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2020 Water Shortage Contingency Plan

1 July 2021

Prepared for

City of Fairfield
1000 Webster Street
Fairfield, California 94533

K/J Project No. 2070010*00

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Section 1: Introduction

This plan documents the City of Fairfield's Water Shortage Contingency Plan (WSCP) per requirements of the Urban Water Management Act, Section 10632 of the California Water Code. Fairfield purchases all raw SWP and Solano Project water from Solano County Water Agency.

The purpose of this WSCP is to provide guidance if triggering events occur — whether from reduced supply, increased demand, or an emergency declaration — and identify corresponding actions to be taken during the various stages of a water shortage. The plan includes a description of stages which are intended to be fair to all water customers and users while having the least impact on business, employment, and quality of life for residents.

Section 2: Water Supply Reliability Analysis

Water Code Section 10632(a) requires that every urban water supplier prepare and adopt a water shortage contingency plan as part of its urban water management plan. While the water shortage contingency plan is a stand-alone document it is updated and adopted in concert with the UWMP. Content of the water shortage contingency plan are informed by the analysis of water supply reliability conducted pursuant to Water Code Section 10635 (contained in the UWMP). Fairfield has two water supply sources, the State Water Project and the Solano Project.

2.1 System Supplies

As summarized in Table 2-1, the primary water sources for the City of Fairfield are the Solano Project, the State Water Project (SWP), and “non-SWP settlement water” obtained through negotiations with the Department of Water Resources in 2003. The two projects deliver water from Lake Berryessa and the Sacramento River respectively. Although legally not SWP water, settlement water is derived from the yield of the SWP and is delivered through SWP facilities.

Table 2-1: Water Supplies Available to Fairfield

Supply Source	Annual Allocation (Acre-feet)	Annual Allocation (Million
		Gallons)
SWP – Table A	14,678	4,783
Non-SWP Settlement Water	11,800	3,845
Solano Project – Fairfield	9,200	2,998
Solano Project – SID Agreement	18,020	5,871
Total	53,698	17,496

2.2 Water Supply Reliability

As described in the 2020 UWMP, the water supply reliability values for the City of Fairfield are affected dramatically by the storage facilities available to the City (the ability to carryover supplies from both the SWP and Solano Project supplies). Long term storage allows the City to manage both single dry year and multiple dry year values in water planning priorities. There is no single year event that overshadows the impact of multiple dry year events, whereas some utilities must weight their planning toward driest year events.

2.2.1 Constraints on Water Sources

2.2.1.1 State Water Project

The City of Fairfield receives water from the State Water Project (SWP), through Solano County Water Agency (SCWA) under two separate arrangements.

First, there is a contractual arrangement as an original contractor with the State of California. This water entitlement, also known as Table A, is similar in reliability to all other agencies in the SWP agreement, subject to reductions based on the anticipated deliveries from the project as a whole. Fairfield has a State Water Project Table A Allocation of 14,678 acre-feet and is also

entitled to North of Delta allocation and Advanced Table A under a 2013 Settlement between SCWA and DWR.

A second portion of water received via SWP facilities is from a DWR 2003 Non-SWP Settlement Agreement water which is based on Watershed of Origin entitlement. Fairfield has up to 11,800 acre-feet of non SWP Settlement Water which has a high level of reliability estimated by SCWA to be 73%, similar to long-term Table A reliability.

2.2.1.2 Solano Project

For the Solano Project, the contract with USBR calls for the full contract amount to be delivered unless it is physically impossible to deliver the water from Solano Project storage (i.e. reservoir is dry). Therefore, the full contract water supply is allocated until there is no water available in the reservoir.

The Solano Project member agencies (including the City of Fairfield) have entered into a separate agreement to reduce deliveries based upon storage levels in Lake Berryessa. Once the storage level drops below 800,000 acre feet, as measured on April 1, 95% of contract amounts are delivered with 5% being stored in the reservoir as carryover. If the reservoir drops below 550,000 acre feet by April 1, 90% can be delivered and 10% is stored as carryover. The City of Fairfield has the ability to carryover more than this amount if we desire. Once the reservoir level is below 400,000 acre feet on April 1, the member agencies can use their full allocation and any stored carryover.

2.3 Relationship to the Urban Water Management Plan

The reliability analysis of the UWMP considered “normal”, “single-dry”, and “5-year drought” as detailed in Section 6 of the UWMP. The analysis in the UWMP documents the supply conditions in normal and dry-year situations. Water Code Section 10632(b) requires that the UWMP estimate the minimum water supply available during each of the next five water years based on the driest five -year historic sequence for the agency’s water supply. Table 6-5 in the UWMP documents the City’s near-term water supply reliability assuming 5-year drought which is shown as Table 2-2 as follows.

Table 2-2: DWR Five-Year Drought Risk Assessment Tables to address Water Code Section 10635(b) (DWR Table 7-5)

2021	Total (MG)
Gross Water Use	6,868
Total Supplies	11,857
Surplus/Shortfall w/o WSCP Action	4,989
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	4,989
Resulting % Use Reduction from WSCP action	0%

2022	Total
Gross Water Use [Use Worksheet]	6,927
Total Supplies [Supply Worksheet]	13,770
Surplus/Shortfall w/o WSCP Action	6,843
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	6,843
Resulting % Use Reduction from WSCP action	0%
2023	Total
Gross Water Use [Use Worksheet]	6,987
Total Supplies [Supply Worksheet]	13,053
Surplus/Shortfall w/o WSCP Action	6,066
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	6,066
Resulting % Use Reduction from WSCP action	0%
2024	Total
Gross Water Use [Use Worksheet]	7,046
Total Supplies [Supply Worksheet]	12,335
Surplus/Shortfall w/o WSCP Action	5,289
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	5,289
Resulting % Use Reduction from WSCP action	0%
2025	Total
Gross Water Use [Use Worksheet]	7,106
Total Supplies [Supply Worksheet]	13,053
Surplus/Shortfall w/o WSCP Action	5,947
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	5,947
Resulting % Use Reduction from WSCP action	0%

Notes:

Units in MG.

Allocation of supplies is based on the following assumptions:

- 2021: SWP Table A - 5%, Solano Project - 99.3%, Non-SWP Settlement Water - 73%
- 2022: SWP Table A - 45%, Solano Project - 99.3%, Non-SWP Settlement Water - 73%
- 2023: SWP Table A - 30%, Solano Project - 99.3%, Non-SWP Settlement Water - 73%
- 2024: SWP Table A - 15%, Solano Project - 99.3%, Non-SWP Settlement Water - 73%
- 2025: SWP Table A - 30%, Solano Project - 99.3%, Non-SWP Settlement Water - 73%

Section 3: Annual Water Supply and Demand Assessment Procedures

From Guidebook P. 206

Water Code Section 10632(a)(2)

The procedures used in conducting an annual water supply and demand assessment that include, at a minimum, both of the following:

(A) The written decision-making process that an urban water supplier will use each year to determine its water supply reliability.

(B) The key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one dry year, including all of the following:

(i) Current year unconstrained demand, considering weather, growth, and other influencing factors, such as policies to manage current supplies to meet demand objectives in future years, as applicable.

(ii) Current year available supply, considering hydrological and regulatory conditions in the current year and one dry year. The annual supply and demand assessment may consider more than one dry year solely at the discretion of the urban water supplier.

(iii) Existing infrastructure capabilities and plausible constraints.

(iv) A defined set of locally applicable evaluation criteria that are consistently relied upon for each annual water supply and demand assessment.

(v) A description and quantification of each source of water supply.

Water Code Section 10632.1.

An urban water supplier shall conduct an annual water supply and demand assessment pursuant to subdivision (a) of Section 10632 and, on or before July 1 of each year, submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan. An urban water supplier that relies on imported water from the State Water Project or the Bureau of Reclamation shall submit its annual water supply and demand assessment within 14 days of receiving its final allocations, or by July 1 of each year, whichever is later.

Droughts occur with unpredictable frequency, intensity, and duration. Developing and maintaining a healthy water supply portfolio to serve its customers has always been an ongoing Fairfield priority, and Fairfield wants to be prepared for drought and water shortages by regularly monitoring its water supplies and demands. Water supply projections and hydrologic conditions are significant components in deciding when a drought response is needed. The amount of the water supply shortage contributes to the severity of drought declared and the necessary level of response from Fairfield and its customers.

3.1 Timeline and Methodology for Conducting the Annual Assessment

Table 3-1 provides target dates and actions for performing the Annual Assessment. The table outlines actions for the current year and one year of drought. By starting to plan in the fall, Fairfield will get a snapshot of conditions and can start lining up the resources to mitigate supply and start outreach to customers to manage demand. Major actions are proposed in February, when an initial estimate of supply is made and compared to demand. A final annual assessment is proposed in late May-early June.

Table 3-1: Calendar and Methodology for Performing Annual Assessment

Target Date	Action
Oct-Jan	Monitor SWP and Solano Project supply sources Monitor demand trends
Feb	Evaluate anticipated weather (e.g., National Weather Service Climate Prediction Center, La Niña, US Drought Seasonal Outlook) Receive State Water Project (SWP initial allocation) and anticipated Solano Project allocation from SCWA monthly Make initial assessment of unconstrained demand (e.g. current and new large demands online) Make initial estimate of shortage, if any If shortage anticipated, notify Fairfield Public Works Director and City Manager If shortage anticipated, prepare informational item to City Council
Mar	Prepare draft Annual Assessment for Fairfield Public Works Director and City Manager review
Apr	Confirm current SWP and Solano Project allocations If shortage anticipated. start public outreach Identify potential customer efficiency actions and assistance to be provided Complete Draft Annual Assessment and present to Fairfield Public Works Director and City Manager If shortage anticipated, prepare informational item to City Council
May-June	Continue public outreach Update Annual Water Assessment with Fairfield Public Works Director and City Manager Input, present to City Council Finalize Annual Water Assessment and submit to DWR by July 1 (starting in 2022) If necessary, prepare notices of public hearing on water shortage
July-Sept	Continue public outreach If necessary, declare water shortage and implement supply mitigations and demand reduction actions Monitor customer response to water shortage messaging and other actions

3.2 Factors Affecting Demand and Supply

3.2.1 Weather Outlook

Weather affects Fairfield supplies in many ways. For the SWP and Solano Project supplies, the effects of weather which is seen over the short-term influences water availability.

SWP Table A Allocation: Each year, depending on precipitation and snow pack, DWR announces the percent of Table A allocation that each contractor can expect for that year. The allocation is often adjusted several times before a final allocation is made in April of each year.

Solano Project Water Year Classification. SCWA monitors total precipitation in the Lake Berryessa Watershed and establishes the Lake Berryessa index. Based on water years 1906 through 2020, the Lake Berryessa index that classifies the watershed hydrology as “Wet”, “Normal”, “Below Normal”, “Dry”, and “Critically Dry” is established which assigns the % of Full Allocation for the Solano Project.

With this information, Fairfield directly considers the impacts of climate on available water supply which will affect how Fairfield considers demand expectations in the current year and the next year as a potential drought year.

3.3 Water Supply Assessment

Both the SWP and the Solano Project consider water in storage as well as annual weather in the supply availability/allocation for a given year.

3.4 Water Demand Assessment

DWR guidance for the Annual Assessment is to consider the expected water use in the upcoming year, based on recent water use, and before any projected response actions a Supplier may trigger under its WSCP. Fairfield will review the most recent 12 month period of metered consumption and total monthly and annual production from the Waterman and NBR WTP as well as any new demands such as large developments, increased or new industrial uses that may be expected for the upcoming year to report the unconstrained current demand and projected demand for the subsequent year.

3.5 Current Predicted Shortages Based on Annual Water Supply and Demand Assessment

From DWR Guidebook p. 210 of pdf

While the first Annual Assessment is not required to be submitted to DWR until July 1, 2022, Suppliers are encouraged to use the procedures documented in its WSCP to prepare and include the outcome of an Annual Assessment for 2021, and to present the results in their UWMP as an example.

Further, although the Annual Assessment must be submitted to DWR on or before July 1 of every year, an early Annual Assessment allows Suppliers and customers to identify uncertainties and prepare financially and logistically for any anticipated water supply constraints in the coming months. Therefore, Suppliers are encouraged to develop procedures, including decision-making processes, that facilitate early analysis and adoption.

Fairfield staff will compare the SWP and Solano Project supply allocation and the anticipated demand based on water production and determine if a supply shortage is anticipated, the level of shortage, and determine whether the shortage condition requires implementation of its WSCP.

