

7-5-15: WATER CONSERVATION REGULATIONS:

A. Definitions: The following words and phrases when used in this section shall, for the purpose of this section, have the following meanings:

CITY: The united city of Yorkville.

DRIP IRRIGATION SYSTEM: A soaking hose that when in use does not result in an actual dissipation of water.

DRIP LINE: Pertaining to a tree or shrub, the ground area immediately beneath the branches of the tree or shrub.

LANDSCAPE/LANDSCAPING: Sod and seeded turf lawns, gardens, trees, shrubs, and other living plants.

PERMITTED HOURS OF WATER USE: A time period between five o'clock (5:00) A.M. and nine o'clock (9:00) A.M., and between nine o'clock (9:00) P.M. and twelve o'clock (12:00) midnight, each day.

PERSON: Any individual, firm, partnership, association, corporation, company, organization, or entity of any kind.

WATER: The water provided by and obtained by a person from the city water supply and distribution system.

B. Application:

1. The provisions of this section shall apply to all persons using water, and to all properties within the city or unincorporated areas which are connected to the city's water supply and distribution system, regardless of whether any person using the water has a contract for service with the city.
2. The provisions of this section shall apply annually from May 1 through September 30, subject to any modifications thereof, including application of these or other regulations during this or any other time, by an emergency proclamation issued pursuant to subsection C of this section.

C. Restricted Hours And Days For Specified Uses:

1. Water may be used for landscape watering or the filling of swimming pools only as follows:
 - a. All properties with even numbered street numbers (i.e., numbers ending in 0, 2, 4, 6 or 8) may use water for landscape watering or for pool filling, only on even numbered calendar dates during permitted hours of water use.

- b. All properties with odd numbered street numbers (i.e., numbers ending in 1, 3, 5, 7, and 9) may use water for landscape watering or for pool filling only on odd numbered calendar dates during permitted hours of water use.
- c. There shall be no restrictions as to hours or days when water may be used for any of the following:
 - (1) Landscape watering or sprinkling where such watering or sprinkling is done by a person using a handheld watering device;
 - (2) Filling swimming pools with a volume of fifty (50) gallons or less;
 - (3) The automatic watering of trees and shrubs by means of automatic root feed or drip irrigation systems within the drip line of the tree or shrub; or
 - (4) Vehicle and equipment washing; or
 - (5) Any other lawful use of water such as bathing, clothes washing, and other normal household uses not otherwise specifically restricted by the provisions of this section.

D. Restrictions For Sod Laying And Lawn Seeding For New Lawns: Notwithstanding the provisions of subsection C of this section, the following special regulations shall apply:

- 1. Sod laying, lawn seeding, and the planting of other landscaping for the establishment of a new lawn or new landscaping is prohibited from July 1 through August 31 each year unless the source of watering for said sod, lawn seeding and/or planting of landscaping is derived from a private well, imported water source or means other than any municipal water source.
- 2. From May 1 through June 30 and from September 1 through September 30, water may be used on new lawns (sod or seed), only as follows:

Prior to sod laying or lawn seeding, a sod watering permit, attached as exhibit A to the ordinance codified herein, must be obtained from the united city of Yorkville.

- a. On the day new sod or seed has been placed on a property, a person may use an automatic sprinkling device to apply water to the sod or seed for a total period of time not to exceed eight (8) hours.
 - b. For the next nine (9) days thereafter, a person may apply water to said sod or seed each day during permitted hours of water use.
 - c. Following the first ten (10) days after the sod or seed is placed, the provisions of subsection C of this section shall apply.
- 3. Prior to the execution of any real estate contract for the sale of newly constructed property, the builder or owner of such new construction shall:
 - a. Inform prospective purchasers of the restrictions upon the installation of new lawns set forth in this section;
 - b. Attach a copy of these regulations to the contract; and

