

ADOPTED BY THE
MAYOR AND COUNCIL

JUN 19 2000

ORDINANCE NO. 9407

RELATING TO WATER; AMENDING THE TUCSON CODE, CHAPTER 27,
ARTICLE I. IN GENERAL, SECTION 27-15, WASTE OR
UNREASONABLE USE OF WATER; VIOLATION DECLARED A CIVIL
INFRACTION.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The Tucson Code, Chapter 27, is amended to read as
follows:

ARTICLE I. IN GENERAL

**Sec. 27-15. Waste or unreasonable use of water; violation declared a civil
infraction.**

It is declared that, because safe, high quality potable water ^{*and reclaimed water are} a
precious resource, the general welfare requires that the water resources
available to the City be put to maximum beneficial use, and that the waste
or unreasonable use, or unreasonable method of use, of water be
prevented. For the purposes of this section, the person, corporation, or
association in whose name the water utility of the city is or was last billed
or who is receiving the benefit of the water supply on the premises, as
defined under section 27-10, is presumed to have knowingly made,
caused, used, or permitted the use of water received from the City for in a
manner contrary to any provision of this section, if the water has been
used in a manner contrary to any provision of this section.

- (a) The following uses are a waste or unreasonable use or method
of use of water and are prohibited:

*AS AMENDED at the 6/19/00 Mayor & Council meeting. (6/23/00;tc)

- (1) Allowing water to escape from any premises onto public property, such as alleys or streets, or upon any other person's property.
 - (2) Allowing water to pond in any street or parking lot to a depth greater than ¼ inch or to permit water to pond over a cumulative surface area greater than 150 square feet on any street or parking lot.
 - (3) Washing driveways, sidewalks, parking areas, or other impervious surface areas with an open hose, or with a spray nozzle attached to an open hose, or under regular or system pressure, except when required to eliminate conditions that threaten the public health, safety, or welfare. This restriction does not apply to residential customers.
 - (4) Operating a misting system in unoccupied non-residential areas.
 - (5) Operating a permanently installed irrigation system with a broken head or emitter, or with a head that is spraying more than 10 percent of the spray on a street, parking lot, or sidewalk; this prohibition does not apply unless the head or emitter was designed to deliver more than one gallon of water per hour during normal use.
 - (6) Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, or a leaking faucet.
- (b) Any person who violates any portion of this section is guilty of a civil infraction, and shall be fined upon the first offense, a minimum of two-hundred fifty (\$250) dollars; and upon the second offense within a period of 3 years and upon each subsequent conviction within such period, a minimum of five-hundred (\$500) dollars. The imposition of civil liability shall not preclude the city from taking any other enforcement actions permitted under section 27-14 or section 27-97 of this chapter.

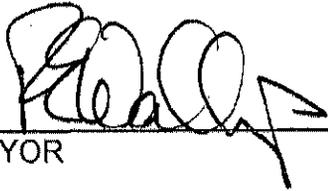
SECTION 2. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. If any provisions of this ordinance, or the application thereof to any person or circumstance is invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the

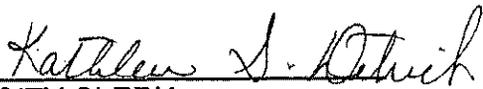
invalid provision or circumstance, and to this end, the provisions of this ordinance are severable.

SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this ordinance become immediately effective, an emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, JUN 19 2000.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

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6/7/00
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REVIEWED BY:


CITY MANAGER