3.6 Coordination with Cities and Counties

Should a water shortage be declared, Fairfield will coordinate with Solano County within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

Section 4: Water Shortage Stages

From DWR Guidebook

Water Code Section 10632(a)(3)

(A) Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage. Urban water suppliers shall define these shortage levels based on the suppliers' water supply conditions, including percentage reductions in water supply, changes in groundwater levels, changes in surface elevation or level of subsidence, or other changes in hydrological or other local conditions indicative of the water supply available for use. Shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, and other potential emergency events.

(B) An urban water supplier with an existing water shortage contingency plan that uses different water shortage levels may comply with the requirement in subparagraph (A) by developing and including a cross-reference relating its existing categories to the six standard water shortage levels.

4.1 Definitions/Criteria Establishing Shortage

The City of Fairfield Municipal Code, found in Appendix A, has a four stage water use reduction target, which are linked to water shortages in the Solano Project, Fairfield's most reliable water supply as detailed in Section 4.1. The four stages have been aligned with the six-stage supply reduction required by DWR for the response program as shown in Table 4-1. Each stage consists of specific prohibitions, regulations, fines, penalties, and rate structure to encourage the appropriate level of conservation as described in Section 4. There are a number of actions that are considered wasteful and are subject to restriction and penalties regardless of the water shortage stage. Higher reduction stages II, III, and IV are most restrictive primarily due to the landscape irrigation component and restrictions imposed on landscape irrigation. The following Table 4-1 outlines the stages of action in the Water Shortage Contingency Plan.

Table 4-1: Stages of Water Shortage Contingency Plan (adapted from +DWR Submittal Table 8-1)

DWR Shortage Level	Percent Shortage (Percent Supply Reduction)	Water Supply Condition	Shortage Response Action/ Fairfield Municipal Code Water Use Reduction Targets
1	10%	Solano Project at or above 800,000 AF	Stage I Water use reduction target of 10% when Solano Project is > 800,000 AF
2	20%	Solano Project 700,000 – 800,000 AF	Stage II Water Use reduction target of 25% when Solano Project is 600,000 – 800,000 AF of storage
3	30%	Solano Project 500,000 – 700,000 AF	
4	40%	Solano Project 400,000- 500,000 AF	Stage III Water use reduction target of 35% when Solano Project is 400,000 – 600,000 AF of storage
5	50%	Solano Project 200,000 – 400,000 AF	Stage IV Water Use Reduction target of 50% when Solano Project Storage is 200,000- 400,000 AF of storage
6	Greater than 50%	Solano Project at or below 200,000 AF	--

4.2 Determining Water Shortage Reductions

The City of Fairfield fully meters both production and consumption. Measured production and consumption data, along with state mandated requirements will be analyzed to compare water usage between different stages of the WSCP to determine water shortages and conservation savings targets as needed.

4.3 Actions to Prepare for Catastrophic Interruption

Practices to offset catastrophic losses have been in place for years in the City of Fairfield. The following Table 4-2 lists potential supply interruptions and actions which have been taken to offset these potential disruptions.

Table 4-2: Catastrophic Supply Interruption Plan

Possible Catastrophe	Summary of Actions
Regional Power Outage	City has installed approximately 2 days of finished water storage. The system is pressurized almost entirely by gravity feed from the reservoirs. Some pump stations have been affected by power outages in the past. The utility has responded by sending portable generators to provide stop-gap pumping power.
Earthquake	City has installed approximately 2 days of finished water storage. City is constructing a redundant water transmission main to be completed in 2020.
Flooding	Communications systems are prepared to allow for distribution system routing and contamination containment. Public communications are established to notify of any water use restrictions. Distribution testing procedures are established to check for contamination restrictions under backflow or intrusion conditions.
Landslide	Bypass pipelines have been constructed around the most high-risk landslide locations for the Putah South Canal. Second water source bypasses as well.

4.3.1 Emergency Response Plan

Any or all of the components in each stage may be enacted by determination of the Public Works Director in order to meet the demand reduction goal for that response stage.

4.4 Seismic Risk Analysis

The City of Fairfield evaluated seismic risk as part of a broader water system risk and resiliency analysis as described below.

4.4.1 Background and Summary

To comply with the Federal American Water Infrastructure Act, the City conducted a Risk and Resiliency Analysis (RRA) in 2020 using USEPA-recognized voluntary consensus standards (principally the AWWA J100 Standard), collaborative workshops, and reference to assessments and plans previously completed by the City. The J100 Standard methodology consists of seven interrelated steps that allows for identification, quantification, and communication of the risks to, and resilience of the organization, six of which are required for the RRA (the last step leads into the ERP phase). Risk is calculated using the formula: Risk = Consequence x Vulnerability x Threat Likelihood.

Critical City water system assets and relevant threats or hazards were screened and prioritized to develop a list of 111 threat-asset pairs which were assessed to quantify the worst reasonable consequence to the City. Consequences were assessed for the following criteria: injuries; deaths; reduced economic activity due to service denial; environmental impacts; and loss of public confidence.

Each threat-asset pair (or TAP) was assigned an associated vulnerability (the probability that, given an incident occurs, the worst reasonable consequences for the City would occur) and a threat likelihood (the probability that the threat or hazard will occur in any given year) to complete the J100 risk equation and calculate the annualized monetary risk of each TAP. The

RRA looked at all water system threats and is a confidential document, but can be reviewed by authorized Department of Water Resources personnel at City offices. The earthquake related portions of the RRA are excerpted and summarized herein.

Three of the 10 highest risk TAPs relate to earthquakes, and specifically the impacts of significant events affecting the City's treatment plants and buried transmission and distribution piping. To improve the City's ability to effectively prepare for and react to a significant earthquake event, it was recommended that the City conduct additional training for post-earthquake procedures, and consider participating in USGS' early earthquake warning system known as ShakeAlert.

4.4.2 General Methodology

The dangers associated with earthquake hazards relevant to the City were researched, along with any observed impacts associated with the historical occurrence of such events. The 2012 Solano County Local Hazard Mitigation Plan (LHMP) and the United States Geological Survey (USGS) ShakeMap catalog of earthquake scenarios were the primary sources for identification and characterization of natural hazards. The LHMP provides a list of historical natural hazard events and is consistent with the historical occurrences.

The Concord-Green Valley and Cordelia faults run generally north-south along the western end of the City's service area and are in close proximity to several critical assets in the area (e.g., Mangels Reservoir and Pump Station, South Cordelia Reservoir and Pump Station, Eastridge Reservoir and Pump Station, and Nelson Hill Reservoir).

There is a history of large, damaging earthquakes in the Northern California region. Regional historical seismic events as large as magnitude 7.7 have been recorded. There has been no recorded impact to system operations from historical earthquake events, however, including the relatively recent 2014 Napa event.

In general, an ordinal ranking system was utilized for assigning vulnerabilities to earthquakes for each of 30 critical assets, with three possible values available for each TAP: 0.9, 0.5, or 0.1. A value of 0.9 indicates that existing countermeasures and mitigation measures will have limited ability to reduce the worst reasonable consequences of the identified threat (i.e., a 6.8M event centered on the Green Valley fault west of Fairfield). A value of 0.5 indicates that the asset includes some features that are likely to reduce, but not eliminate, the consequences of the event. A value of 0.1 indicates that the asset includes features to reduce or eliminate most of the potential consequences of the event.

With respect to the City's critical water system assets, available mitigation measures for a ground shaking event are generally a function of the relevant building codes, design standards and best practices in effect when the asset was designed and constructed. Although the California legislature has shepherded a long list of incremental improvements to building codes and earthquake-related life safety legislation since the 1970s, it was not until the late 1990s that seismic design requirements for public works infrastructure, including standards for anchorage and bracing of mechanical equipment that is often most susceptible to damage in treatment plants and pump stations, began to be more widely adopted. Accordingly, it was assumed that all assets built after 2000 were designed to more stringent seismic design criteria, and are thus

less likely to experience damage resulting from ground shaking. For such assets, a vulnerability value of 0.5 was assigned; for all other assets, a vulnerability of 0.9 was assigned.

Threat likelihood analysis was performed to yield an estimated likelihood (specifically, an annual probability of occurrence) to each threat or hazard. Natural hazards were analyzed using historical date of recorded events or studies of potential future events from government sources (where available). Anecdotal evidence of historical incidents was also collected during interviews with City staff.

A detailed discussion of the approach used to characterize earthquake threats was prepared as a separate technical memorandum. This document, entitled Summary of Methodologies and Results from Hazus® Earthquake Model and American Lifelines Alliance, is confidential and is available for review at the City of Fairfield Public Works Department. The purpose of this technical memorandum (TM) was to document the methodologies used to estimate consequences associated with an earthquake event affecting the City of Fairfield (City) water system.

The risk and resilience analysis combines the results from the previous steps to estimate the risk and resilience values for each TAP. As outlined previously, risk is the product of consequences, vulnerability, and threat likelihood, as shown below:

$$R = C \times V \times T$$

where:

R = Risk

C = Consequence

V = Vulnerability

T = Threat likelihood

Consequences were expressed in dollars for each TAP. Vulnerability was expressed as a discrete point value between zero and one. Threat likelihood was expressed as a probability or frequency over a given time period, generally understood to be one year. For the overall RRA, the largest risk values were generally associated with cyber threats and earthquake hazards.

4.4.3 Existing Mitigation Measures

- The City maintains an Emergency Response Plan designed to provide an all hazards emergency management program specific to the City's Water Division. The ERP is updated annually, and FEMA-compliant training is periodically provided to key City staff.
- As described in the City's existing ERP, the City has mutual aid agreements with a number of neighboring agencies, including the Cities of Vacaville and Vallejo, the Department of Water Resources, Solano Irrigation District, Fairfield-Suisun Sewer District, and the Department of Corrections and Rehabilitation's California Medical Facility. Additionally, the City is a signatory of CalWARN, whose mission is to "support and promote statewide emergency preparedness, disaster response, and mutual assistance processes for public and private water and wastewater utilities".

- The City owns and maintains a variety of portable and permanently installed diesel generators which are available to provide electrical power to critical assets in the event of PG&E power failure. As described previously, the City has also committed to renting and maintaining a large portable generator during fire season, for the sole purpose of providing adequate emergency electrical power to either of the City's WTPs during a PSPS or other fire-related outages. The City is planning to procure and install a permanent diesel generator at one of its WTPs in coming years to obviate the need for seasonal generator rentals.
- The City has contracts with several diesel fuel suppliers, and maintains close communication with suppliers during planned and unplanned power outages.
- The City maintains inventories of spare parts for critical assets and equipment items located within the treatment and distribution systems. Although certain long lead equipment items (e.g., large pump motors) are not stocked, the City maintains asset and maintenance management systems designed to identify and track needs related to equipment maintenance, repair and replacement activities.

4.4.4 Results

Three of the 10 highest risk TAPs relate to earthquakes, and specifically the impacts of significant events affecting the City's treatment plants and buried transmission and distribution piping. To improve the City's ability to effectively prepare for and react to a significant earthquake event, it is recommended that the City conduct additional training for post-earthquake procedures and consider participating in USGS' recently developed early earthquake warning system known as ShakeAlert.

Section 5: Water Shortage Response Actions (by Shortage Stage)

From Guidebook

Water Code Section 10632 (a)(4)

Shortage response actions that align with the defined shortage levels and include, at a minimum, all of the following:

- (A) Locally appropriate supply augmentation actions.*
- (B) Locally appropriate demand reduction actions to adequately respond to shortages.*
- (C) Locally appropriate operational changes.*
- (D) Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions.*
- (E) For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.*

As shown in Table 3-1, Fairfield has adapted the four-stage plan in their Municipal Code to the required six stages and developed a six-stage contingency plan to reduce demand 50 percent or more. The contingency plan may be needed during a severe or extended water shortage event and can involve both voluntary and mandatory stages. References to stages from this point forward are to the six shortage stages required by DWR, unless specifically identified.

5.1 Supply Augmentation Actions

In the extremely unlikely event of a supply shortage, Fairfield would work with Solano County Water Agency and/or neighboring water purveyors to implement the Drought Measures Agreement detailed below.

5.1.1 Drought Measures Agreement

The City of Fairfield, along with the Solano County Water Agency and the other Participating Agencies, entered the “Solano Project Members’ Agreement as to Drought Measures and Water Allocation” (the Drought Measures Agreement) in 1999. This agreement allows for the shifting of resources from agricultural to municipal and industrial uses in the event of drought conditions and storage depletion.

