



**City of Henderson Department of Utility Services  
Conservation Ordinance Acknowledgment**

The City of Henderson adopted drought and conservation measures in conjunction with other member agencies of the Southern Nevada Water Authority (SNWA) on August 1, 2003. Signing of this form is an Acknowledgment of provisions set forth in the City of Henderson Municipal Code, specifically Title 14 UTILITIES, Chapter 14.14 - Conservation.

<b>PERMIT #:</b>	
<b>PROJECT INFORMATION</b> <span style="float: right;"><i>NEW DEVELOPMENT USE</i></span>	
Final Subdivision Name:	
Site Address:	
Gross Acreage:	
<b>OWNER/BUILDER/ARCHITECT</b>	
Property Owner(s):	
Owner(s) Phone:	Owner(s) Fax:

<b>BUSINESS LICENSE INFORMATION</b> <span style="float: right;"><i>BUSINESS LICENSING USE</i></span>	
Contractor License #:	COH License #:
Business Name:	
Business Address:	
Business Phone:	Business Fax:
Business Owner Name:	Business Owner Phone:
Business Owner Address:	



## City of Henderson Department of Utility Services Conservation Ordinance Acknowledgment

The City of Henderson adopted drought and conservation measures in conjunction with other member agencies of the Southern Nevada Water Authority (SNWA) on August 1, 2003. Many of these measures, principally those regarding landscape material restrictions, ornamental water features and water waste have since been permanently adopted in acknowledgment of the City's responsibility to promote water conservation. Signing of this form constitutes acknowledgment of provisions set forth in the City of Henderson Municipal Code, specifically Title 14 UTILITIES, Chapter 14.14 – Conservation.

Any front yard turf installed after January 1, 2004 may be subject to removal and additional enforcement actions up to and including interruption of water service.

Owners wishing to operate fountains or water features which do not meet the criteria described in Sections A through F of HMC 14.14.090 may apply for a Water Feature Exemption. All associated fees will be dispersed to the department's water conservation budget to fund water conservation educational programming.

In the event it shall become necessary to ration or otherwise curtail water service to the property owner or any other water customers of the City, for any reason, said rationing or curtailment shall be applied to the property owner on the same terms and conditions as presently exist with other customers. The parties agree that the City may be required to curtail water service to the property owner in order to comply with a water conservation plan or a shortage sharing agreement promulgated by the SNWA. The property owner also understands that the development of the project and the usage of water are also subject to reasonable and necessary exercises of police power or other governmental powers by the City, SNWA, Bureau of Reclamation, or other state or federal agencies, in order to protect public health, safety and welfare.

All parties recognize that the City has the right to enforce its rules, policies, regulations, ordinances, and the terms of Henderson Municipal Code by seeking an injunction to compel interruption or disconnection of the supply of water provided hereunder. In the event that said property owner or any user on the subject property violates the rules, policies, or regulations of the Conservation Ordinance as set forth in this Acknowledgment, Henderson Municipal Code, or any other applicable water provisions, the City may, without seeking an injunction and after three (3) days' notice to correct the violation, terminate the delivery of water hereunder to the violator until such conditions have been honored by the violator. The City shall be free from any liability arising out of the exercise of its rights under this paragraph.

***By signing below, I hereby acknowledge the responsibility of the property owner(s) to adhere to requirements listed in Henderson Municipal Code Chapter 14.14 – Conservation.***

Signature of Owner(s) or Authorized Agent:

Signed by: \_\_\_\_\_ Signed by: \_\_\_\_\_

Print Name: \_\_\_\_\_ Print Name: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

Please contact the Department of Utility Services Conservation Section at 267-5914 with questions regarding this form or for Henderson Municipal Code Conservation Ordinance updates.

Summary of relevant Sections of Henderson Municipal Code Chapter 14.14 attached.

Routing:

- Pages 1-2 Signed original to Conservation Section MSC #125
- Pages 1-2 Electronic copy to DUS New Development or Business Licensing
- Page 3 Signed original and applicable fee to Conservation Section MSC #125
- Pages 4-6 Customer



**City of Henderson Department of Utility Services  
Ornamental Fountain or Water Feature Exemption Application**

The City of Henderson adopted water conservation measures in conjunction with other member agencies of the Southern Nevada Water Authority on August 1, 2003. Henderson Municipal Code prohibits the operation of ornamental fountains and/or water features without an approved Water Feature Exemption.

