

Draft Ordinance No. 203

Third 2026 Rule Update Ordinance

Water Demand Committee

October 1, 2026

Committee action: Review draft ordinance and consider recommendation to support first reading

What is before the Committee today?

Action Item 3 — Draft Ordinance No. 203

Third in a series of rule-update ordinances supporting Strategic Goal #6: Update and Prioritize District Rules and Regulations.

Primary substantive change: add a new Rule 142.2 prohibiting potable-water irrigation of Non-Functional Turf, consistent with state requirements.

Additional changes clarify water permits, water-use capacity, rebates and credits, landscape requirements, and administrative numbering.

Proposed path: Committee review today → first reading → General Counsel review / CEQA determination before second reading → adoption, if approved.

The central change: Non-Functional Turf

New Rule 142.2 — prohibition on potable irrigation

Jan. 1, 2027

DGS properties
Local governments / agencies
Public Water Systems

Jan. 1, 2028

Other Institutional
Commercial & Industrial sites

Jan. 1, 2029

HOA / CID / community
organization common areas

Jan. 1, 2031*

Disadvantaged-community
public properties

Key provisions

Exceptions: water may be used as necessary to protect trees/perennial non-turf plantings or address an immediate health and safety need.

Board may postpone a compliance deadline by up to three years for specified good-cause circumstances.

Public Water Systems must revise service regulations/policies and communicate the requirements by January 1, 2027.

What changes beyond Rule 142.2?

Targeted amendments to existing rules

Water permits & capacity

Delete Conditional Water Permits because water is now available through Jurisdiction Allocations.

Clarify that Water Meters are required for all Users, including Users served by Wells.

Add Limitation for Use of Water deed restriction as a Water Permit condition.

Clarify Common Laundry Room capacity calculations.

Implement June 4, 2026 Committee direction on multiple High-Efficiency Dishwashers.

Rebates & landscape rules

An appliance receiving a rebate is not eligible for a Water Use Credit.

Allow limited rebates for mandatory appliances replaced through special District programs.

Clarify that behind-the-wall toilets do not qualify as Ultra-High-Efficiency Toilets.

Make lawn-removal deed restriction permanent unless a Landscape Water Permit authorizes reinstallation.

Restore inadvertently deleted rainwater-storage provisions.

Water Waste and enforcement

Rule 162 is updated to incorporate the new prohibition

Rule 162 would expressly identify non-compliance with Rule 142.2 as Water Waste.

Stage 1 remains in effect at all times, subject to Board modification.

Existing Water Waste framework remains: notice/opportunity to correct, escalating flagrant-violation fines, and other enforcement tools.

District enforcement may include Administrative Compliance Orders, Cease & Desist Orders, and other remedies under Regulation XI.

Before enforcement against a property served by a retail Public Water System, the District would provide 30 days' notice to that system.

Definitions that matter

Rule 11 additions support consistent administration

New / clarified terms

Common Area — areas not assigned to exclusive use of individual dwelling occupants.

Disadvantaged Community — annual median household income below 80% of statewide annual median household income.

Functional Turf — turf regularly used for sports, play, recreation, or activities requiring a functional turf surface.

Institutional Use — public-service uses including schools, hospitals, government facilities, churches, courts, higher education and similar uses.

Non-Functional Turf

Turf not regularly used for sports, play, recreation, or other activities requiring a functional turf surface.

Includes turf located within street rights-of-way and parking lots.

Rule 142.2 applies to specified non-residential properties and common areas of HOAs/CIDs and similar entities.

Administrative cleanup

Making the Rules & Regulations easier to navigate and administer

Align regulation titles with the underlying rule numbers for Regulations XVI, XVIII and XIX.

Renumber tables so the regulation number precedes the table number and eliminate duplicate numbering.

Update cross-references throughout the Rules & Regulations.

Delete outdated/nonfunctional provisions while relocating or clarifying existing policies.

These changes are intended to improve clarity, consistency and administration without changing the overall purpose of the Rules & Regulations.

Key issues for Committee discussion

Questions to resolve before first reading

Is the scope and phased timing of Rule 142.2 clear and consistent with the intended state requirements?

Are the definitions of Functional Turf, Non-Functional Turf, Common Area and Institutional Use sufficiently clear for staff administration and enforcement?

Is the proposed treatment of exceptions, hardship/critical-business extensions, and health/safety needs appropriate?

Does the integration of Rule 142.2 into the existing Water Waste enforcement framework work as intended?

Are the Water Permit, metering, dishwasher, rebate/credit and landscape amendments accurately capturing prior Committee direction?

Are there any drafting, implementation or stakeholder issues that should be addressed before first reading?

Requested Committee action

Decision point for October 1, 2026

Review Draft Ordinance No. 203 and recommend support as it moves to first reading.

Staff will incorporate Committee direction and comments as appropriate.

General Counsel review is scheduled prior to second reading.

CEQA compliance is to be determined prior to second reading.

If adopted at second reading, the ordinance would become effective 30 days after adoption.

Source: October 1, 2026 Water Demand Committee agenda packet, Item 3 — Draft Ordinance No. 203 (draft dated September 27, 2026).