Per the Drought Measures Agreement, deliveries of Solano Project water are reduced based upon storage levels in Lake Berryessa. Once the storage level drops below 800,000 AF, as measured on April 1 of each year, 95% of contract amounts are delivered with 5% being stored in the reservoir. If the reservoir drops below 550,000 AF by April 1, 90% of contract amounts are delivered with 10% being stored as carryover. Once the reservoir level is below 450,000 AF on April 1, the participating agencies can use their full allocation and any stored carryover. While the Water Storage Contingency Plan stages are meant to reduce demand, the Drought Measures Agreement Stages are meant to adjust the supply priority in extreme conditions. Although not required by DWR, the Drought Measures Agreement has significant local impact on water supply reliability. Table 5-1, Table 5-2, and Table 5-3 reflect the conditions of the Drought Measures Agreement.

Table 5-1: Solano Project Members' Agreement of Drought-Induced Curtailments of Solano Project Deliveries

	Storage in Lake Berryessa, in acre-feet¹			
	800,000 - 1,600,000	550,000 - 800,000	450,000 - 550,000	less than 450,000
<i>% of Annual Entitlement to be Restricted (Mandatory Curtailments)</i>	0%	5%	10%	0%
<i>% of Annual Entitlement Available</i>	100%	95%	90%	100%

Note:

¹ Storage in Lake Berryessa also governs water use reductions as summarized in Table 5-3.

Table 5-2: Solano Project Members' Agreement as to Water Allocation of Drought-Induced Curtailments of Solano Project Deliveries

<i>% of Annual Entitlement Available</i>	100%	95%	90%	100%	
Solano Project Participating Agency	Entitlements to Annual Deliveries	Adjusted Annual Entitlement, in acre-feet			
Solano Irrigation District	141,000	141,000	133,950	126,900	141,000
Fairfield	9,200	9,200	8,740	8,280	9,200
Vacaville	5,600	5,600	5,320	5,040	5,600
City of Suisun City	1,600	1,600	1,520	1,440	1,600
Maine Prairie	15,000	15,000	14,250	13,500	15,000
Vallejo	14,750	14,750	14,013	13,275	14,750
Total	187,150	187,150	177,793	168,435	187,150
Solano Project Participating Agency	Restricted Carryover, in acre-feet				
Solano Irrigation District	0	7,050	14,100	0	
Fairfield	0	460	920	0	
Vacaville	0	280	560	0	
City of Suisun City	0	80	160	0	
Maine Prairie	0	750	1,500	0	
Vallejo	0	738	1,475	0	
Total	0	9,358	18,715	0	

Table 5-3: Drought Response Measures – Demand vs. Supply Reduction

DWR Shortage Level ¹	Water Conservation Requirements (Demand Reductions)			Solano Project Drought Measures Agreement Drought-Induced Curtailments of Deliveries (the Drought Measures Agreement) (Supply Reductions)	
	Water Shortage Stage ¹	Water Use Reduction Target	Solano Project Storage	Solano Project Storage	Percentage of Annual Entitlement to be Restricted
1 (10%)	I	10%	Greater than 800,000 af	Greater than 800,000 af	0%
2 (20%)/ 3 (30%)	II	25%	600,000 - 800,000 af	550,000 - 800,000 af	5%
3 (30%/ 4 (40%)	III	35%	400,000 - 600,000 af	450,000 - 550,000 af	10%
5 (50%)/ 6 (> 50%)	IV	50%	200,000 - 400,000 af	Less than 450,000 af	0%

Note:

¹ Cross reference of Solano Project Water Shortage Stage to Six DWR water shortage stages are found in Table 3-1.

While the water shortage stages are directly linked to storage in the Solano Project’s Lake Berryessa, the water shortage stages and conservation requirements can be declared by the City in response to any water shortage whether caused by system failures, natural disasters or drought conditions.

Table 5-4 documents the supply augmentation actions available to Fairfield.

Table 5-4: Supply Augmentation and Other Actions (DWR Table 8-3)

Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier	How much is this going to reduce the shortage gap? Volume type or percentage	Additional Explanation or Reference (optional)
Shortage Levels 4, 5, and 6	Other Actions (describe)	up to 15% after Storage in Solano Project is less than 450,000 af	After Shortage stage 3/Stage III Water Use reduction target of 35% is enabled; SCWA Solano Project Drought Measures Agreement allows for using water saved to storage in prior stages when storage is less than 450,000 af and the shifting of resources from agricultural to municipal and industrial uses in the event of drought conditions and storage depletion

Notes:

Shortage Levels 4, 5, and 6 corresponds to Solano Project Stage IV.

5.2 Demand Reduction Actions

While each shortage level triggers specific shortage response actions, Fairfield continues to implement water savings strategies year-round to achieve a baseline demand reduction to assist with desired demand reduction for water agencies supplied by SCWA. These actions include but are not limited to:

- Monthly meter readings – Fairfield staff can identify higher than average water usage and provide information and outreach to customers for reducing their water bills
- Baseline public outreach – Fairfield can provide bill stuffers, social media, and web site information pertaining to local drought conditions and local water use restrictions

When a shortage level is triggered based on the Annual Assessment, shortage response actions are also triggered with the associated shortage level. Table 5-5 describes the response actions and the estimated reduction in demand associated with each action. During the recent 2014-2017 drought, public information messaging which was occurring regionally and state wide was sufficient to achieve the savings mandated by the Governor’s Executive Order.

Table 5-5: Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Restrictions and Prohibitions on End Uses	How much is this going to reduce the shortage gap?	Additional Explanation or Reference	Enforcement?
Always	Other – Customers must repair leaks, breaks, and malfunctions in a timely manner	2%-7%	Prohibition on controllable water leaks	Yes
Always	Other	2%	New installation of single pass cooling systems using potable water	Yes
Always	Landscape – Limit landscape irrigation to specific times	2%	Landscape irrigation between noon and 6:00 pm	Yes
Shortage Level 1	Expand Public Information Campaign	10%	Stage I (10%): Send out quarterly messages to customers on 10% water use reduction with examples on how to reduce water usage. Require washing vehicles at car wash or only with controllable device such as hose with shut off nozzle, prohibition on washing of paved areas	Yes
Shortage Level 1	Water Features - Restrict water use for decorative water features, such as fountains	2%	Stage I (10%) Prohibit non recirculating water features	Yes

Shortage Level	Restrictions and Prohibitions on End Uses	How much is this going to reduce the shortage gap?	Additional Explanation or Reference	Enforcement?
Shortage Level 2	Expand Public Information Campaign	Up to 25%	Stage I (10%) <u>and</u> Stage II (25%) Send out monthly messages to customers on 20% water use reduction with examples on how to reduce water usage; Restaurants Serve water only upon request, Hotels etc to post notice of drought conditions and option to not replace linens daily	Yes
Shortage Level 2	Landscape – Limit landscape irrigation to specific times	Up to 25%	Stage II (25%) Landscape irrigation limited to 4 days per week or less	Yes
Shortage Level 2	Other	2%	Stage I (10%) and Stage II (25%), Prohibit running water for washing of buildings etc	Yes
Shortage Level 3	Expand Public Information Campaign	25% - 35%	Stage I (10%) <u>and</u> Stage II (25%)/Stage III (35%) Send out monthly messages to customers on 30% water use reduction with examples on how to reduce water usage	Yes
Shortage Level 3	Landscape - Limit landscape irrigation to specific times	25% -35%	Stage II (25%) Prohibit landscape irrigation to 4 days per week or less/Stage III (35%) Prohibit landscape irrigation to 2 days per week or less	Yes
Shortage Level 3	Other	2%	Stage I (10%) and Stage II (25%)/Stage III (35%) Hydrant Flushing except where needed for health and safety; New pools/spas prohibited	Yes

Shortage Level	Restrictions and Prohibitions on End Uses	How much is this going to reduce the shortage gap?	Additional Explanation or Reference	Enforcement?
Shortage Level 4	Expand Public Information Campaign	35% - 50%	Stage I (10%), Stage II (25%) <u>and</u> Stage III (35%)/Stage IV (50%): Send out bi-weekly messages to customers on 40% water use reduction with examples on how to reduce water usage	Yes
Shortage Level 4	Landscape - Limit landscape irrigation to specific times	35% - 50%	Stage III (35%) Prohibit landscape irrigation to 2 days per week or less/Stage IV (50%) Prohibit landscape irrigation	Yes
Shortage Level 4	Other	2%	Stage III (35%) Hydrant Flushing prohibited except where needed for health and safety; New pools/spas prohibited	Yes
Shortage Level 5	Expand Public Information Campaign	50%	Stage I (10%), Stage II (25%), Stage III (35%) <u>and</u> Stage IV (50%): Send out bi-weekly messages to customers on 50% water use reduction with examples on how to reduce water usage	Yes
Shortage Level 5	Landscape – Prohibit all landscape irrigation	50%	Stage IV (50%) Prohibit landscape irrigation	Yes
Shortage Level 5	Other	2%	Stage I (10%), Stage II (25%), Stage III (35%) <u>and</u> Stage IV (50%) Prohibit new construction and filling of pools/spas/all aesthetic water features	Yes

Shortage Level	Restrictions and Prohibitions on End Uses	How much is this going to reduce the shortage gap?	Additional Explanation or Reference	Enforcement?
Shortage Level 6	Expand Public Information Campaign	>50%	Stage I (10%), Stage II (25%), Stage III (35%) and Stage IV (50%): Send out bi-weekly messages to customers on >50% water use reduction with examples on how to reduce water usage	Yes
Shortage Level 6	Landscape – Prohibit all landscape irrigation	>50%	Stage IV (50%) Prohibit landscape irrigation	Yes
Shortage Level 6	Other	2% - 7%	Stage I (10%), Stage II (25%), Stage III (35%) and Stage IV (50%) Prohibit new construction and filling of pools/spas/all aesthetic water features	Yes

Notes:

This table summarizes the requirements contained in Fairfield Municipal Code, Chapter 22 Water Articles 22.86, Normal Conditions, 22.87 Stage I water Shortage, 22.88 - Stage II Water Shortage, 22.89 – Stage III Water Shortage, 22.90 Stage IV water shortage, 22.92 – Penalties and enforcement. Passed March 16, 2021 through Ordinance 2021-03. WSCP Table 7-1 provides a complete summary of the prohibitions, regulations and penalties for violating the Fairfield Municipal Code. % Reduction estimates from Fairfield experiences during 2014-2017 drought and Virginia Polytechnic Institute study which indicated that residential water-use ranged from 0-7% reduction when public information is used to communicate voluntary restrictions (Virginia Polytechnic Institute, 2006)

Penalties and fines are detailed in Section 7 as are specific prohibitions and other limitations detailed in Fairfield Municipal Code. The topics below summarize these prohibitions and limitations.

5.2.1 Landscape Irrigation

The following categories of prohibition on landscape irrigation are listed in **Table 7-1**. The section below includes examples of restrictions or prohibitions that may fall within these categories.

- Prohibit runoff from landscape irrigation – The watering of lawns, grass, ground cover, shrubbery, or trees in a manner that causes water to runoff onto adjacent property, non-irrigated areas, or hard surfaces, such as driveways, sidewalks, and streets, is not permitted.
- Prohibit washing hard surfaces – The washing of sidewalks, walkways, driveways, parking lots, and all other hard surfaced areas by direct hosing is not permitted, except as may be necessary to protect public health and safety.
- Limit landscape irrigation to specific days of the week – Houses with even numbered addresses are permitted to irrigate ornamental landscapes and turf only on Monday,

Wednesday and Friday. Odd numbered addresses are permitted to irrigate ornamental landscapes and turf only on Tuesdays, Thursdays and Saturdays.

- Limit landscape irrigation to specific times – Irrigation of ornamental landscapes and turf is limited to before noon and after 6 pm.
- Prohibit all landscape irrigation – During Stage IV (DWR Stages 5 and 6) condition, all landscape irrigation is prohibited, except with approved greywater use practices.

5.2.2 Commercial, Industrial, and Institutional (CII)

The following categories of prohibitions on CII are listed in Table 7-1. The section below includes examples of restriction or prohibitions that may fall within these categories.

- All irrigation restrictions apply to CII properties as well.
- Running water for washing of buildings, etc.
- Lodging establishments must offer opt out of linen service – Lodging establishments are required to place notices in each room that inform the guest that they may opt out of linen service.
- Restaurants may only serve water upon request by a customer.

5.2.3 Water Features and Swimming Pools

The following categories of prohibitions on water features are listed in Table 7-1. The section below includes examples of restrictions or prohibitions that may fall within these categories.

