

# NON-FUNCTIONAL TURF POLICY

April 21,2025

Legislation, signed into law October 13,2023 (AB1572). This law prohibits the use of Potable drinking water for irrigation of non-functional turf for all commercial, industrial, and institutional (CII) properties. This includes schools and HOA's.

The customer whose name is on the account shall be the party responsible for compliance. This policy does not limit any other policy or resolution of the company, for water conservation and/ or drought restrictions.

**Non-functional Turf** is described as any common area that is decorative and has no other function. Nonfunctional turf includes but not limited to:

- 1) turf or ground cover within the street right of ways or parking lots.
- 2) Common areas is an area that is not assigned for exclusive use of the occupants of an individual dwelling unit within a property
- 3) Common areas of Homeowners associations
- 4) Turf which is enclosed by fencing or other barriers to **permanently** preclude human **access for recreation or assembly.**

**Functional Turf** is defined as common turf located in a recreational use areas or community gatherings. These might include sporting fields, picnic areas, and cemeteries. **This also includes single family residential properties.**

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## **Compliance periods are stated below:**

January 1, 2027, public properties owned by local governments

January 1 2028: Commercial, industrial and institutional properties

January 1, 2029: Homeowner associations (HOA)

January 1 2031; Disadvantage community Properties (DAC)

## **Exceptions to the rule are:**

- 1) The use of potable water to ensure the health of trees and other perennial vegetation or to the extent necessary to address immediate health and safety needs.
- 2) Turf that has been designated by a property or government agency to accommodate human foot traffic for civic, ceremonial, or other community events or social gatherings; turf located in recreational use or community space; turf located in sports fields, golf courses, playgrounds, picnic areas or pet exercise areas.
- 3) This policy shall not apply to private residential properties, including residences located within a homeowner's association or common interest development.

## **Compliance and enforcement**

- 1) First violation: a written notice of non-compliance
- 2) Second notice: second notice within 12 months a final written notice
- 3) Third violation: third notice and subsequent with 12 months will be considered unauthorized use of water with a penalty up to \$500.00 per violation, determined by the Board of Directors.
  - A) In addition to fines, water flow restrictors may be installed for approximately one gallon per minute for services up to 1 ½" meters and comparatively sized for larger meters. A 48-hour notice will be given before installing a flow restrictor. A fee will be given to cover the cost of installing, removing the flow restrictor. This charge must be paid before the device is removed.

## **Appeals:**

The company will deliver either by certified mail or personal delivery 10 days prior to enforcement action is taken. A customer may in writing appeal the decision of the company no later than One business day before the enforcement action is to take place.

## **Certification of compliance:**

Customers having more than 5,000 sq ft of irrigated area in commercial, industrial, or institutional properties shall certify their compliance with the State Water Resources Control Board pursuant to requirements of Water Code Section 10608.14 (e).

The State Water Resources Control Board may defer compliance up to 3 years upon showing good cause for reasons which may include economic hardship, critical need, and potential impacts to human health or safety.