

3-10-10 PROHIBITION AGAINST POTABLE WATER FLOWING UPON STREETS:

(A) It shall be unlawful for any person, firm or entity to allow potable water used for irrigation to flow into or upon a public street, alley, public right of way or adjoining property.

(B) If the irrigation water which is flowing in violation of the foregoing subsection is a direct result of an antiquated irrigation system as determined by the Public Works Director, the responsible individual shall provide to the Public Works Director a plan of implementation within sixty (60) days of issuance of the notice of violation. This implementation plan shall provide for the upgrade, modernization and/or repair of the irrigation system, together with specific time frames to accomplish same. The period to complete the implementation plan shall be as soon as possible given the nature and cost of the repairs and size of the system to be repaired, but in no event may it exceed thirty (30) months. Upon approval of the implementation plan by the Public Works Director the responsible individual or entity shall not be subjected to any civil sanctions pursuant to Section 3-10-12(B) provided that upgrading modernization and/or repair is continuing in accordance with the time frames set forth in the implementation plan. The notice of violation and implementation plan shall be filed with the Yavapai County Recorder, and the requirements and time frames contained therein shall run with the land and shall become an obligation of any subsequent purchaser, owner or other person in possession of that property. (Ord. 2377, eff. 6-11-1992; amd. Ord. 3356, eff. 6-22-1995)

(C) Those persons, firms or entities who are irrigating slopes greater than two and one-half (2.5) horizontal to one foot (1') vertical are exempt from this section. (Ord. 2377, eff. 6-11-1992)