- In Stage III (DWR Stage 3 or 4) drought restrictions, no new pools or spas will be permitted. In a Stage IV (DWR Stages 5 and 6) drought restriction, no pools or spas should be re-filled.
- In Stage II (DWR Stage 2 or 3), there are limits on decorative fountains and aesthetic water features that are not recirculating. In Stage IV (DWR Stages 5 and 6), all decorative fountains and aesthetic water features are restricted.

Decorative water features are defined as water features that serve no recreational or other use than decorative.

5.2.4 Other

The following categories of other prohibitions or restrictions are detailed in Table 7-1. The section below includes examples of restrictions or prohibitions that may fall within these categories.

- Customers must repair leaks, breaks, and malfunctions in a timely manner; 24 hours after the leak has been discovered is considered a reasonable time period.
- Require hoses to have automatic shut off nozzles – The use of a hose to wash a motor vehicle is prohibited unless fitted with a shut-off nozzle or similar device that causes it to cease dispensing water immediately when not in use.

- Prohibit use of potable water for washing hard surfaces – Washing impermeable surfaces such as sidewalks, walkways, driveways, parking lots, and all other hard surfaced areas is prohibited, except as may be necessary to protect the public health and safety.

5.3 Operational Changes

The City of Fairfield does not anticipate the need to implement major operational changes during drought events. The City does not anticipate needing to seek out other sources of water (such as groundwater and/or transfer/exchanges).

5.4 Additional Mandatory Prohibitions

The City has no proposed additional mandatory prohibitions. The existing prohibitions, summarized in Section 7, address the six shortage stages outlined in Table 4-1.

5.5 Effectiveness of Shortage Response Actions (by Water Shortage Stage)

The effectiveness of shortage response actions are estimated in Table 5-5 and will be evaluated annually. Demand projections and supply deliveries are analyzed monthly in order to determine if supplies are adequate and/or shortage response actions are adequate.

Section 6: Communication Protocols

DWR Guidebook p. 221

Water Code Section 10632 (a)(5)

Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, all of the following:

(A) Any current or predicted shortages as determined by the annual water supply and demand assessment described pursuant to Section 10632.1.

(B) Any shortage response actions triggered or anticipated to be triggered by the annual water supply and demand assessment described pursuant to Section 10632.1.

(C) Any other relevant communications

6.1 Current or Predicted Shortages

As discussed in Section 3, as the annual assessment is performed, if a shortage is anticipated, the Fairfield Public Works Director and City Manager will be notified and an informational item brought to the City Council. Public outreach will be initiated depending on the severity and anticipated duration of the shortage.

6.2 Shortage Response Actions

The stages of drought response and required shortage response actions can be authorized by the City Manager in consultation with the Public Works Director and are not required to be approved by the City Council. The necessary shortage responses can be implemented immediately upon the declaration of shortage.

6.3 Other Communications

The main means of communication between the City of Fairfield and its customers is through the City website. In the event of a shortage, any restrictions to water usage are clearly defined on the website. In the past, the City has also coordinated with other public works departments (such as fire and police) to distribute written notification to its customers, and sent press releases to local newspapers. The City is expanding its social media presence in order to facilitate communication through channels such as Facebook, NextDoor, Instagram and Twitter. Customers can monitor their own water use and the City also has the ability to communicate with directly customers through a billing portal and/or e-mail.

Section 7: Penalties, Charges, Other Enforcement of Prohibitions

From DWR Guidebook p. 222
 Water Code Section 10632 (a)(6)
 For an urban retail water supplier, customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions as determined pursuant to Section 10632.2.

To enforce the conservation requirements, Fairfield has established penalties and charges in the Fairfield Municipal Code which can increase in severity depending on how many offenses have occurred. A summary of the restrictions and the penalties follows in Table 7-1.

Table 7-1: Prohibitions, Penalties, and Consumption Reduction Methods

	Normal	Stage I ^{1,2}	Stage II ^{1,2e}	Stage III ^{1,2}	Stage IV ^{1,2}
		3 Tiers	3 Tiers	4 Tiers	4 Tiers
RATE STRUCTURE					
<u>Single-Family Rates</u>					
Surcharge/Tier 1	None	25% > 30ccf (approx 750 gpd)	40% > 20ccf (approx 500 gpd)	60% > 14 ccf (approx 350 gpd)	100% > 8 ccf (approx 200 gpd)
Surcharge/Tier 2	None	50% > 40ccf (approx 1000 gpd)	80% > 30ccf (approx 750 gpd)	120% > 20ccf (approx 500 gpd)	200% > 16ccf (approx 400 gpd)
Surcharge/Tier 3	None	N/A	N/A	200% > 30ccf (approx 750 gpd)	300% > 20ccf (approx 500 gpd)
Exceptions/Water Allotments	None	Large Family Large Lot Medical	Large Family Large Lot Medical	Large Family Medical	Medical
<u>Non Single-Family</u>					
Commercial/Industrial	No Volume Increase	3% Volume Increase	7% Volume Increase	11% Volume Increase	15% Volume Increase
Multi-family	No Volume Increase	3% Volume Increase	7% Volume Increase	11% Volume Increase	15% Volume Increase
Irrigation	No Volume Increase	5% Volume Increase	11% Volume Increase	500% Volume Increase	1000% Volume Increase
PROHIBITIONS					
	Controllable water leaks	Normal prohibitions plus...	Stage I prohibitions plus...	Stage II prohibitions plus...	Stage III prohibitions plus...
	New installation of single-pass cooling systems using potable water	Washing of paved areas except to protect public health and safety	Running water for washing of buildings, etc.	Landscape irrigation (limited to 2 days per week or less)	New construction (without existing permit)
	Landscape Irrigation between Noon and 6:00 pm (Daylight savings time only)	Decorative fountains and aesthetic water features that are not recirculating	Landscape irrigation (limited to 4 days per week or less)	Hydrant flushing (except where needed for health and safety)	Filling of pools, spas, decorative fountains, etc.
				Construction of new pools, spas, etc.	Landscape irrigation (none)
					Decorative fountains and aesthetic water features (all)
REGULATIONS					
		Washing of vehicles to be done at commercial car wash or with controllable water source such as bucket and hose with shut-off nozzle	Stage I regulations plus...	Stage II regulations plus...	Stage III regulations plus...
			Restaurants serve water only upon request	Reclaimed water only for construction projects	
			Hotels, etc. to post notice or drought conditions, provide option to not wash towels and linens		
			Reclaimed water for construction if feasible.		

	Normal	Stage I ^{1,2}	Stage II ^{1,2,e}	Stage III ^{1,2}	Stage IV ^{1,2}
<u>FINES/PENALTIES</u>					
1 st Offense	Written warning	Written warning	Written warning	\$50 fine	\$100 fine
2 nd Offense	\$25 fine	\$50 fine	\$50 fine	\$100 fine	\$200 fine
3 rd Offense	\$50 fine	\$100 fine	\$100 fine	\$200 fine	\$350 fine
4 th Offense	\$100 and installation of flow restrictor	\$250 and installation of flow restrictor	\$250 and installation of flow restrictor	\$350 and installation of flow restrictor	\$500 and installation of flow restrictor

Note:

¹ The cross reference of four Fairfield stages to the six DWR stages is found in Table 3-1

² For the purposes of this penalties table, Stage I is associated with a Recovery Program; Stage II is associated with Drought Response; Stage III is associated with a Critical Drought and Stage IV is associated with Emergency Response

Section 8: Legal Authorities

From DWR Guidebook:

Water Code Section 10632 (a)(7)

(A) A description of the legal authorities that empower the urban water supplier to implement and enforce its shortage response actions specified in paragraph (4) that may include, but are not limited to, statutory authorities, ordinances, resolutions, and contract provisions.

(B) A statement that an urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1. [see below]

(C) A statement that an urban water supplier shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

Water Code Section Division 1, Section 350

Declaration of water shortage emergency condition. The governing body of a distributor of a public water supply, whether publicly or privately owned and including a mutual water company, shall declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

8.1 Legal Authorities to Implement and Enforce Shortage Response Actions

Pursuant to the Fairfield Municipal Code Section 22.91, the City Council may declare a water shortage emergency and the appropriate stage and implement the associated restrictions after conducting a properly noticed public hearing. The Public Works Director has the discretion to determine whether to implement certain restrictions at an earlier stage and may recommend additional restrictions to the City Council.

Fairfield will coordinate with Solano County for the possible proclamation of a local emergency if necessary and appropriate.

Section 9: Financial Consequences of Actions during Shortages

From DWR Guidebook p. 225

Water Code Section 10632(a)(8)

A description of the financial consequences of, and responses for, drought conditions, including, but not limited to, all of the following:

(A) A description of potential revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

(B) A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

(C) A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1.

9.1 Revenue and Expenditure Impacts

Because of the high reliability of Solano Project Water, the City of Fairfield does not have a drought surcharge as a part of the current rate structure. Historically, the City has not observed any substantial drops in revenue during drought events.

If a shortage is declared, City staff will monitor revenue and expenditure plans each month to project whether revenue measures will be required to assure financial stability of the water utility.

9.2 Cost of Compliance with Water Code Ch. 3.3 (Excessive Residential Water Use During Drought)

Fairfield has a water waste ordinance that is in place at all times as well as penalties for violations of the Fairfield Municipal Code as described in Section 7. Based on the 2014-2017 drought, customer compliance was achieved voluntarily largely through public outreach and did not require significant additional staff time or cost. Fairfield was supported by the state-wide messaging regarding drought as well as broader regional messages from the Solano County Water Agency.

Section 10: Monitoring and Reporting

From DWR Guidebook p. 225

Water Code Section 10632(a)(9)

For an urban retail water supplier, monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

10.1 Determining Water Shortage Reductions

The City of Fairfield fully meters production and consumption. Measurements, along with state-mandated requirements will be analyzed monthly if a shortage is declared to compare water usage between different stages of the WSCP to determine water shortages and conservation savings targets.

Section 11: Refinement Procedures

From DWR Guidebook – p. 226

Water Code Section 10632 (a)(10)

Reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed.

The Water Shortage Contingency Plan will be updated in parallel with the UWMP every five years (with the next update being in 2025). During this review, the City's shortage stages will be reevaluated and adjusted as appropriate, and the required shortage response actions will be adjusted accordingly. The City will take into consideration the availability of water supplies and any projected increases in demand, and the effectiveness of shortage response actions.

Section 12: Special Water Feature Distinction

DWR guidebook p. 226

Water Code Section 10632 (b)

For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.

12.1 Defining Water Features

Fairfield has defined decorative water features as those that serve no recreational or other use than aesthetics.

Recreational water features include pools and spas that could be at individual homes or provide Community benefit at home owners' associations or public parks or other facilities

12.2 Restrictions on Usage

As described in Section 7, during a water shortage event, the following restrictions, from the Fairfield Municipal Code, are placed on special water features:

- Decorative water features – may only use recycled water
- Recreational water features – may only use raw water
- Community amenities – to be evaluated on a case-by-case basis, considering supply constraints, impact on property values, impact on quality of life, and economic consequences.

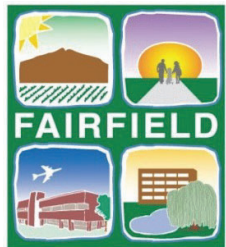
Section 13: Plan Adoption Resolution or Ordinance

DWR Guidebook p-. 227

Water Code Section 10632 (a)(c)

The urban water supplier shall make available the water shortage contingency plan prepared pursuant to this article to its customers and any city or county within which it provides water supplies no later than 30 days after adoption of the water shortage contingency plan


The resolution adopting the Urban Water Management Plan and approving the Water Shortage Contingency Plan is attached.



AGENDA REPORT

DATE: June 15, 2021

TO: Mayor and City Council

FROM: Stefan T. Chatwin, City Manager 

SUBJECT: Resolution 2021-133 of the City Council of the City of Fairfield Approving the 2020 City of Fairfield Urban Water Management Plan (UWMP)

RECOMMENDED ACTION

Adopt resolution.

STATEMENT OF ISSUE

California law requires the City of Fairfield to prepare and adopt an Urban Water Management Plan (UWMP) every 5 years. The last UWMP was adopted by the City Council in June 2016. According to prescribed guidelines, public advertisement was conducted, and council held a public hearing on June 1, 2021, to receive public input. The City must submit the UWMP to the Department of Water Resources (DWR) on or before July 1, 2021.