<b>PROPERTY INFORMATION</b>	
Owner/Community Name:	
Property Address / Zip:	
Water Feature Location ("main entrance" i.e.):	
<b>CONTACT INFORMATION</b> <i>Owner or designee authorized to receive correspondence</i>	
Property Owner(s)/Manager:	
Phone: (      )	Fax: (      )
Address (if different from above):	
City/State/Zip:	
E-mail Address:	
Preferred contact method: <input type="checkbox"/> E-Mail <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> U.S. Mail	
<b>WATER FEATURE INFORMATION</b>	
Name on COH Utility Service Account:	COH Account # (if known):
Horizontal water surface area (in ft <sup>2</sup> ):	<input type="checkbox"/> Photo(s) enclosed/attached
<p><i>Please attach a photograph of the water feature. A site visit to verify fountain information will be conducted by City of Henderson staff. Owner or designee will be notified of the City's determination within 30 days of receipt of this Exemption Application by the City of Henderson Water Conservation Section.</i></p>	
<b>Fee Schedule (effective February 1, 2009):</b> <input type="checkbox"/> Residential less than 25 ft <sup>2</sup> No fee required <input type="checkbox"/> Residential greater than 25 ft <sup>2</sup> \$200 Annual Fee <input type="checkbox"/> Non-residential less than 200 ft <sup>2</sup> \$500 Annual Fee <input type="checkbox"/> Non-residential 200 ft <sup>2</sup> or greater      \$1000 Annual Fee	<b>Submit this form and fee to:</b> City of Henderson, Department of Utility Services Attn: Conservation Section—Fountains MSC 125 PO Box 95050 Henderson NV 89009-5050
Owner/Applicant Signature:	Date:

*Submission of this completed form is an acknowledgment of provisions set forth in the City of Henderson Municipal Code, specifically section 14.14.090 – Operation of Ornamental Fountains and Water Features.  
Water feature may not operate until notice of formal approval of application and receipt of applicable annual fee.*

<b>STAFF USE ONLY</b>	
Application Status:	<input type="checkbox"/> Photo(s) received <input type="checkbox"/> Fee received <input type="checkbox"/> Approved <input type="checkbox"/> Denied           Date:

**City of Henderson**  
**Title 14 UTILITIES, Chapter 14.14 Conservation**

**14.14.030 Landscape Watering Restrictions.**

- A. *Landscape watering schedules shall apply to all areas, both residential and commercial, including, but not limited to: single family residential properties, multi-family residential properties, commercial properties, common areas, medians, and private parks. Community use recreational turf shall be subject to the provisions outlined in Section 14.14.030(E).*
- B. *Beginning May 1st until September 30th of each calendar year, it is deemed unlawful to use water to spray irrigate turf, gardens, trees, shrubbery, or other vegetation between the hours of eleven a.m. and seven p.m.*
- C. *In addition to or in lieu of any provisions of this chapter, the department reserves the right to assign specific water budgets to customers for any specified period of time and may prorate the amount of water at its discretion.*
- D. *Residential and Non-Recreational Turf.*
  - 1. *It shall be deemed unlawful to use water within the city to spray irrigate turf, gardens, trees, grass, shrubbery, or other vegetation in variance with Table 14.14.030a.*

**Table 14.14.030a**  
**Water Schedule for Spray Irrigation**

Schedule	
Winter (November--February)	One Assigned Day Per Week*
Spring (March--April)	Three Assigned Days per Week*
Summer (May--August)	Any Day
Fall (September--October)	Three Assigned Days per Week*

