

Sec. 22-41. - Prohibited uses of water—Year round restrictions.

- (a) *Irrigation outside restricted hours.* Landscape watering with hose-end sprinklers or automatic irrigation systems, including those using reclaimed water, shall be prohibited between the hours of 11:00 a.m. and 7:00 p.m. on any day of the week, year-round.
- (b) *Defenses.* It shall be a defense to prosecution under subsection 22-41(a), prohibited uses of water—year round restrictions—irrigation outside restricted hours, if:
  - (1) The person is irrigating a landscaped area by means of:
    - (i) A hand-held hose with a manual or automatic shutoff nozzle; or
    - (ii) A properly functioning drip irrigation system.
  - (2) The landscape watering is performed by commercial enterprises in the business of growing or maintaining plants for sale, including plant nurseries; provided, however, that such landscape watering shall be performed solely for the establishment, growth, and maintenance of such plants;
  - (3) A landscape watering permit has been issued by the city pursuant to section 22-42 to allow for landscape watering on any newly planted or transplanted landscaping so as to accomplish a reasonable establishment and maintenance of growth;
  - (4) Operation of an automatic irrigation system is performed solely for the purpose of conducting maintenance and testing; or
  - (5) The source of water is from rainwater catchment and/or condensate.
- (c) *Water from hydrants and blow-offs.* It is unlawful for a person to use water from hydrants and blow-offs for any purpose other than firefighting, fire flow testing, flushing of mains, or other actions necessary for the proper operation of the public water supply system, unless provided for under section 22-31, water for construction generally, Boerne City Code of Ordinances.

(Ord. No. 2004-05, 2-24-04; Ord. No. 2004-23, 4-27-04; Ord. No. 2005-77, 1-10-06; Ord. No. 2011-07, 3-22-11; Ord. No. 2015-43, 12-15-15; Ord. No. 2018-32, 9-11-18)