DISCUSSION

The Urban Water Management Planning Act (Act) was adopted by the California state legislature as Assembly Bill (AB) 797 in 1983. The Act requires all urban water suppliers exceeding a threshold of more than 3,000 customers or supplying more than 3,000 acre-feet (AF) annually, to develop an UWMP and to update it every five years. The City of Fairfield's water system exceeds both thresholds and consequently, has complied with provisions of the Act since inception. The DWR reviews all UWMPs to ensure that water suppliers are implementing effective water management strategies to support long-range planning activities.

An UWMP is a planning document that supports long-term water resource planning whose purpose is to ensure the availability of adequate water supplies for demands imposed by future growth. Urban water suppliers are required to assess the reliability of water sources over a 20-year planning horizon that considers normal, dry, and multiple dry years. A UWMP generally describes and evaluates water supply sources, projected population, future water demands, demand management measures, strategies for responding to water shortages, and other relevant information to ensure an appropriate level of reliability in water supply and demand forecasting.

In response to the severe drought of 2012-2016, new legislation in 2018 required that the water

shortage contingency analysis, which was embedded in the 2015 UWMP, be replaced with a stand-alone water shortage contingency plan (WSCP). A stand-alone WSCP created separately from the UWMP will allow for amendments, as needed, without amending the corresponding UWMP. Therefore, the 2020 WSCP is contained as Appendix B to the 2020 UWMP. The WSCP is a document that provides a supplier with an action plan for a drought or catastrophic water supply shortage. Among the changes to the 2020 WSCP, are specific elements including six stages of shortage-level and a methodology to conduct an annual assessment of water supply as compared to demands. Although the new requirements are more prescriptive than previous versions, many of these elements have long been included in WSCPs, other sections of UWMPs, or as part of standard procedures and response actions.

The proposed UWMP and WSCP update provides a comprehensive look at the city's water sources and evaluates available supply alongside potential demands based on projected growth over the period of 2020 to 2040. The primary water sources for the city have been, and will continue to be from the Solano Project (Lake Berryessa) and the State Water Project (SWP). Projected demands imposed by future growth were taken from land use information taken from the City's General Plan and updated projections of the Northeast Specific Plan that includes the Train Station Specific Plan, the Villages, and Hawthorne Mill.

Past updates have also incorporated the implementation of water conservation goals, and this update calls for a continuation of water conservation best management practices that focus on residential water use audits, increased irrigation efficiency in both existing and newly landscaped areas, improved efficiency in the business community, and enhanced public outreach efforts. Sound planning and a history of investment in the City's water utility has resulted in a highly reliable water supply to serve our community.

The City must adopt and submit both the UWMP and the WSCP to DWR by July 1, 2021. Council received the drafts of the UWMP and WSCP, and held a public hearing on June 1, 2021. All comments received have been addressed and the final UWMP and final WSCP prepared for adoption by council.

FINANCIAL IMPACT

Adoption of an UWMP and WSCP with the attached components is mandated by state law and is required to receive loans or financial assistance from the state. Failure to pursue conservation compliance with the standards of the Water Conservation Act of 2009, as detailed in the UWMP, will impact future funding opportunities and may affect supply reliability. Failure to comply could also negatively affect economic development opportunities and growth within our community.

PUBLIC CONTACT/ADVISORY BODY RECOMMENDATION

N/A

ALTERNATIVE ACTION

This action is mandatory pursuant to requirements of the Act and the Water Conservation Bill of 2009.

STAFF CONTACT

Michael Hether, Assistant Director of PW/Utilities
(707) 428-7493
mhether@fairfield.ca.gov

COORDINATED WITH

N/A

ATTACHMENTS:

**Proposed Resolution
Proposed 2020 UWMP and 2020 WSCP (as Appendix B)**

REVIEWERS:

Reviewer	Action	Date
Hether, Michael	Rejected	6/2/2021 - 11:07 AM
Hether, Michael	Approved	6/2/2021 - 11:17 AM
Kaushal, Paul	Approved	6/2/2021 - 11:21 AM
Alexander, Amber	Approved	6/2/2021 - 3:30 PM
Alexander, Amber	Approved	6/2/2021 - 3:31 PM

CITY OF FAIRFIELD

RESOLUTION NO. 2021-133

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD APPROVING THE 2020 CITY OF FAIRFIELD URBAN WATER MANAGEMENT PLAN (UWMP)

WHEREAS, the City of Fairfield prepared and adopted an updated Urban Water Management Plan (UWMP) in conformance with the requirements of state law as administered by the Department of Water Resources; and

WHEREAS, the water conservation programs implemented from the existing UWMP have been measurably successful; and

WHEREAS, the City of Fairfield has reviewed the UWMP and prepared an update in conformance with the State of California Department of Water Resources requirements.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. The UWMP update is hereby adopted and ordered filed with the city clerk.

Section 2. The city manager is hereby authorized and directed to file the UWMP update with the State of California Department of Water Resources by July 1, 2021, and adjacent cities and counties by July 7, 2021.

Section 3. The city manager is hereby authorized and directed to implement the Water Conservation Programs as detailed in the adopted UWMP update, including recommendations to the City Council regarding necessary procedures, rules, and regulations to carry out effective and equitable water conservation programs.

PASSED AND ADOPTED this 15th day of June, 2021, by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / PANDURO / TIMM / TONNESEN / VACCARO

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

Nancy Price
MAYOR

ATTEST:
Karen L. Rees
CITY CLERK

References

American Water Works Association, 2011. Drought Preparedness and Response. Manual of Water Supply Practices, M60.

_____. 2008. Forecasting Urban Demand. Second Edition.

Fairfield Municipal Code, Chapter 22 – Water, March 2021

Virginia Polytechnic Institute and State University Blacksburg, Virginia, 2006. The Effectiveness of Drought Management Programs in Reducing Residential Water-Use in Virginia.
<http://water.ky.gov/wa/Documents/AdditlDroughtResources/VirginiaStudyonDroughtProgramEffectiveness.pdf>

Appendix A: Fairfield Municipal Code, Chapter 22, Water

CHAPTER 22 WATER

Article I. In General.

22.1 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

Applicant. The property owner or his, her, or its authorized agent applying for water service, water service connection, or water main extension.

City. The City of Fairfield, a municipal corporation, and its duly authorized representatives.

Commercial office. The business office of the department of finance, located in the city hall.

Construction water permit. Permit required of anyone using water for construction purposes prior to installation of permanent meter.

Consumer. A person or entity receiving water service or other services from the water system.

Costs. Actual cost of materials and labor, plus a percentage factor for equipment rental and overhead.

Customer. A person or entity of record receiving water service or other services from the water system.

Demand. The rate of draft of water for specified time; the total quantity of water delivered or received for a specified time.

Fairfield municipal utilities. The water system.

Chief of police. The chief officer of the police department. (Ord. 93-9, § 17.)

Fire chief. The chief officer of the fire department. (Ord. 93-9, § 17.)

Main extension. Extension of distribution pipe lines, exclusive of service connections, beyond existing facilities.

Mains. The transmission or distribution pipe lines of the water system.

Premises. That separate identifiable and transferable lot or parcel of real property, including the improvements thereon except that portion thereof having well defined boundaries such as walls, fences or hedges, which prevent the common use of the property by all occupants, for the purpose of this chapter shall be considered separate premises.

Regulations. Resolutions adopted by the city council which, in addition to the provisions of this chapter, govern the operation of the water system.

Services. The delivering or receiving of water; a water service connection; and act of duty performed by the water system.

Superintendent. The city water superintendent charged with the responsibility of administering, directing and representing the water system.

Water service. The delivery or receipt of water; a water service connection.

Water service connection. The connection including service pipes, meters and appurtenances through which water delivery is made.

Water system. The water division of the public works department of the city and the entire physical plant thereof.

22.2 Purpose of chapter; rates and charges adopted as condition to obtaining water.

(a) Rules as set forth herein are adopted to govern the general operation of the Fairfield municipal utilities to provide an efficient and economical water supply.

(b) The city council has the power to adopt by resolution those regulations which will further the purpose of this chapter, and which do not conflict with the provisions herein.

(c) Rates, fees and charges as set forth herein or in the regulations are adopted as conditions to obtaining water and other services from Fairfield municipal utilities.

22.3 Right of entry to customer's premises.

The water system or its duly authorized agents shall at all reasonable times have the right to enter or leave customer's premises for any purpose properly connected with service to the customer.

22.4 Notice required for removal or displacement of water facilities for construction or street work.

All persons engaged in construction or street work shall give at least ten days' written notice to the water system for removal or displacement of water system facilities that may interfere or conflict with street work, and any damage resulting to such facilities from such failure to give notice shall be charged against the person engaged in such work. All costs involved in the removal or displacing of water facilities shall be paid by the person engaged in such work, except where provisions of city permits or contracts state otherwise.

22.5 Liability of water system for damages.

The water system shall not be liable for damages resulting from:

(a) Any interruption of service or damage caused by spigots, valves or other equipment or fixtures that are open when water is turned on, whether when water is turned on originally or when turned on after a temporary shutoff.

(b) Any increase or decrease in delivery pressure.

22.6 Conditions of service.

Every person taking water shall be considered as having expressed his consent to be bound by this chapter and the regulations adopted pursuant to section 22.2 of this chapter, and whenever any one of the rules or regulations is violated, the right is reserved to discontinue water service system shall discontinue water service if the customer fails to comply within five days after the date of written notice of violation. If such noncompliance affects matters of health or safety, or affects the operation, maintenance or other costs of the water system, water service may be discontinued immediately and without notice.

The person whose water is thus discontinued shall forfeit all deposits made, and the water shall not be turned on again until all unpaid fees and charges are paid, and other requirements of this chapter or the regulations are fulfilled.

22.7 Permission for selling water.

It shall be unlawful for any person or entity other than Fairfield Municipal Utilities to sell water within the corporate limits of the city without having first received permission to do so from the city council.

22.7A Water theft.

The taking of water from an unmetered connection in the city water system except as authorized by this chapter shall be unlawful. (Ord. No. 91-8, § 4.)

22.8 Disclosure of water customer records.

It is recognized that to information concerning the conduct of the people's business is a fundamental and necessary right but that access may be withheld where the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record. It is hereby found that no public interest is served by the release of names and addresses of and other information relating to water customers where the purpose of such release is to further the private or pecuniary interests of the person or organization requesting release and that the true names and addresses of, and other information relating to water customers does not concern the conduct of the people's business. Based upon these findings, the names and addresses of and other information relating to water customers which is received by the water department in the regular course of furnishing water shall not be released to non-governmental persons or entities, except in the event that the person requesting release is able to demonstrate in writing and to the satisfaction of the water superintendent that such release relates to studies or investigations concerning the proper conduct of the business of the water department. In such event, the requested information will be furnished upon payment of an amount equal to the actual cost of providing the copy.

Article II. Water Services.

22.9 Using water without making prior application.

A person taking possession of premises and using water without having made application for water service shall be held liable for all water used from the date of the last recorded meter reading. If application for service is not made within seven calendar days after notification to do so or if accumulated water bills are not paid upon presentation, the water service shall be discontinued without further notice.

22.10 Liability for service.

Upon commencement of water service, the applicant shall be liable for all water delivered through that particular service and all other charges applicable to such service. When two or more persons jointly make application for service, they shall receive a single periodic bill, but shall be jointly and individually liable for payment of all charges incurred.

22.11 Former customer owing bills.

When the applicant for water service is a former customer who has failed to pay all bills for previous water service or charges for any other service received from the water system, the superintendent shall refuse water service to the applicant until all outstanding bills or charges are paid and shall also require a cash deposit as a guarantee for the payment of future bills.

22.12 Changes in customer's facilities.

Customers making any change in the size, character or extent of their facilities utilizing the water service which will require increasing the size of the existing service or result in a large or unusual increase in water usage shall immediately notify the water superintendent in writing.

Article III. Water Connections - Generally.

22.13 Title to connections; transfer of service; refunds.

Title to all meters, service pipes and appurtenances used in providing a water service connection shall remain with the water system and the charges set forth in this chapter are for connections and do not convey any right of title.

The water service connection is for a water supply to the premises stipulated on the application and is not transferable to any other properties or premises.

If the water service is discontinued or abandoned, no right or refund of connection charges or credit in any manner accrues to the applicant, customer or successor.

22.14 Service connections requiring main extension.

In no event shall a water service connection be installed unless a water main of adequate capacity and delivery pressure extends in a public street or right-of-way across the entire frontage of property to be served. Wherever as a condition of service a water main must be extended, the same shall be installed by the applicant in compliance with the provisions set forth in this chapter and in the regulations.