*\* Days specified for the group by the City.*

- 2. *Watering schedules during the year will be based upon the customer's location. For the purpose of water conservation, the city may be divided into as many as seven groups.*
  - a. *Watering schedules during the spring and fall will be based upon the group and days of the week.*
  - b. *Watering schedule during the winter will be based upon the group and the day of the week.*
  - c. *Day of week exemptions to residential landscape watering schedules:*
    - 1. *Hand-watering using a container or positive shut-off nozzle for the purpose of preserving turf or shrubbery;*
    - 2. *Irrigation of new turf or re-seeding of existing turf, for a period of thirty days from the date of planting or installation, with prior notification to the Department of Utility Services Customer Care Center. Time of day restrictions still apply;*
    - 3. *Drip and/or bubbler irrigation systems, provided that they are not run more frequently than the provisions described for spray irrigation;*
    - 4. *Irrigation of commercial stock by commercial gardens or plant nurseries licensed in accordance with this code provided the licensee or his representative is personally on the premises at the time the irrigation is taking place;*
    - 5. *Testing of landscape irrigation system. The tester performing the test must be present and observe sprinkler performance;*
    - 6. *Municipal operations or procedures that are necessary to protect the health, safety and well being of the public; and*
    - 7. *The city reserves the right to change or amend groups as deemed necessary with due notice.*

**14.14.050 Landscape Material Restrictions.**

- A. *The original landscaping of any development or facility that has obtained approval of a land use application (i.e. design review, planned unit development, or tentative map plan) or permit for construction which approved landscaping not in conformance with the restrictions listed in this ordinance prior to August 1, 2003, will not be subject to these restrictions.*
- B. *The installation of turf in residential front yards, common areas, medians, and non-residential developments is prohibited after January 1, 2004. This provision shall not apply to community use recreational turf or golf courses.*

- C. *Water efficient landscaping including but not limited to xeriscape in front yards, common areas, medians, etc. shall not be removed for the purpose of installing turf.*
- D. *Any person(s) or association(s) regardless of date of establishment is prohibited from imposing private covenants, conditions, restrictions, deed clauses or other agreements between the parties which require the installation of turf or prevent the utilization of water efficient landscaping, including but not limited to xeriscape, provided such landscaping receives appropriate architectural review approval. In any event, landscaping materials and designs may not be prohibited solely on the basis that they make use of water-efficient landscaping as referenced in this title.*
- E. *There shall be no waivers or variances granted to the standards listed in this section. Such a request shall be considered a request to amend the requirements of this section. The following material restrictions also apply to landscaping installed on or after January 1, 2004.*
- F. *The following additional landscape material restrictions also apply.*
  - 1. *Residential Landscape Restrictions.*
    - a. *The use of drought tolerant landscaping materials is encouraged in residential front yards;*
    - b. *Single-family and multi-family developments are prohibited from installing new turf in common areas of residential neighborhoods. This restriction shall not apply to public parks or privately owned and maintained parks, including required usable open space in any new development, provided that no turf area dimension is less than ten feet.*
  - 2. *Non-Residential Landscape Restrictions*
    - a. *The installation of new turf in non-residential developments is prohibited. This provision shall not apply to community use recreational turf or golf courses.*
  - 3. *Additional Landscape Restrictions*
    - a. *Residential Landscape Restrictions.*
      - 1. *The installation of new turf in residential front yards on or after January 1, 2004, is prohibited, regardless of building permit issue date.*
      - 2. *The removal of water efficient landscaping, including but not limited to xeriscape, for the purpose of installing turf in residential front yards is prohibited, regardless of building permit issue date.*
      - 3. *The installation of new turf in side and rear yards of single-family residential lots shall not exceed fifty percent of the combined gross area of the side and rear yard, or one hundred square feet, whichever is greater, provided no turf area dimension is less than ten feet. A maximum of five thousand square feet of turf is allowed at one property.*
    - b. *Non-Residential Landscape Restrictions*
      - 1. *The removal of water efficient landscaping, including but not limited to xeriscape, for the purpose of installing turf in non-residential areas is prohibited, regardless of building permit issue date.*

**14.14.090 Operation of Ornamental Fountains and Water Features.**

*The operation of fountains and water features utilizing water provided by the city or water reprocessed by the customer without a valid Fountain or Water Feature Exemption Form on file with the Department of Utility Services shall be prohibited.*

