

CITY OF FAIR OAKS RANCH LANDSCAPE WATERING MANAGEMENT COMPLIANCE POLICY

The City of Fair Oaks Ranch Code of Ordinances, Article 13.06 Water Conservation implements a year-round landscape watering schedule to ensure current and future residents of the City have a safe and adequate water supply for domestic use, sanitation, and fire protection. To safeguard appropriate water conservation regulations are observed and enforced fairly to Fair Oaks Ranch Utilities water customers, a policy detailing applicable compliance provisions through education and the Municipal Court process is hereby created.

Purpose

The purpose of this policy is to define the process in which watering violations shall be handled from the initial notification of violation to the filing of a sworn complaint in the Municipal Court.

Goals

The goals of the Landscape Watering Management Compliance Policy (“POLICY”) are to:

- ❖ Promote the efficient and responsible use of the City's water resources;
- ❖ Provide clear guidance and establish a compliance process for watering violations; and,
- ❖ Ensure appropriate water conservation regulations are observed and enforced fairly to all Fair Oaks Ranch Utilities water customers.

Organization Structure

A successful Lawn Watering Management Compliance policy requires the commitment and involvement of all City employees. The specific responsibilities of key individuals and groups are outlined below:

- *City Manager*
The City Manager is responsible for approving the POLICY, reviewing recommendations from the Manager of Engineering Services in coordination with the Code Compliance Officer, and providing support staff as needed. The City Manager is also responsible for the final review and approvals of all proposed directives and requests for support staff associated with the POLICY.
- *Manager of Engineering Services*
The Manager of Engineering Services is responsible for the promotion, implementation, and monitoring of the city's POLICY objectives in coordination with the Code Compliance Officer. They will oversee the initiation of actions to achieve the goals as presented in the POLICY. The Manager of Engineering Services will report activities and results annually to the City Manager.
- *Code Compliance Officer*

Exhibit A

The Code Compliance Officer will be responsible for the implementation and management of the POLICY. They are expected to:

- ❖ Manage the day-to-day administration and implementation of the POLICY.
 - ❖ Gather evidence and track recurring watering violations.
 - ❖ Create and issue educational and warning notices.
 - ❖ File a sworn complaint with the Municipal Court when necessary.
- *Court Administrator*
- ❖ The Court Administrator will be responsible for accepting and submitting sworn complaints to the City Prosecutor for review and consideration.
 - ❖ If City Prosecutor determines to proceed with filing an affidavit, the Municipal Court will send the applicable notice to the defendant with a copy of the affidavit.
- *Employees*
- All City of Fair Oaks Ranch employees are responsible for assisting the POLICY by educating the public of the City's water conservation rules and compliance mechanisms.

Watering Violation Compliance Process

This POLICY defines a three-phase process in which watering violations shall be handled:

Phase 1

When a Utilities customer is found watering on an incorrect day or time, the Code Compliance Officer shall document the occurrence and provide an Educational Notice. The Notice along with a Fair Oaks Ranch Utilities Watering Schedule flyer will offer information on the year-round watering schedule and will denote the customer's correct watering day and time. The documents will be provided in-person or posted on the door, property fence, or mailbox if no personal contact is made. Violator shall receive two (2) Educational Notices and flyers before continued enforcement (Phase 2).

Phase 2

After the second Educational Notice has been issued, the third violation will result in the issuance of a Warning Notice. The Notice will provide the date and time of non-compliance and evidence of the violation. It will request immediate compliance with the Landscape Watering Management ordinance. The Notice will note that any subsequent documented violations may incur a sworn complaint being filed in Municipal Court.

Exhibit A

The Warning Notice and the Fair Oaks Ranch Utilities Watering Schedule flyer will be provided in-person or posted on the door, property fence, or on the mailbox if no personal contact was made. In addition, a copy of both will be mailed to the violator.

Phase 3

If warranted, subsequent watering day violations will result in the Code Compliance Officer filing a sworn complaint including evidence of the prior notifications and continued violation with the Municipal Court. The City Prosecutor will review and decide whether charges will be filed.

If the prosecutor chooses to proceed with filing charges, the Municipal Court will send the defendant a copy of the sworn complaint and send a summons of arraignment by certified mail.

Records Management

The City shall maintain accurate records of the violation notices, other documents, and processes. All records related shall be kept in accordance with the city's records management program on file in the City Secretary's office and any other applicable law.

***Policy guidelines and procedures were reviewed and approved by the City Manager
this ___ day of _____, 2024.***

City Manager