22.15 Fire service connections.

When an application is made for fire service connections, such sprinkler and fire service installation must be approved by the fire chief, by an approved fire rating bureau and by the superintendent. (Ord. 93-9, § 17.)

Water furnished through fire services shall be used only for extinguishing fires or for authorized testing of the fire system. Whenever a consumer wishes to test, he shall notify the superintendent at least three working days in advance.

If it is found that an unauthorized connection or use has been made, the consumer shall be notified to discontinue such connection or use, and if the consumer fails or refuses to do so, the water to such service shall be shut off and remain so until the fire service connection receives proper approval.

22.16 Temporary connections.

Whenever practical, temporary service connections shall be metered. Temporary connections shall be allowed for an initial sixty day period and extended by the superintendent on presentation of good and sufficient evidence that such extension is warranted. If unmetered, the superintendent shall determine a method to provide a record of consumption to the commercial office for each calendar month and the rates which will apply.

22.17 Contractors.

Contractors engaged in street construction or site development shall obtain a construction water permit and shall take water at a location specified by the superintendent. All water shall be metered unless exempted by the superintendent for good and sufficient reason. Meters will be supplied to the contractor by the water system. The daily service charge will be charged at 0.5 times the in-

city rate for a two (2) inch turbine meter. The volume charge will be charged at 1.5 times the in-city rate for general service users class. Any required deposits shall apply. (Ord. No. 96-3, § 1.)

22.18 Individual building construction.

Individual builders or contractors engaged in building construction or development not connected with subdivision construction shall upon compliance with the applicable provisions of the regulations and this chapter obtain a construction water permit and shall agree to the provisions of section 16 of the regulations.

Article IV. Connection Charges (Capacity).

22.19 Purpose.

The public interest, health and general welfare of the city and its inhabitants require the acquisition and construction of water facilities and systems, necessary to serve new and altered structures within the city, and the public interest and economy require that, in order to provide funds for such purposes, there be established certain connection charges to be paid by the owner or owners of land upon which such structures are constructed or altered.

22.20 Authority of city to impose.

The connection charges provided for herein are established pursuant to the power granted by the legislature to the city by section 5471 of the health and safety code and section 54344 of the government code; the power granted to the city by article XI, section 7 of the constitution to provide for the health and general welfare of the city and its inhabitants; and the power granted to the city by article XI, section 9 of the constitution to establish, purchase and operate public works to furnish its inhabitants with water.

22.21 Establishment; time payable.

In addition to all other charges established by the ordinance, rules and regulations of the city, there is hereby established a connection charge, in an amount determined pursuant to sections 22.22, 22.23, and 22.25 and subject to the provisions set forth in sections 22.24 and 22.26 through 22.31. Payment of such charge shall be a condition precedent, except as provided in sections 22.24 and 22.25, to connection of any water and/or sewer system of the city, and shall be payable prior to the issuance of a permit pursuant to this code, provided, however, that such charge shall be payable only with respect to connection of a structure to one of such systems, not both. (Ord. No. 2008-02, § 5.)

22.22 Amount.

The connection charge shall be in the amount of \$3,400 per family unit or equivalent effective July 1, 1991.

On April 1st of each year, the connection charge per family unit or equivalent shall automatically increase or decrease from the amount then applicable by the same percentage as the percentage of increase or decrease in construction costs between December 1st of each of the two immediately preceding years, for which purpose construction costs and the increase or decrease therein shall be based on the Engineering News-Record Construction Cost Index for the San Francisco area. On or before March 1 of each year, the director of public works shall:

(1) certify to the city council and the city building inspector the applicable percentage of increase or decrease for the following April 1st, pursuant to the foregoing provision, and the resulting change in the amount of the connection charge per family unit or equivalent; (2) submit to the city council a report, based on revenues and expenditures pursuant to this article, to the date of the report and revised estimates of future revenues and expenditures pursuant to this article for the purpose of review of and determination of whether any change should be made in the amount of the charge established by this section. (Ord. No. 87-17, § 1; Ord. No. 91-8, § 5; Ord. No. 95-30, § 4.)

22.23 Family units or equivalents.

(a) "Family" defined. As used in this section, "family" means one or more persons occupying a premises and living as a single nonprofit housekeeping unit. A family shall be deemed to include necessary servants.

(b) Residential structures. The following family units shall apply to residential structures:

(1) For each detached structure designed for occupation exclusively by one family, which structures shall include all single-family dwellings, there shall be assigned one family unit; and

(2)(A) For each structure or portion thereof designed for occupation by more than one family, each such family living independently of each other in a room or suite of rooms separated by a common wall or floor, which structures shall include condominiums, apartment houses, duplexes and such portion of hotels or motels which contain kitchen facilities in each room or suite of rooms designed for occupation by a family, and all mobile home parks, there shall be assigned one (1)

family unit for the first room, suite of rooms or mobile home, designed for occupation by a family and sixty (60%) of a family unit for each remaining room, suite of rooms, and mobile home designed for occupation by a family; and

(B) For each structure or portion thereof designed exclusively for occupation by senior citizens, which structures shall include condominiums and apartment houses, there shall be assigned one (1) family unit for the first room, or a suite of rooms, designed for occupation by a family, and forty-five (45%) of a family unit for each remaining room, or suite of rooms, designed for occupation by a family. (Ord. No. 99-11, § 1.)

(c) Other structures. There shall be assigned for commercial, industrial, office, church, private school, public facility and all other structures, including hotels and motels, or portions thereof; not containing rooms with kitchen facilities, and including portions of residential structures designed for commercial, office or other nonresidential use, a number of family unit equivalents determined on the basis of the estimated potential demand of such structures upon city water facilities and systems in relation to the normal potential demand of a single-family residential structure. Such determination shall be based on the capacity of the water meter for any such structure, in accordance with the following schedule:

METER UNIT SIZE (IN.)	METER TYPE	CAPACITY (GAL/MIN)	FAMILY UNIT EQUIVALENTS
5/8"	Displacement	10	1
3/4"	Displacement	10	1
1"	Displacement	17	2
1 1/2"	Displacement	34	5
2"	Compound	80	13
1 1/2"	Turbine	120	22
2"	Turbine	160	30
3"	Compound	160	30
4"	Compound	250	50
3"	Turbine	350	75
6"	Compound	500	120
8"	Compound	800	210
4"	Turbine	1,000	275
10"	Compound	1,150	350
6"	Turbine	2,000	640
8"	Turbine	3,500	1,250
10"	Turbine	5,500	2,155

(d) If a meter has a size and/or capacity that does not appear on the above schedule, the city engineer shall determine the number of family unit equivalents by interpolating or extrapolating the schedule and rounding to the nearest full family unit equivalent.

(e) Landscape irrigation. Family unit equivalents shall be assigned using the following schedule for irrigation service from a meter used solely to provide separate metering of landscape irrigation:

METER UNIT SIZE (IN.)	METER TYPE	CAPACITY (GAL/MIN)	FAMILY UNIT EQUIVALENTS
3/4"	Displacement	10	1
1"	Displacement	17	2
1 1/2"	Turbine	120	5
2"	Turbine	160	13
3"	Turbine	350	30

METER UNIT SIZE (IN.)	METER TYPE	CAPACITY (GAL/MIN)	FAMILY UNIT EQUIVALENTS
4"	Turbine	1,000	50
6"	Turbine	2,000	120
8"	Turbine	3,500	210(

(Ord. No. 98-8, § 3.)

(f) Fire service. No family units or equivalents shall be assigned for unmetered fire service.

22.24 Exemptions.

Connection charges pursuant to the provisions of this article shall not be payable with respect to new or altered structures for which a building permit therefore, pursuant to the building code adopted by the city at the time of issuance of such permit, was issued prior to the effective date of this article.

22.25 Charge for alteration or change of meter size.

(a) Where it is proposed to alter a structure in any way which results in a greater potential water demand therefore, or to change or replace an existing water meter by a meter of a larger size, the number of family units or equivalents applicable to such structure both prior and subsequent to such alteration or change of meter size shall be determined pursuant to the provisions of section 22.23, and a connection charge based on the difference between the units applicable prior to such alteration or change of meter size shall be paid, whether or not a connection charge was theretofore payable with respect to such structure. The charge provided for in this section shall be deemed a connection charge for the purposes of this article, even if a new physical connection of a structure is not required, the continuance of the original physical connection being conditioned on payment of the charge provided for in this section. Unless such charge is paid prior to making such alteration or change of meter size, it shall be paid within thirty days of receipt of notice of the amount payable by reason of such alteration or change of meter size. Such notice shall be mailed, postage prepaid, registered, or any owner of such structure.

(b) No connection charge shall be payable when a water meter installed before December 16, 1986 is replaced by two meters, solely to provide for the separate metering of landscape irrigation. Sizing of meters installed pursuant to this subsection shall be within the sole discretion of the city engineer. If a smaller non-irrigation meter is not justified, the city engineer may allow the existing meter to stay in service rather than require it to be replaced with a new meter. Nothing in this subsection shall be construed to eliminate payment of a connection charge when otherwise due pursuant to subsection (a).

(c) Where it is proposed to change or replace an existing water meter by a meter of a smaller size, no connection charge for capacity shall be required. (Ord. 2002-29, § 8.)

22.26 Action by city council.

(a) Appeal. Any determination made pursuant to sections 22.23 or 22.25 may be appealed to the city council for a modification thereof.

(b) Special conditions relating to time of payment. Where, in the opinion of the city council, special conditions required the payment of connection charges at a time other than that specified above, it may provide for such charge to be paid at a time agreed to by written agreement with the owner of the property to which such charge applies.

(c) Form of action. Action by the city council pursuant to this section may be by motion or resolution.

(d) Event of nonpayment. If, for any reason, connection charges pursuant to this section are not paid within five days after the time or times agreed to by written agreement with the owner of the property, said charges shall become a lien against said property and shall be added to and collected with the next regular tax bill levied against said property.

22.27 Penalty for nonpayment.

For the nonpayment of the full amount of the connection charge when payable, the owner of the property to which such charge applies shall be liable for a basic penalty in the amount of ten percent of such charge and, in addition, for a penalty of one-half of one percent per month upon the unpaid portion of such charge and the basic penalty.

22.28 Disconnection for nonpayment.

In the event of connection to any sewer and/or water system of the city without payment of the full amount of the connection charge, such connection shall be deemed illegal, and the structure so connected may be disconnected by city.

22.29 Lien against property.

Connection charges payable pursuant to this article shall, in accordance with and pursuant to section 5473.11 of the health and safety code, constitute a lien against the property to which such charge is applicable.

22.30 Place of payment.

Water connection charges shall be payable at the office of the building inspector, City Hall, Fairfield, California.

22.31 Use of proceeds.

There is hereby created a water facilities fund into which all sums collected pursuant to this article shall be deposited.

The monies in such water facilities fund shall be used solely to acquire or construct water supplies, facilities, and systems; to repay principal and interest on bonds issued for the acquisition or construction of such water supplies, facilities and systems; to repay federal or state loans or advances made to the city for the construction of such water facilities and systems; and to pay for administration of connection charge collection.

22.32 No refunds.

In the event that the building for which a connection charge has been paid is not under construction within 180 days of issuance of the plumbing permit, or in the event construction stops for 180 days, the connection charge paid shall lapse and the full amount of the connection charge in effect at the commencement or recommencement of construction shall be required. The city shall not refund the lapsed connection charge, but shall grant a credit on such connection charge in the amount of the previously paid connection charge.

Article V. Water Connection Charges (Installation).

22.33 Installation charges - new service.

The water system shall collect the following charges for the installation of new water service connections installed by city forces. Where unusual conditions prevail, charges will be based on actual costs.

Service Connections	Charge
3/4" service pipe	\$490.00
1"	510.00
1 1/2"	550.00
2"	610.00
3"	750.00
4"	900.00

22.34 Same - New meter and box.

Charges for meter and box are to be added to the charges for service installation and are held as a separate charge for the convenience of subdividers or contractors where all pipe is installed by the owner. The water system shall collect the following connection charges for the installation of water meter and box:

Meter Size	Charge
3/4" meter and box	\$80.00
1" meter and box	110.00
1 1/2" meter and box	200.00
2" compound meter and box	515.00
3" compound meter and box	820.00
4" compound meter and box	1,365.00

22.35 Same - Increase or decrease.

All rates and charges provided for in sections 22.33 and 22.34 of this chapter, unless otherwise specified, shall, on April 1st of each year, automatically increase or decrease from the amounts then applicable by the same percentage as the percentage of increase or decrease in construction costs between December 1 of each of the two immediately preceding years. Construction

costs and the increase or decrease therein shall be based on the Engineering News-Record Construction Cost Index for the San Francisco area. (Ord. No. 95-30, § 5.)