*The following shall be exempt from restrictions:*

- A. *Swimming pools, hot tubs, whirlpool baths, spas, and recreational water parks, both public and private;*
- B. *Fountains or water features at single-family residences of less than twenty-five square feet in surface area;*
- C. *Fountains or water features that are necessary and functional components serving other allowable uses such as storage ponds on golf course or aeration devices;*
- D. *Indoor water features that drain to the publicly owned treatment works, also known as the sanitary sewer, or features with the majority of the total water volume contained indoors or underground;*
- E. *Fountains or water features at resort hotels. Resort hotels will be required to submit a water use reduction plan to the department within ninety days after the effective date of the ordinance codified in this section, or the exemption under the ordinance will be immediately revoked. These plans will be considered public documents;*

- F. *Fountains or water features necessary to sustain aquatic animals, provided that such animals are of significant value as determined by the department and have been actively managed within the water feature prior to SNWA declaration of drought;*
- G. *Owners wishing to operate fountains or water features which do not meet the criteria described in Sections A through F may apply for a Water Feature Exemption. All associated fees will be dispersed to the department's water conservation budget to fund educational programming. Exemption application and fees shall be submitted to the department annually as outlined in the department service rules.*
1. Fountains or water features of twenty-five square feet of horizontal water surface area or greater at single-family residences: annual exemption fee of \$200 with approved Water Feature Exemption Form on file with the department;
  2. Fountains or water features of less than two hundred square feet of horizontal water surface area at non-residential properties: annual exemption fee of \$500 with approved Water Feature Exemption Form on file with the department;
  3. Fountains or water features of two hundred square feet of horizontal water surface area or greater at non-residential properties: annual exemption fee of \$1000 with approved Water Feature Exemption Form on file with the department;
  4. Initial fees shall be payable at time of original application approval, and annual renewal fees shall be payable to the department on February 1 of each calendar year for which the owner wishes to operate the water feature.

**DUS Service Rules, Water Feature Exemption Fee Schedule**

***14.14.100 Pool and Hot Tub Draining.***

*It is unlawful for any person to drain or empty any water from a swimming pool, hot tub, and/or whirlpool bath into the street or storm drain. Swimming pool, hot tub, and/or whirlpool bath water shall be discharged into the publicly owned treatment works, also known as a sanitary sewer, through a private connection such as a sewer lateral access port, sink, toilet, or bathtub. Exception: Properties on a septic system may drain water from a pool, hot tub, and/or whirlpool bath into a street or storm drain provided that prior notification has been given to the Department of Utility Services Customer Care Center.*

***14.14.110 Violations.***

*Any person who fails or refuses to comply with any of the following provisions shall be deemed to be in violation of this title and shall be subject to discontinuance of service, subject to any penalties and charges assessed in accordance with this title and/or department service rules, and subject to all compliance procedures as proscribed within this title.*

- A. It is a violation of this chapter to permit the excess use, loss or escape of water through breaks, leaks or malfunction in the water user's plumbing or distribution facilities for any period of time after such escape of water should have been reasonably discovered and corrected as determined by the director.
- B. It is a violation of this chapter to water landscaping at times and/or days other than as indicated on the Table 14.14.040a water schedule for spray irrigation.
- C. It is a violation of this chapter to exceed a water budget as allowed in this chapter and/or as imposed by the city.
- D. It is a violation to utilize landscaping materials other than as allowed by this chapter, and/or to impose landscaping requirements that do not comply with the requirements outlined in this chapter.
- E. It is a violation to utilize misting systems October through April, or for use(s) other than for animal safety as outlined in this chapter.
- F. Surface, building and equipment washing (excluding motor vehicles) will be prohibited unless the water is contained on site or discharged to a publicly owned treatment works, also known as the sanitary sewer through approved methods as determined by the city.
- G. It is prohibited to wash vehicles by a method other than as allowed in this chapter.
- H. It is a violation of this chapter to operate fountains and/or water features other than as allowed in this chapter.
- I. It is unlawful for any person to drain or empty any water from a swimming pool, hot tub, and/or whirlpool bath into the street or storm drain. (Ord. 2676 § 10 (part), 2008; Ord. 2356 § 82, 2006)