

ORDINANCE NO. 2026-01

**AN ORDINANCE PROHIBITING THE USE OF POTABLE WATER FOR
NONFUNCTIONAL TURF IRRIGATION**

PURISSIMA HILLS WATER DISTRICT

WHEREAS, the State of California has determined that the use of potable water for the irrigation of nonfunctional turf (NFT) contributes to inefficient water use and conflicts with long-term water sustainability goals.

WHEREAS, Assembly Bill 1572 (AB 1572), signed into law on October 13, 2023, establishes a timeline for banning potable water irrigation of NFT across commercial, industrial, institutional, and residential common areas.

WHEREAS, public water suppliers are required to revise their ordinances, regulations, or policies by January 1, 2027, and communicate these changes to their customers to comply with the AB 1572 regulations.

WHEREAS, under California Water Code Section 3758, the Purissima Hills Water District has the authority to establish water conservation programs and prohibit wasteful uses of water.

WHEREAS, the Purissima Hills Water District seeks to align its water use policies with state conservation mandates, reduce dependence on potable water, and promote sustainable landscaping practices;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF
THE PURISSIMA HILLS WATER DISTRICT AS FOLLOWS:**

SECTION 1. TITLE

THIS ORDINANCE shall be known as the Purissima Hills Water District Potable Water Irrigation Ban on Nonfunctional Turf.

SECTION 2. DEFINITIONS

For purposes of this ordinance, the following definitions shall apply. If the statutes referenced below are amended or renumbered, the amended or renumbered defined term controls.

- A. “Common area” as defined in Water Code Section 10608.12(g) means that portion of a common interest development or of a property owned or managed by a homeowners’ association or a community service organization or similar entity that is not assigned or

allocated to the exclusive use of the occupants of an individual dwelling unit within the property.

- B. “Common interest development” as defined in Civil Code Section 4100 means any of the following:
1. A community apartment project.
 2. A condominium project.
 3. A planned development.
 4. A stock cooperative.
- C. “Community service organization or similar entity” as defined in Civil Code Section 4110(a) means a nonprofit entity, other than an association, that is organized to provide services to residents of the common interest development or to the public in addition to the residents, to the extent community common area or facilities are available to the public. “Community service organization or similar entity” as defined in Civil Code Section 4110(b) does not include an entity that has been organized solely to raise moneys and contribute those moneys to other nonprofit organizations that are qualified as tax exempt under Section 501(c)(3) of the Internal Revenue Code and that provide housing or housing assistance.
- D. “Community space” as defined in Water Code Section 10608.12(j) means an area designated by a property owner or a governmental agency to accommodate human foot traffic for civic, ceremonial, or other community events or social gatherings.
- E. “Disadvantaged community” as defined in Water Code Section 10608.12(l) means a community with an annual median household income that is less than 80 percent of the statewide annual median household income.
- F. “Functional turf” as defined in Water Code Section 10608.12(m) means a ground cover surface of turf located in a recreational use area or community space. Turf enclosed by fencing or other barriers to permanently preclude human access for recreation or assembly is not functional turf.
- G. “Homeowners’ association” as defined in Water Code Section 10608.12(o) means an “association” as defined in Section 4080 of the Civil Code.
- H. “Institutional water user” as defined in Water Code Section 10608.12(q) means a water user dedicated to public service. Examples include higher education institutions, schools, courts, churches, hospitals, government facilities, and nonprofit research institutions.

- I. “Local government” means any county, city, city and county, including a charter city or county, any special district, or any other local or regional governmental entity.
- J. “Nonfunctional turf” as defined in Water Code Section 10608.12(u) means any turf that is not functional turf, and includes turf located within street rights-of-way and parking lots.
- K. “Potable water” as defined in Water Code Section 10608.12(x) means water that is suitable for human consumption.
- L. “Recreational use area” as defined in Water Code Section 10608.12(aa) means an area designated by a property owner or a governmental agency to accommodate human foot traffic for recreation, including, but not limited to, sports fields, golf courses, playgrounds, picnic grounds, or pet exercise areas. This recreation may be either formal or informal.
- M. “Turf” as defined in California Code of Regulations, Title 23, Section 491, means a ground cover surface of mowed grass.