22.36 Same - Large service connections and special conditions.

For any installation greater than four inches in size, the application will deposit an amount equal to the estimated installation cost at the time of application; additional billing or refund will be made on such deposit after actual installation costs have been determined at the completion of the work. Where special conditions exist, the city reserves the right to furnish special meters with the applicant to pay actual installation cost.

22.37 Same - To be paid prior to installation, etc.

All connection charges shall be paid prior to installation, and in the case of new construction must be paid before the building permit is issued.

22.38 Same - Advance deposit in certain cases.

In the case of connection charges on a cost plus basis, a deposit must be made in advance of the estimated cost and an adjustment made upon completion. If the cost is over the estimate, the applicant will be billed for the difference; if the cost is less, the water system will refund the difference.

22.39 Changes in size of meter, pipe, etc., at expense of customers.

Changes in size of meter, service pipe, or both of the existing service connections shall be at the expense of the customer less fifty percent of the cost of a new meter of the size being replaced.

22.40 Changes in location of meters and connections at expense of customers.

When the relocation of an existing meter or service connection is requested for the customer's convenience, the relocation shall be at the customer's expense.

22.41 Water main extensions by city - Generally.

When the city council shall determine it to be in the public interest for the city to extend water lines in advance of street development or for any other purpose, the superintendent shall be ordered to proceed with such extensions to the extent and in the manner determined by the city council. Such extensions may be installed at the cost of the city or pursuant to appropriate assessment district proceedings.

If the city council determines at the time of ordering any such main extension that this section shall be applicable thereto, accurate records of the costs thereof shall be maintained by the superintendent, together with an allocation of such costs to all parcels of property, which will be served thereby. Such allocation shall be based on such formula as will result in such costs being apportioned to such parcels in proportion to the benefits thereto, severally and respectively.

22.42 Same - Special connection charges.

At the time of installation of any water service connection which will be served in whole or in part by a water main to which special connection charge, in addition to all other charges and fees provided for by this chapter. Such charge shall be in an amount equal to the cost allocated to the parcel of property by the superintendent, as provided in section 22.41 of this chapter.

If a water main extension is financed by assessment district proceedings, any charge provided for by this section with respect thereto shall be deemed paid for each parcel of property within such assessment district, by virtue of the assessment levied thereon in such proceedings.

Article VI. Reserved for Future Legislation.

Article VII. Extension of Water Facilities by Applicant.

22.43 Plans.

Any applicant for water service which will require water main extension shall install the same at his own cost and expense. Any applicant for water service which will require other water facility extension may install the same at his own cost and expense. Plans for such extension or extensions shall be submitted to and approved by the city engineer.

22.44 Surety bond.

In the event the applicant installs water facility extensions, he shall furnish the city a surety company bond in an amount equal to at least one-half the city engineer's estimate of the installation costs, to guarantee faithful performance by the application, and surety company bond in an equal amount to guarantee claims of persons employed by the applicant and claims of persons who furnish materials, supplies and implements used by the applicant on such work.

22.45 Evidence of title transfer to city.

When water facility extensions are installed and upon the execution and delivery by the applicant of a good and sufficient document evidencing transfer of title of the facilities to the city, water shall be furnished to the applicant's property.

Article VIII. Water Meters.

22.46 Maintenance.

Where replacements or adjustments for any water meters are necessary by the act, neglect or carelessness of the owner or occupant of any premises or anyone in their employ, any expense thereby caused to the water system shall be placed on the water bill and collected from the property owner.

22.47 Testing.

Customers shall have the right to request a test to be made of the meter service serving their premises in the manner provided in section 20 of the regulations.

If the results of the meter test determine that the meter is:

- (a) Registering not more than two percent faster or slower than the actual quantity of water passing through it, the deposit shall be retained by the water system;
- (b) Registering more than two percent over registration, an accurate meter shall be installed, the deposit refunded and the water bills adjusted to correct the error discovered;
- (c) Registering more than two percent under registration, an accurate rate meter shall be installed, the deposit refunded and the customer billed for the amount of the undercharge;
- (d) In any event, the adjustment for overcharge or undercharge shall not exceed a period of six months or that during which it was measuring service to the customer, whichever is the lesser.

22.48 Erroneous meters; obstruction.

- (a) Erroneous meters. Whenever a meter fails to register correctly, the customer shall be charged for a minimum service charge or for an estimated amount of water used, based upon the customer's prior consumption during the same season of the year, if conditions were unchanged, or upon a reasonable comparison with use of other customers during the same period receiving the same class of service under similar circumstances.
- (b) Obstructing water meters. It shall be unlawful for anyone to enclose a water meter with a fence, wall, hedge or otherwise obstruct access to water service meters. Upon the failure or refusal of the owner or customer to remove any such unlawful obstruction within a reasonable length of time, thirty days unless prevented by extenuating circumstances, after written notification to do so, the superintendent shall, at his option, order:
 - (1) The discontinuance of water service to the premises until the obstruction is removed; or
 - (2) The customer to pay an additional charge of five dollars as penalty for each meter reading taken until the obstruction is removed.

Article IX. Customer's Equipment.

22.49 Customer's responsibility.

The customer shall, at his own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the water system shall not be responsible for any loss or damage caused by the improper installation of such water equipment, or the negligence, want of proper maintenance or wrongful act of the customer or of any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, using, operating or interfering with such equipment. The customer shall be responsible for determining the pressure operation limits of his fixtures and equipment and shall properly protect the same from a variance of water delivery pressures, including periods when for any reason whatsoever there is no water available.

22.50 Control valve.

The owner of premises to be served shall install a control valve on the house piping between the water meter and the first valve outlet on the premises. When old premises, to which a service connection has previously been installed, are being altered, a control valve shall be installed by the owner, if such is not already provided. The customer shall not operate the meter stop or valve in the meter box at any time.

22.51 Pressure relief valve.

Each water heater shall be equipped with a suitable pressure relief valve of a type and nature required by the uniform plumbing code and building code.

22.52 Backflow prevention - generally.

The city council may by resolution establish regulations governing cross connection control between the water system and the plumbing on any premises.

22.53 Same - Inspection of devices; repair, etc., costs.

The water system shall test and inspect all such backflow prevention installations as required and all costs for service, repair, overhaul, or replacement shall be at the expense of the property owner.

Article X. Billing.

22.54 Generally.

The procedure of rendering bills for water service, their payment and the consequences on nonpayment, unless otherwise provided elsewhere in this chapter, shall be governed by the regulations.

22.55 Disputed bills.

In case of dispute as to payment of a bill previously rendered, the customer will be required to present the receipted bill, canceled check or other satisfactory evidence before adjustment or corrections shall be made.

Article XI. Water Rates and Charges.

22.56 Payment for service; "person" defined.

No person shall receive water service without payment of the rates and charges provided herein. The word "person" as used herein shall mean any individual, firm, or corporation, or the state or the United States of America or any public corporation, political subdivision, city, county, district, or agency of either, including this city.

22.57 Water rates.

(a) Water rates shall be charged by user class, as set forth in this section, reflecting the different capacity and water volume requirements for each class. Each user in a class shall pay charges in two parts: 1) a daily service charge to be paid regardless of water use and 2) a volume charge to be the result of the rate for the user class applied to user's volume usage, as measured in units of 100 cubic feet.

(b) Water rate user classes shall be as follows:

- (1) "Residential" shall include all service to single-family, multi-family and mobile home properties.
- (2) "General Service" shall include all non-residential accounts, except as otherwise provided in paragraphs (3) through (5).
- (3) "Large Industrial" shall include non-residential accounts, using an average of over one million gallons per day.
- (4) "Landscape Irrigation" shall be limited to those water users requiring service exclusively for landscaping purposes, which service is offered on an interruptible basis for use solely during the daily off-peak time period of 11:00 p.m. to 5:00 a.m. Violation of these conditions shall be grounds for the user to be billed under the "General Service" class. This class shall pay no service charge and the volume charge shall be equal to the "General Service" class.
- (5) "Special Landscape Irrigation" shall be limited to those water users meeting the following conditions: (a) the user is within an area planned for reclaimed water service within the next five years, (b) the user contracts with the city for reclaimed water irrigation service when available, and (c) all other conditions for potable water irrigation service are met. Cemetery districts that otherwise meet the above conditions and irrigate more than 17 acres shall be allowed extended hours of irrigation service, from 8:00 p.m. to 8:00 a.m. Violation of these conditions shall be grounds for the user to be billed under the "General Service" class. This class shall pay no service charge and the volume charge shall be fifteen percent (15%) less than the "General Service" class.
- (6) "Reclaimed Landscape Irrigation" shall be limited to those users actually using reclaimed water for landscape irrigation and for whom rates are not set by a reclaimed water service contract. This class shall pay no service charge and the volume charge shall be twenty-five percent (25%) less than the "General Service" class. (Ord. 2002-29, § 1.)

(c) The rates within each user class shall be established by resolution of the City Council. (Ord. No. 96-16, § 3; Ord. No. 99-1, § 2; Ord. No. 2000-11, § 1; Ord. 2002-29, § 2, Ord. No. 2004-20, §1, Ord. No. 2006-26, §1)

(d) Any user whose property is located at or above 200 feet in elevation shall, in addition to the volume charge paid under subsection (a), pay a zone 3 volume surcharge equal to \$.30 per 100 cubic feet, effective June 7, 1995. Any user whose property is located at or above 400 feet in elevation shall, in addition to the volume charge paid under subsection (a) and the zone 3 volume surcharge paid under this subsection, pay a zone 5 volume surcharge equal to \$0.30 per 100 cubic feet effective June 7, 1995. Any user whose property is served by a hydroneumatic pumped system shall pay a demand pump surcharge of \$0.20 per 100 cubic feet effective June 7, 1995.

(e) Any general service turbine meter installed before May 19, 1987, shall be charged the same daily service charge as a compound meter of equivalent size.

(f) Detector check valves for fire sprinkler systems shall be billed on the basis of the bypass meter size at the amount stated in this section, and municipally-owned fire hydrants shall be billed an annual charge of one dollar per fire hydrant, which charges shall cover all water furnished through the applicable sprinkler systems and hydrants. (Ord. No. 95-10, § 2; Ord. No. 2008-03, § 1; Ord. No. 2009-19, § 1.)

(g) Low Income Senior/Disabled Refund. A refund may be made to certain customers under the following conditions:

(1) On March 1, following the calendar year for which the refund is applicable, the customer making application for the refund meets all of the following criteria: (a) is over sixty-two (62) years of age, or is considered disabled under social security law and receives supplemental social security income for disabled persons, or is a veteran in receipt of a non service connected disability pension from the Veterans Administration, and (b) such individual is a "head of household," (c) that such individual has paid the charges imposed by this section for the twelve (12) months of the preceding calendar year, (d) that the combined annual "gross income" of the household of which such individual is head is less than or equal to the United States Housing and Urban Development eligibility limit for a family of two with very low income for the preceding calendar year, (e) that the water service for which such charges were paid was delivered to said individual's residence, and (f) that such individual had made no other application for a refund for the same calendar year. (Ord. No. 96-16, § 4; Ord. No. 2000-11, Sec. 3; Ord. 2002-29, § 4, Ord. No. 2004-20, §2)

(2) Beginning August 1, 2013, the amount of the refund referred to in paragraph (1) shall be \$118.00. On each July 1 thereafter, the amount of the refund shall increase by the net percentage increase in residential rates from the prior July 1. The City Council may amend by resolution the conditions for receipt of the refund and the amount of the refund. (Ord. 2002-29, § 4.)

(3) The refund provided for in paragraph (2) shall be applied for on a form prescribed by the city on or before March 1, and shall be payable before April 30 of each year for the preceding calendar year.

(4) As used herein, "head of household" shall mean the person filing or who would file a federal income tax return as a head of household, or a single individual, or the husband or wife, if a joint return is filed, but in such case, the individual applying for the refund must additionally declare that his or her spouse has not also applied for the refund for the same period of time.

(5) As used herein "gross income" shall include all compensation for wages, salaries, tips, interest income, rental income (after expenses), royalties, pensions, annuities, social security, SSI, and alimony. (Ord. No. 87-17, § 2; Ord. No. 87-27, § 1; Ord. No. 87-37, § 1; Ord. No. 88-1, § 1; Ord. No. 91-8, § 1; Ord. No. 2000-11, § 3; Ord. 2002-29, § 4, Ord. 2004-20, § 2. Formerly 22.57C.)

