

## **ARTICLE VIII. CONSERVATION MEASURES RELATING TO LAWN AND LANDSCAPE IRRIGATION**

### **Sec. 20-120. Lawn and landscape irrigation restrictions.**

(a) A person commits an offense if, during the period from April 1 through October 31 of any year and between the hours of 10:00 a.m. and 6:00 p.m. on any day during that period, he irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by him. This provision shall not apply, and it shall be an exception, for a person to water a lawn or landscaping using a hand-held hose, except during a Stage 4 Water Emergency in accordance with section 20-99 of this chapter.

(b) A person commits an offense if he knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased, or managed by the person in a manner that causes:

(1) A substantial amount of water to fall upon impervious areas instead of upon the lawn or landscape, such that a constant stream of water overflows onto a street or other drainage area; or

(2) An irrigation system or other lawn or landscape watering device to operate during any form of precipitation.

(c) A person commits an offense if, on premises owned, leased, or managed by him, he operates a lawn or landscape irrigation system or device that:

(1) Has any broken or missing sprinkler head; or

(2) Has not been properly maintained in a manner that prevents the waste of water.

(Ord. No. 2019, § 2, 3-20-07)

### **Sec. 20-121. Rain sensing devices and freeze gauges.**

(a) Any new irrigation system installed within the city on or after June 1, 2007 must be equipped with rain sensing devices and freeze gauges approved as to number and type by the city.

(b) A person commits an offense if, on premises owned, leased, or managed by him, he:

(1) Installs, or causes or permits the installation of a new irrigation system in violation of subsection (a) of this section; or

(2) Operates, or causes or permits the operation of an irrigation system that does not comply with subsection (a) of this section.

(Ord. No. 2019, § 2, 3-20-07)

### **Sec. 20-122. Variances.**

(a) The city may in special cases grant variances from the provisions of this article to persons demonstrating extreme hardship and need. The director of public works may grant variances only under all of the following circumstances and conditions:

- (1) The applicant must sign a compliance agreement on forms provided by the director agreeing to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.
- (2) The granting of a variance must not cause an immediate significant reduction in the city's water supply.
- (3) The extreme hardship or need requiring the variance must relate to the health, safety, or welfare of the person requesting the variance.
- (4) The health, safety, and welfare of other persons must not be adversely affected by granting the variance.

(Ord. No. 2019, § 2, 3-20-07)

**Sec. 20-123. Revocation of variances.**

The director may deny, suspend or revoke a variance if the director determines that:

- (1) The conditions of section 20-122 are not being met or are no longer applicable;
- (2) The terms of the compliance agreement are being violated; or
- (3) The health, safety, or welfare of other persons requires revocation.

(Ord. No. 2019, § 2, 3-20-07)

**Sec. 20-124. Penalties.**

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court, shall be punished by a fine not to exceed the sum of \$500.00 for each offense, and each and every day said violation continues shall constitute a separate offense.

(Ord. No. 2019, § 2, 3-20-07)

**//Duncanville, Texas/CODE OF ORDINANCES City of DUNCANVILLE, TEXAS Codified through Ord. No. 2047, enacted Feb. 19, 2008. (Supplement No. 8)/Chapter 20 WATER, SEWER AND SEWAGE DISPOSAL\*/ARTICLE VIII. CONSERVATION MEASURES RELATING TO LAWN AND LANDSCAPE IRRIGATION**