- c. Obtain the signature of the purchaser(s) on a statement that he, she or they has (have) been informed of the new lawn installation restrictions set forth in this section.
4. The applicant for a certificate of occupancy for any newly constructed property shall submit as a part of his application, and as a condition of issuance of such certificate, a copy of said signed statement. When an application for certificate of occupancy is submitted prior to sale of the property, and the future occupant is unknown, the applicant shall submit his signed statement that he shall comply with the requirements of this section at the time the real estate contract is executed.
- E. Waste Of Water Prohibited: No person shall allow a continuous stream of water to run off into any gutter, ditch, drain, or street inlet while using water for restricted purposes during the permitted hours of water use.
- F. Exceptions: The provisions of this section shall not apply to any commercial or industrial entity for which use of water is necessary to continue normal business operations, or to maintain stock or inventory. Provided, however, this exception shall not apply to any and all uses of water not essential to normal business operations or maintenance of inventory or stock, and specifically shall not apply to landscape watering or pool filling.
- G. Bulk Water Rates: Bulk water rates shall be increased to three (3) times the nonresident water rate during the time described in subsection B of this section.
- H. Hydrant Use Prohibited: Hydrants connected to the city water supply and distribution system for the purpose of providing water for firefighting purposes shall not be opened by any person, other than authorized city or fire district personnel, except for the purpose of fighting a fire.
- I. Emergency Proclamation:
1. Whenever the water supply of the city is diminished from any cause, including, but not limited to, prolonged dry period, increased water demand, equipment failure, or water quality concerns, to an amount which in the opinion of the city engineer or director of public works is or is likely to become dangerous to the health and safety of the public, the city mayor is hereby authorized and empowered to issue an emergency proclamation specifying different or additional regulations on the use of water.
 2. Such regulations may provide for limitations on the usage of water, limitations on days and hours of use of water for some or all purposes, and the prohibition of specified uses of water.
 3. Upon issuing such proclamation, the city mayor shall make the contents thereof known to the public by posting a copy at the city hall, and by news release to local newspapers and radio media, and may also endeavor to notify the city residents and other persons in any other practical manner that he or she shall devise. Further, the city mayor shall immediately

deliver notice of such proclamation, and the regulations that have been imposed by such proclamation, to all members of the city council.

4. The emergency proclamation of the city mayor, and the regulations imposed thereby, shall remain in full force and effect until any one of the following shall first occur:
 - a. The city mayor determines that the emergency no longer exists and that the emergency proclamation, and the regulations imposed thereby, shall no longer continue in effect.
 - b. The city council modifies or repeals the emergency proclamation, and the regulations imposed thereby, by means of an ordinance enacted at any regular or special meeting of the city council.
 - c. The first regular meeting of the city council occurring more than thirty (30) days after the date of the emergency proclamation of the city mayor.
5. Any city employee or officer may, at the direction of the city mayor, notify and warn any person of the effect of said emergency proclamation and direct said person to comply with said watering or sprinkling restrictions. If any said person, after having first been warned about said restrictions of the emergency proclamation, fails to comply with the water restrictions, the person shall be deemed to be in violation of this section. (Ord. 2004-17, 3-23-2004)

J. Restriction On Permanent Landscape Watering Systems Of Nonresidential Properties:

1. This subsection J shall apply only to nonresidential properties, and common and/or open space areas of residential developments.
2. For this subsection J, a "permanent landscape watering system" shall be defined as any system of pipes, sprinkler heads or similar devices installed underground to be used to provide landscape watering.
3. Landscape watering upon nonresidential properties shall be limited as follows:
 - a. For properties with one building, a total area within the property not to exceed one acre may be watered by a permanent landscape watering system using the city's potable water. This area shall be measured by the amount of nonimpervious surface on the property including all landscaped areas, lawn areas and green space regardless of the size of the area initially planned to be irrigated.
 - b. For properties with more than one building, a total area within the property not to exceed three (3) acres may be watered by a permanent landscape watering system using the city's potable water. This area shall be measured by the amount of nonimpervious surface on the property including all landscaped areas, lawn areas and green space regardless of the size of the area initially planned to be irrigated.
 - c. For the common space and/or open space of a primarily residential development, no permanent landscape watering system shall be allowed using the city's potable water.
 - d. All permanent landscape watering systems permitted to use the city's potable water shall be metered the same as domestic water service. No special meters will be permitted.

4. The total area to be watered shall be measured as the area within reach of any permanent device used to water landscape including, but not limited to, sprinkler heads, hoses, trenches or similar devices to water landscape. (Ord. 2006-123, 10-24-2006)