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ARTICLE 3. SUSTAINABLE WATER USE ORDINANCE

8-2-301: SHORT TITLE:

This article shall be known and may be cited as the “Sustainable Water Use Ordinance.” [Added by Ord. No. 3737, eff. 5/23/08; Amended by Ord. No. 3761, eff. 7/3/09; amended by ordinance, eff. 8/13/16.]

8-2-302: STATEMENT OF POLICY AND PURPOSE:

A. Policy. It is desirable and in the general welfare of the City that the water resources available to the City be put to maximum beneficial use to the extent possible and that waste, unreasonable use or unreasonable method of use be prevented, and that conservation of such water resources be exercised in a reasonable and beneficial manner for the residents and businesses of Burbank.

B. Purpose. Conditions may arise from time to time that will limit the water supply to the City. This article provides procedures to reduce water use citywide and thereby mitigate the effect of a shortage of water resources. Through the use of incremental stages, as appropriate for prevailing conditions, this article provides for increasing levels of water use restrictions and penalties in order to discourage wasteful water use practices and achieve reduced water consumption. [Added by Ord. No. 3737, eff. 5/23/08; Amended by Ord. No. 3761, eff. 7/3/09.]

8-2-303: APPLICATION:

A. The provisions of this article shall apply to all users of potable water service in the City, with the exceptions set forth in subsections (b) and (c) of this section.

B. This article shall not apply to uses of water necessary to protect public health and safety or for essential public services such as police, fire, or sanitation.

C. This article shall not apply to use of recycled water. [Added by Ord. No. 3737, eff. 5/23/08; Amended by Ord. No. 3761, eff. 7/3/09.]

8-2-304: SUSTAINABLE WATER USE STAGES:

The water use restrictions imposed by this article shall be implemented in six stages. Stage I, consisting of sustainable water use measures that will be in place at all times, shall take effect immediately on the effective date of the ordinance enacting this article. Stages II, III, IV, V and VI shall require subsequent action of the City Council pursuant to section [8-2-305](#). The six stages are as follows:

A. Stage I. In Stage I, water users shall follow these sustainable water use practices:

- (1) Do not water outdoor landscaped areas more than fifteen (15) minutes per day per station and no more than three (3) days per week, year-round. Areas watered with low volume irrigation systems that require additional spray time are exempt from the 15-minute time restriction of this requirement, but must comply with the three (3) days per week watering limit. The three allowable irrigation days are Tuesdays, Thursdays and Saturdays. With the exception of attended hand-

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watering, irrigation will not be allowed any day outside of the requirement listed here. Attended hand-watering is allowed any day of the week. Do not water outdoor landscaped areas on rainy days and at least two days thereafter.

(2) Do not water outdoor landscaped areas between the hours of 9:00 a.m. to 6:00 p.m. or during daylight hours from November through March except by use of attended hand-watering, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

(3) Adjust sprinklers and irrigation systems to eliminate overspray and avoid run-off into streets, sidewalks, parking lots, alleys or other paved surfaces.

(4) Do not hose or wash driveways, patios, sidewalks, or other hard or paved surfaces except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a high pressure, low volume spray hose using only potable water with no cleaning agents at an average water usage of 0.006 gallons per square feet of sidewalk area in accordance with Resolution No. 98-08 issued by the Los Angeles Regional Water Quality Control Board, or a low-volume, high-pressure cleaning machine equipped to recycle any water used.

(5) Promptly repair all leaks from plumbing fixtures and irrigation systems, including but not limited to sprinkler systems.

(6) When washing vehicles, use a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off device. This subsection does not apply to any commercial car washing facility.

(7) Do not serve drinking water, unless specifically requested by the customer, in all restaurants, hotels, cafes, cafeterias or other public places where food is sold, served, or offered for sale.

(8) Hotels, motels and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.

(9) Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.

(10) Operating a water fountain or other decorative water feature that does not use re-circulated water is prohibited.

(11) Installation of single pass cooling systems is prohibited in buildings requesting new water service.

(12) Installation of non-re-circulating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.

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(13) Effective January 1, 2010, all commercial conveyor car wash systems and commercial laundry systems must have installed operational re-circulating water systems.