SECTION 3. PROHIBITION ON POTABLE WATER USE FOR NONFUNCTIONAL TURF IRRIGATION

The use of potable water for the irrigation of nonfunctional turf located on commercial, industrial, and institutional properties, other than a cemetery, and on properties of homeowners’ associations, common interest developments, and community service organizations or similar entities is prohibited as of the following dates:

- A. All properties owned by the California Department of General Services, beginning January 1, 2027.
- B. All properties owned by local governments, local or regional public agencies, and public water systems, except those specified in subsection (E), beginning January 1, 2027.
- C. All other institutional properties and all commercial and industrial properties, beginning January 1, 2028.
- D. All common areas of properties of homeowners’ associations, common interest developments, and community service organizations or similar entities, beginning January 1, 2029.
- E. All properties owned by local governments, local public agencies, and public water systems in a disadvantaged community, beginning January 1, 2031, or the date upon which a state funding source is made available to fund conversion of nonfunctional turf on these properties to climate-appropriate landscapes, whichever is later.

SECTION 4. EXEMPTIONS

The following uses of potable water shall be exempt from this prohibition:

- A. Irrigation necessary to sustain trees and perennial non-turf plants.
- B. Potable water use required for health and safety concerns, such as fire suppression or erosion control.
- C. Cemeteries and public spaces intended for community assembly (parks, recreation areas, and sports fields).
- D. Agricultural irrigation.

SECTION 5. ENFORCEMENT AND PENALTIES

The following enforcement provisions apply to the water use prohibitions set forth above in Section 3. These enforcement provisions are the same as the District's Ordinance No. 2021-01, Ordinance Establishing Rules and Regulations Prohibiting Wasteful Water Use and Providing for Enforcement. Any violations occurring on separate calendar days are separate violations.

- A. If the District believes that a customer has been or is using water in violation of this Ordinance, the General Manager will send a written notice to the customer that includes the following: (1) specifying the nature of the waste and the time of occurrence, to the extent known by the District; (2) requesting that the customer cease such use; (3) informing the customer of the process to seek an exception based on undue hardship or substantial risk to the health and safety of the customer; and (4) informing the customer that failure to comply with this Ordinance may result in the termination of water service and fine ("Violation Notice"). The District will make a reasonable, good faith effort to contact an adult person residing at the premises by telephone or in person to provide the customer with the Violation Notice.
- B. If the customer does not correct the violation within 72 hours of receiving the Violation Notice and the customer does not request an exception to the application of this Ordinance, the General Manager will post the Violation Notice on the property where the violation is occurring. If the customer does not correct the violation within 48 hours of the posting of the Violation Notice, the District may seek to enforce this Ordinance by terminating the customer's water service. In addition, if a customer has received multiple Violation Notices for violating this Ordinance, the District may seek to enforce this Ordinance pursuant to California Water Code Section 31029, which states that a violation of this Ordinance is a misdemeanor, punishable by a fine of not more than \$600, by coordinating with the District Attorney's Office in Santa Clara County.
- C. The customer shall be responsible for paying the District's costs incurred in enforcing this Ordinance, including terminating and restoring water service.

- D. In unusual situations when circumstances beyond the customer's control prevents the customer from correcting or remedying a violation of this Ordinance, the General Manager may extend the time period for enforcing this Ordinance until the circumstances that prevent the customer from correcting or remedying the violation ceases.

SECTION 6. SEVERABILITY

If any section, subsection, or provision of this ordinance is held to be invalid, the remainder shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and shall be enforced in accordance with the compliance deadlines specified herein.

PASSED AND ADOPTED this 12th day of August 2026, by the following votes:

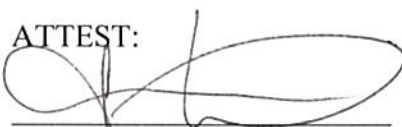
AYES: Directors Holtz, Jordan, Stone, Ranganthan, and Glassman.

NOES:

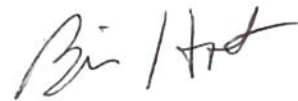
ABSENCES:

ABSTENTIONS:

ATTEST:



Secretary of the District



President, Board of Directors
Purissima Hills Water District