company has compiled, it is apparent that multi-unit master-metered properties in the Company's service area have not conserved potable water to the same relative percentages as have the Company's single-family residential and commercial properties. Based on that discrepancy, effective June 1, 2015 and continuing through May 31, 2016, the Company's Board of Directors hereby imposes on all multi-unit master-metered properties a mandatory five percent (5%) reduction in water consumption as compared to the corresponding monthly water consumption commencing June 2013 through May 2014. Failure to satisfy the required reduction shall constitute a violation and subject the owner of any such property to the enforcement measures set forth in Section 2, below.
- B. Hose watering prohibition.** No person shall use water to wash down any sidewalks, walkways, driveways, parking areas or other paved surfaces.

C. Watering of lawns and landscaping.

1. No person shall water or cause to be watered any lawn or landscaping between the hours of 10:00 a.m. and 5:00 p.m.
2. No person shall water or cause to be watered any lawn or landscaping more than once a day.
3. Watering of any lawn or landscaping shall be limited to not more than two (2) days per week. For purposes of this resolution, a "week" shall be defined as starting at 12:01 a.m. on Sunday and ending at 12:00 midnight the following Saturday. For properties with even numbered street addresses, such watering shall occur on Mondays and Thursdays and for properties with odd numbered street addresses, such watering shall occur on Tuesdays and Fridays.
4. No person shall water or cause to be watered any lawn or landscaping to such an extent that runoff into adjoining streets, parking lots or alleys occurs due to incorrectly directed or maintained sprinklers or excessive watering.
5. No watering of lawns or landscaping shall occur within 48 hours after a measurable rain event.

D. Indoor Plumbing and fixtures. It shall be the duty of all persons to inspect all hoses, faucets and sprinkling systems for leaks, and to cause all leaks to be repaired as soon as is reasonably practicable. The Company shall promptly notify any customer when the Company becomes aware of a potential leak at the customer's property, and the customer shall thereafter promptly investigate that potential leak. If a leak is found to exist, the customer shall cause it to be repaired as soon as is reasonably practicable.

E. Washing vehicles. No motor vehicle, boat, trailer, or other type of mobile equipment may be washed, except at a commercial carwash, unless such vehicle is washed by using a hand-held bucket or water-hose equipped with an automatic shutoff nozzle. No person shall leave a water hose running while washing a vehicle or at any other time, except as necessary to water lawns or landscaping in accordance with this Resolution.

F. Public Eating Places. No restaurant, cafeteria, café, or other public place where food is sold or served shall serve drinking water to any customer unless specifically requested to do so by such customer.

G. Motels. Any operator of a motel or other temporary residential facility must provide guests with the option of choosing not to have towels and linens

laundered daily. Such an operator must prominently display notice of that option in the guests' rooms.

- H. **Decorative fountains.** No person shall use water to clean, fill, or maintain levels in decorative fountains, ponds, lakes, or other similar aesthetic structures unless such water flows through a recirculating system.
- I. **Water Efficient Landscaping.** Customers are encouraged to install water efficient landscaping, plants and irrigation systems.

SECTION 2 – ENFORCEMENT

Pursuant to the mandate set forth in the State Water Resources Control Board's emergency water use regulations, violation of any water conservation measure established under this Resolution shall be subject to the following penalties:

1. **First Violation:** The Company will issue a written notice of non-compliance, to be delivered by mail or personal delivery that sets forth the particular violation.
2. **Second Violation:** For a second violation within the preceding twelve (12) calendar months, the Company will issue a second and final written notice of non-compliance to be delivered by mail or personal delivery that sets forth the particular violation.
3. **Third and Subsequent Violations:** For a third violation within the preceding twelve (12) calendar months, the Company will impose a monetary fine, not to exceed one hundred dollars (\$100.00). For a fourth and each subsequent violation within the preceding twelve (12) calendar months, the Company will impose a monetary fine no less than two hundred fifty dollars (\$250.00) and no more than five hundred fifty dollars (\$500.00).
4. **Appeal:** Any customer of the Company who receives a notice of violation or any fine as set forth in this Section 2 may appeal such notice or fine to the Company's Board of Directors within thirty (30) days after the date of such notice or fine. The decision of the Board of Directors on such appeal shall be conclusive and final.

SECTION 3. The Company shall provide notice of the above provisions to all customers.

SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid, illegal, impermissible or unenforceable, these decisions shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that this Resolution and each section,


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subsection, division, paragraph, sentence, clause, phrase, and portion thereof would have been adopted irrespective of the fact that one or more portions of this Resolution may be declared invalid, illegal, impermissible or unenforceable.

RESOLUTION NO. 5 – 2015 WAS DULY PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS OF BELLFLOWER-SOMERSET MUTUAL WATER COMPANY AT ITS REGULAR MEETING ON MAY 18, 2015.

Attest:


_____, **President**


_____, **Secretary**