(14) Do not irrigate ornamental turf on public street medians.

B. Stage II. In Stage II, the conservation measures applicable in Stage I shall be augmented with the following additional mandatory measures:

(1) Do not water outdoor landscaped areas more than fifteen (15) minutes per day per station and no more than three (3) days per week during the months of April through October. Do not water outdoor landscaped areas more than fifteen (15) minutes per day per station and no more than one (1) day per week during the months of November through March. Regardless of month, areas watered with low volume irrigation systems that require additional spray time are exempt from the 15-minute time restriction of this requirement, but must comply with the number of days per week watering limit.

(2) During the months of April through October, the three allowable irrigation days are Tuesdays, Thursdays and Saturdays. During the months of November through March, the one allowable irrigation day is Saturday. Irrigation will not be allowed any day outside of the requirement listed here.

(3) The filling or refilling of an artificial or ornamental body of water that does not use recycled water is prohibited.

C. Stage III. In Stage III, all conservation measures applicable in Stage II shall apply, along with the following additional measures:

(1) During the months of April through October do not water outdoor landscaped areas more than fifteen (15) minutes per station and no more than two (2) days per week. Areas watered with low volume irrigation systems that require additional spray time are exempt from the 15-minute time restriction of this requirement, but must comply with the limit of two days per week watering requirement. The two allowable irrigation days are Tuesdays and Saturdays. Irrigation will not be allowed any day outside of Tuesday or Saturday.

(2) Do not use outdoor evaporative cooling devices (for example, misters).

(3) The prohibition on watering outdoor landscaped areas between the hours of 9:00 a.m. to 6:00 p.m. extends to include attended hand-watering.

(4) Cover all swimming pools, wading pools, or spas when not in use with acceptable protection designed to decrease water evaporation.

D. Stage IV. In Stage IV, all conservation measures applicable in Stage III shall apply, along with the following additional measures:

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(1) Do not water outdoor landscaped areas more than fifteen (15) minutes per station and no more than one (1) day per week. Areas watered with low volume irrigation systems that require additional spray time are exempt from the 15-minute time restriction of this requirement, but must comply with the limit of one day per week watering requirement. The one allowable irrigation day is Saturday. Irrigation will not be allowed any day outside of Saturday.

E. Stage V. In Stage V, all conservation measures applicable in Stage IV shall apply, along with the following additional measures:

(1) Deep irrigation of trees and shrubs only, two (2) days per month, 20 minutes per watering station. The two allowable deep irrigation days are the first and third Saturdays of each calendar month. Irrigation will not be allowed any day outside of these two Saturdays.

(2) No new or upgraded potable water service will be permitted, excepting R-1 and R-2 zones, unless a building permit has already been issued.

F. Stage VI. In Stage VI, all conservation measures applicable in Stage V shall apply, along with the following additional measures:

(1) Do not water outdoor landscaped areas at any time. [Added by Ord. No. 3737, eff. 5/23/08; Amended by Ord. No. 13-3,848, eff. 1/17/14; 3761.]

8-2-305: IMPLEMENTATION OF SUSTAINABLE WATER USE STAGES:

The sustainable water use practices provided for in section [8-2-304](#) shall be declared by resolution of the City Council. Before adopting any such resolution, the City Council shall hold a public hearing when required by Water Code section [350](#) or other applicable law. Any such resolution shall contain findings in support of the City Council's decision to impose any sustainable water use practices, and such findings or other determinations as may be required to comply with the California Environmental Quality Act. [Added by Ord. No. 3737, eff. 5/23/08; Amended by Ord. No. 3761, eff. 7/3/09.]

8-2-306: ENFORCEMENT:

Any violation of this article shall be subject to enforcement by issuance of an administrative citation pursuant to section [1-1-108.1](#) of this Code. Prior to issuance of an administrative citation, the City shall give one courtesy notice requesting voluntary correction of the violation. The General Manager of Burbank Water and Power, or his or her designee, may enter into a written agreement with a customer to resolve any violation provided that such agreement is consistent with the purpose and intent of this article. [Added by Ord. No. 3737, eff. 5/23/08; amended by Ord. No. 3761, eff. 7/3/09.]