(h) Recreational Field Exemption. The city council may by resolution exempt from the water rates provided for in this article any water used exclusively for irrigating city parks or recreational fields and landscaping of a school district, which would otherwise be subject to the "landscape irrigation" or "special landscape irrigation" user classes pursuant to Section 22.57. (Ord. No. 94-9, § 2; Ord. 2002-29, § 7. Formerly 22.57E.)

(i) From time to time, the preparation of studies to determinate the appropriate water rates to be charged based on the costs of service may be directed by the City Council or City Manager. All future water rate increases shall be subject to City Council approval in the manner required by law. (Ord. No. 2012-01, §§ 1 - 4; Ord. No. 2013-10, §§ 1, 2; Ord. No. 2017-17, § 1.)

22.57A Annual rate adjustment.

Repealed by Ord. 2012-01. (Ord. No. 94-9, § 1; Ord. No. 98-32, § 3; Ord. No. 2009-19, § 2.)

22.57B Cost of service adjustments.

Repealed by Ord. 2012-01. (Ord. No. 2009-19, § 3.)

22.57C Low income senior/disabled refund.

Recodified to Sec. 22.57(g) by Ord. 2012-01.

22.57D Deferred rate increase.

Repealed by Ord. 2012-01. (This section was previously repealed by Ordinance 2002-29, § 5, then a new Section 22.57D was added by Ord. 2004-20, §3.)

22.57E Recreational field exemption.

Recodified to Sec. 22.57(h) by Ord. 2012-01.

22.58 Standby service charge.

This section repealed by Ord. No. 78-33, § 2.

22.59 Delinquent charge to be real property lien.

Charges for water service as set forth in section 22.57 of this chapter shall be considered delinquent if not paid within 30 days. After compliance by the water system with section 36 of the regulations, the delinquent charges shall constitute a lien upon the real property to which the unpaid charge for service was rendered. Such lien is imposed pursuant to the state government code § 54354. (Ord. No. 87-37, § 2.)(Ord. 95-30,eff. 1/19/96)(Ord. 2000-11, eff. 1/5/01)

22.60 Outside rates.

Every customer not covered by section 22.61 being supplied water from the water system to premises outside the city limits shall pay water rates and charges which shall be fifty percent over and above the rates and charges established for water users within the corporate limits of the city. (Ord. No. 87-37, § 3; Ord. 2002-29, § 6.)

22.61 Industrial wholesale and raw water.

The city council reserves the right to negotiate by contract rates different than those expressed in this chapter; such contractual rates shall take preference over any other rates set forth in this chapter.

Article XII. Additional Connection Charge Within Pressure Zone Two.

22.62 Purpose.

In order to fund the construction, maintenance, and operation of the special pump stations and reservoir sites required to serve water to customers located between elevation 100 feet and 200 feet, inclusive, there is hereby established the additional connection charge specified in this article which shall be in addition to all other charges levied by this code. The establishment of this additional connection charge creates no obligation on the part of the city to serve water above the 100-foot elevation.

22.63 Pressure Zone Two connection charge.

The water system shall collect the following charges for installation of new water services located between the elevation of 100 and 200 feet:

- (a) The connection charge shall be in the amount of five hundred dollars per family unit or equivalent.
- (b) The number of family unit equivalents for a service shall be determined as provided in Article IV of this chapter.

22.64 Same - Increase or decrease.

All charges provided for in Sec. 22.63, unless otherwise specified, shall, on April 1st of each year, automatically increase or decrease from the amounts then applicable by the same percentage as the percentage of increase or decrease in construction costs between December 1 of each of the two immediately preceding years. Construction costs and the increase or decrease therein shall be based on the Engineering News-Record Construction Cost Index for the San Francisco area. (Ord. No. 95-30, § 6.)

22.65 Exemptions.

The provisions of this article shall not apply to areas in which prior to January 31, 1979 the Fairfield City Council approved development conditioned upon the formation of an assessment district or provision of a separate water pressure system installed and paid for by the developer to serve elevations between elevations 100 and 200 feet.

22.66 Map.

The areas located between 100 and 200 feet subject to this article shall be those areas shown on pressure zones 2A and 2B on that certain map entitled, "City of Fairfield, Domestic Water Reservoir Study, Recommended Plan, Pressure Zone No. 2, June 1975", a copy of which is on file with the Department of Public Works, and incorporated herein by reference. (Ord. No. 79-14, § 1; Ord. No. 86-52)

Article XIII. Excess Usage Volume Surcharge.

22.70 Purpose.

Repealed by Ord. No. 93-15, § 1.

22.71 Surcharge imposed.

Repealed by Ord. No. 93-15, § 1.

22.72 Conditions permitting supplemental water allocations.

Repealed by Ord. No. 93-15, § 1.

22.73-22.79 Reserved for future legislation.

Article XIV. Drought Response Program.

22.80 Purpose.

Repealed by Ord. No. 93-15, § 2.

22.81 General provisions.

Repealed by Ord. No. 93-15, § 2.

22.82 Water use regulations and prohibitions.

Repealed by Ord. No. 93-15, § 2.

22.83 New public landscaping.

Repealed by Ord. No. 93-15, § 2.

22.84 Increased penalties for water theft.

Repealed by Ord. No. 93-15, § 2.

Article XV. Water Misuse Prevention Program.

22.85 General provisions.

(a) Declaration. It is hereby declared that, because of the Mediterranean climate and recurring drought conditions often prevailing in the City of Fairfield and other areas in the State of California, the general welfare requires that the water resources available to the City be put to the maximum beneficial use possible and the misuse or unreasonable use or unreasonable method of use of water be prevented.

(b) Application. The provisions of this article shall apply to all persons, customers, and property served water by the City of Fairfield. The provisions of this article are not applicable to uses of water that are necessary to protect public health and safety or for essential services, such as police, fire, and other similar emergency services. The provisions of this section also do not apply to the use of non-potable water, such as recycled or reclaimed water. (Ord. No. 94-23, § 1; Ord. No. 2015-10, § 3. Formerly 22.86.)

22.86 Normal condition.

The following prohibitions and regulations shall be in effect at all times.

(a) Failure by any person to promptly repair a controllable water leak shall be prohibited. A "controllable" water leak is defined as any leak occurring from the customer's water system including plumbing and irrigation fixtures for which the customer owns and/or is responsible. This definition includes the entire water system within the boundaries of the customer's property. For example, broken sprinkler heads, leaking hose bibs, or broken water lines (under the customers home) are considered controllable water leaks. A person is not responsible for any portion of the system owned by the City or other public agency (e.g., water meter).

(b) Landscape irrigation utilizing individual sprinklers or sprinkler systems of lawns, landscaped areas, trees, shrubs, or other plants shall occur only before 12:00 noon or after 6:00 pm. This restriction is applicable only during daylight savings time unless changed hereafter by resolution of the City Council.

(c) All new installation of cooling systems using potable water as a coolant shall be recycling systems only. No single pass cooling systems shall be allowed except by resolution of the City Council. (Ord. No. 2015-10, § 3. Formerly 22.87.)

22.87 Stage I water shortage

In addition to the permanent prohibitions and regulations established in section 22.86, the following prohibitions and regulations shall apply when the City Council declares a State I water shortage:

- (a) No person may wash down paved areas, including, but not limited to, sidewalks, streets, walkways, patios, driveways, alleys or parking areas, with potable water.
- (b) Vehicles may only be washed with the use of a controllable water source, such as a bucket or hose affixed with an automatic shut-off nozzle, or at a commercial car wash. (Ord. No. 2015-10, § 3.)

22.88 Stage II water shortage

In addition to the prohibitions and regulations in effect during a Stage I water shortage, the following prohibitions and regulations shall also apply when the City Council declares a State II water shortage:

- (a) No person may use water for the purpose of washing a building, home, or other structure unless through use of a pressure washer.
- (b) Landscape irrigation with potable water shall be limited to four days per week, unless the City Council or Public Works Director declares that landscape irrigation with potable water shall be limited to three days per week.
- (c) No person shall operate any fountain or other aesthetic water features unless the fountain or water feature is constructed with a water recirculation system.
- (d) All eating and drinking establishments of any kind whatsoever including, but not limited to, any restaurant, hotel, cafe, cafeteria, bar, or club shall only provide drinking water upon request.
- (e) All hotels, motels and bed and breakfast establishments shall provide customers the option of choosing not to have towels laundered daily. Each establishment shall prominently display notice of this option and the existence of drought conditions within the City in each guest room using clear and easily understood language.
- (f) All construction projects shall use reclaimed water to the extent feasible. (Ord. No. 2015-10, § 3.)

22.89 Stage III water shortage

In addition to the prohibitions and regulations in effect during a Stage II water shortage, the following prohibitions and regulations shall also apply when the City Council declares a State III water shortage:

- (a) Landscape irrigation with potable water shall be limited to two days per week.
- (b) Use of potable water to flush hydrants, except where required for public health or safety or as otherwise required by law is prohibited.
- (c) Construction or permitting of new pools and/or spas shall be prohibited.
- (d) All construction projects shall use reclaimed water only. (Ord. No. 2015-10, § 3.)

22.90 Stage IV water shortage.

In addition to the prohibitions and regulations in effect during a Stage III water shortage, the following prohibitions and regulations shall also apply when the City Council declares a State IV water shortage:

- (a) The use of potable water for construction projects shall be prohibited.
- (b) No person may fill a pool, spa, decorative fountain, or aesthetic water feature with potable water.
- (c) No person may operate a decorative fountain or other aesthetic water feature using potable water.
- (d) Landscape irrigation with potable water shall be prohibited at all times. (Ord. No. 2015-10, § 3.)

22.91 Procedure for Implementing a water shortage stage.

The City Council may declare a water shortage stage and implement the accompanying restrictions by resolution after conducting a public hearing, notice of which shall be published not less than ten days before the hearing in a newspaper of general circulation within the City. Within ten days after adoption of the resolution, a copy of the resolution shall be published in a newspaper of general circulation within the City.

The Public Works Director has discretion to determine that certain restrictions may be appropriate for implementation at an earlier stage and may recommend such restrictions for implementation to the City Council. The City Council may implement such additional restrictions as part of its declaration of a water shortage stage. (Ord. No. 2015-10, § 3.)

22.92 Penalties and enforcement.

(a) Each violation of a provision of this article shall constitute a separate violation and shall be enforced accordingly. All violations occurring on a water customer's premises or using water delivered through a customer's water service connection shall be the responsibility of the customer.

(b) A violation of this article shall be subject to a fine not to exceed the amounts provided below:

(1) Fines applicable during normal conditions:

- a. First offense: a written warning to refrain from further violations of this article.
- b. Second offense within the preceding twelve months: \$25.
- c. Third offense within the preceding twelve months: \$50.
- d. Fourth and subsequent offense within the preceding twelve months: \$100.

(2) Fines applicable during a Stage I or Stage II water shortage:

- a. First offense: a written warning to refrain from further violations of this article.
- b. Second offense within the preceding twelve months: \$50.
- c. Third offense within the preceding twelve months: \$100.
- d. Fourth and subsequent offense within the preceding twelve months: \$250.

(3) Fines applicable during a Stage III water shortage:

- a. First offense: \$50.
- b. Second offense within the preceding twelve months: \$100.
- c. Third offense within the preceding twelve months: \$200.
- d. Fourth and subsequent offense within the preceding twelve months: \$350.

(4) Fines applicable during a Stage IV water shortage:

- a. First offense: \$100.
- b. Second offense within the preceding twelve months: \$200.
- c. Third offense within the preceding twelve months: \$300.
- d. Fourth and subsequent offense within the preceding twelve months: a fine of \$500.

(c) In addition to the applicable fine, the City may install a flow restrictor on a customer's water service connection for two months for a fourth and subsequent violation of this article during any water shortage stage. If no further violations of this article occur during this two-month period, the City shall remove the flow restrictor at the customer's expense. If a violation occurs during this two-month period, the City may maintain the flow restrictor for an additional two months. The fee for the flow restrictor removal shall include reimbursement to the City for the cost of installation.

(d) The provisions of this article may be enforceable through the City's administrative citation process as provided in sections 1.12 through 1.18.

(e) Any peace officer or City code enforcement officer shall have the authority to enforce the provisions of this article. City meter readers and City public works staff designated by the Director of Public Works shall also have the authority to write and deliver notices of violations pursuant to this article. (Ord. No. 94-23, § 1; Ord. No. 2015-10, § 3. Formerly 22.89.)