

## **RESOLUTION 2022-12**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT AUTHORIZING THE IMPLEMENTATION OF WATER USE RESTRICTIONS AND RESCINDING RESOLUTION 2016-05**

**WHEREAS**, on October 19, 2021, California Governor Gavin Newsom extended an emergency proclamation of drought across Riverside County, and on March 28, 2022, issued Executive Order N-7-22 directing the State Water Resources Control Board (SWRCB) to consider adopting emergency drought regulations by May 25, 2022, which would be intended to safeguard urban water supplies as the drought continues, minimize the potential for waste and unreasonable use of water, and to achieve a statewide potable water usage reduction; and

**WHEREAS**, on January 4, 2022, the SWRCB adopted Emergency Regulations which prohibit certain uses of potable water; and

**WHEREAS**, the State Water Project has informed the State Water Contractors that the 2022 water supply allocation will be just 5 percent; and

**WHEREAS**, the Board of Directors finds that:

1. The drought conditions which formed the basis of Governor Newsom's declarations of emergency continue to exist and there is need for District customers to use water efficiently and increase conservation efforts
2. The conditions of a Water Shortage Level 3 exist as outlined in the Water Shortage Contingency Plan adopted by the Board with Resolution 2021-14 on August 26, 2021
3. Implementation of water usage restrictions is in the best interests of the District to preserve storage supplies in the Beaumont Basin

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Beaumont-Cherry Valley Water District that:

1. Implementation of emergency water use regulations was previously adopted by the Board of Directors with Resolution 2016-05 which shall be rescinded by the adoption of this resolution.
2. A Water Shortage Level 3 of the District's Water Shortage Contingency Plan is declared.
3. The water conservation measures identified in Attachment A to this resolution are mandatory and violations are subject to penalties, fees, and remedies as described herein.
4. All persons using water provided by the Beaumont-Cherry Valley Water District shall comply with the restrictions as defined in Section 3 of Attachment A to this resolution herein, except where recycled water or other non-potable water is used.
5. The provisions of this resolution will remain in effect until rescinded by declaration of the Board of Directors

ADOPTED this 28 day of April, 2022, by the following vote:


AYES: Williams, Covington, Skawson, Hoffman


NOES:

ABSTAIN: Ramirez

ABSENT:

ATTEST:

  
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Director Lona Williams, President of the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

  
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Director David Hoffman, Secretary to the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

Attachment A:  
Water Shortage Level 3

ATTACHMENT A  
WATER SHORTAGE LEVEL 3

SECTION 1: MANDATORY PROHIBITIONS ON WATER WASTE

Under the Emergency Regulations adopted on January 4, 2022 (effective January 18, 2022), by the State Water Resources Control Board the following are prohibited:

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. Use of a hose dispensing potable water for car washing without a shutoff nozzle
3. The application of potable water to sidewalks, driveways, and other impervious surface(s)
4. The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public
5. Use of potable water for decorative fountains, or the filling or topping off lakes or ponds
6. Application of water to irrigate turf and ornamental landscapes during and within 48 hours of measurable rainfall of at least one fourth of one inch of rain

SECTION 2: WATER USE RESTRICTIONS

1. Residential lawn watering, parks, sports parks, schools, and ornamental (non-functional) turf on street median/parkway landscape watering is restricted between the hours of 8:00 p.m. and 8:00 a.m., three (3) days per week from May through October
  - a. Monday, Wednesday, and Friday for "odd" addresses
  - b. Tuesday, Thursday, and Sunday for "even" addresses
  - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of "odd" addresses
2. Residential lawn watering, parks, sports parks, schools, and ornamental (non-functional) turf on street median/parkway landscape watering is restricted between the hours of 8:00 p.m. and 8:00 a.m., two (2) days per week from November through April
  - a. Monday and Friday for "odd" addresses
  - b. Tuesday and Saturday for "even" addresses
  - c. Meter accounts that do not have a physical address shall conform with the irrigation schedule of "odd" addresses
3. Restaurants and other food service establishments may only serve water to customers upon request
4. Lodging facilities must provide guests with the option of opting out of linen services (daily laundering). Lodging facilities to display the option to opt out clearly in each room
5. Pools
  - a. No filling of new swimming pools
  - b. Topping off existing pools is permitted

- c. Homeowners Association (HOA) and other community pools shall implement necessary protocols to minimize the draining and refilling of their respective pools
- 6. Issuance of construction meters shall be conditionally allowed under the following:
  - a. Activities related to rough grading shall be subject to Board Approval.
    - i. Applicant shall identify to staff grading duration, approximate quantity of water needed and conditions for which the Board of Directors is to consider.
  - b. Frequency of monitoring shall be determined on a case-by-case basis as determined by actual consumption requirements.

### SECTION 3: PENALTIES, FEES, AND REMEDIES

The following financial penalties will be imposed a when a customer violates the mandatory restrictions set forth in Sections 1 and 2 above:

#### 1. First Violation – Written Notice

Any notice required by this proposed Resolution may include, for example and not by way of limitation, the following information:

- a. The water conservation stage and restrictions that are in effect
  - b. Actions required for compliance in order to prevent future violation
  - c. Penalties and enforcement actions which may be imposed for future violations
- 2. Second violation: A penalty will be imposed in an amount equal to 10 percent of the customer's current water bill
- 3. Third violation: A penalty will be imposed in an amount equal to 20 percent of the customer's current water bill
- 4. Fourth Violation: A penalty will be imposed in an amount equal to 30 percent of the customer's current water bill
- 5. Fifth Violation (and any subsequent violation): A penalty will be imposed in an amount equal to 50 percent of the customer's current water bill

In the event of any violation after the fifth violation, the Board of Directors, may determine, in its reasonable discretion, that the continued violation of restrictions set forth in the Resolution warrant the initiation of procedures for the suspension or termination of water service pursuant to Part 15 of the District's Regulations Governing Water Service.