

- **8.24.040 - Water Waste Restrictions.**

- A. No person, firm, corporation, or government facility or operation shall cause, or permit to occur any water waste or the flow of fugitive water onto adjacent properties or public right-of-way whether served by the municipal water utility or by a private well.
- B. The following restrictions apply to all properties that use spray irrigation within the municipal limits or are served by the municipal water utility:
  - 1. Beginning April 1st through September 30th, spray irrigation is allowed only from six p.m. to ten a.m. on all properties.
  - 2. Shut-off nozzles are required on any hoses used for hand watering, vehicle or equipment washing, or other outdoor uses.
  - 3. Additional scheduling or restrictions may be applied during declared drought or emergency events.
- C. The water waste restrictions do not apply to the following:
  - 1. Outdoor watering performed with permanent drip irrigation system, sub-surface irrigation, harvested water, or greywater is exempt;
  - 2. Watering of containerized plants and nursery plant stock is exempt;
  - 3. Repair and maintenance of irrigation systems;
  - 4. Single-day irrigation needed for application of chemicals for maintenance of existing or new landscape;
  - 5. Use of potable water for dust control or soil compaction when no alternative source is available;
  - 6. Nonprofit car washes held as fund raisers, if vehicles are washed using hand held buckets and hoses equipped with shut-off nozzles.

*(Ord. 342 § 4, 2007)*

- **8.24.050 - Violations and penalty fees.**

- A. Any responsible party who violates any of the provisions of this chapter shall be subject to progressively higher penalty fees until the violation ceases, an extension of time for corrective measures is granted, or an appeal is initiated in accordance with the provisions of this chapter.
- B. A citation issued by a code enforcement officer shall be mailed to the responsible party by certified mail within three days following discovery of a violation of this chapter. The responsible party must correct the violation or may request an extension of time to take corrective measures, or initiate an appeal in accordance with this chapter within thirty days following receipt of the notice of violation. If the violation is not corrected within the time allowed by this chapter, unless an extension of time or an appeal is pursued in accordance with this chapter, then the assessed penalty fee must be paid within thirty calendar days following the date of receipt of the certified mail notification. In the event that the responsible party fails or refuses to pay the assessed penalty, then the village shall disconnect said water service and the responsible party shall be required to pay the assessed penalty and a reconnect fee before water service is restored. A warning citation shall be issued for the first violation with no assessed penalty fee.
- C. The assessment of penalty fees for violations defined by this chapter shall be as follows:
  - 1. First observed violation: warning: no penalty fee;
  - 2. Second observed violation: fifty dollars;
  - 3. Third observed violation and all subsequent violations: one hundred dollars;
  - 4. For purposes of assessing penalty fees, any violation prior to the effective date of this chapter shall not be considered if a period of two years has elapsed since the violation occurred, or the property has been transferred to a new owner.

*(Ord. 342 § 5, 2007)*

• **8.24.060 - Extension of time and appeals.**

- A. The municipal court judge may grant an extension of time to allow the responsible party to take corrective measures, provided that the general intent of this chapter has been met, but compliance with this chapter will cause practical difficulties or unnecessary hardship.
- B. An extension of time to take corrective measures as provided for in subsection A of this section may be granted for a period not to exceed six months and shall stipulate both short-term corrective measures and a schedule for completion of long-term corrective measures.
- C. Any responsible party may appeal a written notice of violation to this chapter to the municipal court and a hearing shall be scheduled as soon as possible. An appeal of a written notice of violation must be made no later than thirty calendar days from the date of the receipt of a notice of violation of this chapter, and it shall be the responsibility of the appellant to obtain a hearing on said appeal within thirty calendar days of its filing unless the appellant requests an extension of time from the municipal court. An extension of time to commence the hearing on appeal shall only be granted upon a showing of good cause for the extension. If the municipal court's decision is adverse to the appellant, the appellant may appeal that decision to the Thirteenth Judicial District Court.

*(Ord. 342 § 6, 2007)*