

Article 7. Permanent Watering Restrictions

16.07.01 Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this section:

(A) “Retail customer” means the residential or commercial account holder on the water utility account at any given service location.

(B) “Variance” means an exception from the restrictions in this Article, applied for and granted as approved by the City Manager.

(C) “Water” means potable water furnished through the distribution system of the City of Bel Aire’s water utility, and accordingly, does not include water drawn by customers from their own wells or water accumulated by customers from rainfall or natural storm runoff in rain barrels, cisterns, tanks, channels, basins, ponds or similar storage structures.

(D) “Watering” means outdoor use of water for irrigation, including irrigation with container, hose, drip or spray irrigation mechanisms.

(E) “Watering by spray irrigation” means a method of applying water through a network that may consist of pumps, valves, pipes, and sprinklers in a controlled manner so that it is distributed similar to rainfall.

16.07.02 Restrictions on Watering.

When no broader restrictions are in effect due to a drought emergency response, it shall nevertheless be unlawful for any account holder to engage in or to permit another person to engage in watering at such account holder’s service location between the hours of 10:00 AM and 6:00 PM on any day.

16.07.03 Restrictions on Watering by Spray Irrigation.

When no broader restrictions are in effect due to a drought emergency response, it shall nevertheless be unlawful for any account holder to engage in or to permit another person to engage in watering by spray irrigation at such account holder’s service location:

- (A) No Watering between the hours of 10:00 AM and 6:00 PM on any day;
- (B) No Watering on Mondays
- (C) If the last numerical character in the address of the customer’s metered customer

premises is an odd number: watering may only occur on Wednesday, Friday and Sunday (e.g., Wednesday watering before 10:00 AM or after 6:00 PM.) If the last numerical character in the address of the customer’s metered customer premises is an even number: watering may only occur on a Tuesday, Thursday, and Saturday (e.g., Tuesday watering before 10:00 AM or after 6:00 PM).

16.07.04 Variances.

The City Manager or designee is hereby authorized and directed to establish criteria for granting variances from the restrictions in this Article in cases where special circumstances attendant upon isolated and infrequent activity (such as seeding or sodding) may reasonably necessitate a limited period of daily

watering by spray irrigation, when requested by account holders. Provided, however, no such variances may be granted when drought emergency restrictions are in effect.

16.07.05 Violations and Penalties.

(A) Upon violation of any water use restrictions imposed pursuant to this Section 16.07.02 or Section 16.07.03 of this Article, written notice of the violation shall be given using the procedures set out in Section 16.06.005. If the violation described in the notice is not abated as directed, the City Manager or designee may assess an administrative fee to the account holder in accordance with the standards in subsection (b), below, subject to the Administrative Review procedures set out in Section 16.6.6.

(B) Upon the first violation of any water use restrictions imposed pursuant to Section 16.07.02 or Section 16.07.03 of this Article, the City will issue the account holder a written warning. After a second violation at a single service location the City will charge the account holder an administrative fee of \$50. Subsequent violations will be punishable with an administrative fee of \$100 per violation.

(C) All administrative fees shall be subject to the same terms of payment that are set for regularly scheduled water meter charges, following the completion of the procedures in subsection (A), above.