



Request For Variance

Title 6 Chapter 12 - Water Conservation

San Juan Capistrano Municipal Code

For City Staff Use:
Please stamp date received, and initial here:

Sec. 6-12.10. Relief from Compliance.

The City Manager or his/her designee may, in writing, grant variances to persons who apply on forms supplied by the City for:

- (a) Usages of water prohibited by Section 6-12.05 or Section 6-12.06, if it is found that a variance is necessary to prevent an emergency condition relating to health and safety, or to prevent a severe hardship on a customer not caused by the customer's own actions or omissions. Additionally, on a case by case basis, customers may present circumstances that would reasonably preclude them from compliance and present an alternative to satisfy the conservation requirement. Further, the person seeking a variance must have demonstrated that he or she has implemented water conservation measures in some other manner that achieves the objectives of this chapter. No variance may be granted for the filling of any decorative fountain, basin, pond, hot tub, spa or permanent swimming or wading pool, unless the filling occurs as the result of performing necessary leak repairs and unless the other provisions of this section are met.
- (b) No variance shall be granted to any customer unless the customer has demonstrated that he or she has already achieved the maximum practical reduction in water consumption as can be achieved by the affected property or business. Any variance granted shall be based upon the water consumption rates of similar water users, properties or businesses. (Ord. No. 941, § 4, 9-2-2008; Ord. No. 1017, § 3, 8-19-2014)

Please note: Any variance authorized by the City will be in effect only for the period of the current water shortage stage in effect at the time. The variance becomes null and void upon the adoption of a new or revised water conservation resolution, ordinance, and/or water shortage stage.

Person Requesting This Variance:

Date of request _____

Name _____

Company name or site name (if applicable) _____

Address _____

Telephone _____

Email _____

Site information:

Site type: Residential / Commercial / Landscape / other _____

Address for which this exemption is requested: _____

Account: _____ Customer Number: _____

Please answer the following questions and attach additional sheets as needed if more room is required.

Variance Request:

I have read Section 6-12.10. Relief from Compliance, above. I am requesting a variance from one section, aspect or element of the Water Conservation Ordinance, relating to (check one):

- Preventing an emergency condition relating to health and safety.
- Preventing a severe hardship on a customer not caused by the customer's own actions or omissions.
- Circumstances that would reasonably preclude compliance.

(OVER)

The specific section, aspect, or element from which I am requesting a variance, and the reason for the request is:

Alternative Compliance Measures:

The following water conservation measures are now in place: *[Please define how the alternative measure meets or exceeds current requirements. Provide documentation verifying that the alternative method meets the objectives.]*

Other Water Conservation Measures on Site:

The following measures are now in place: *[Please provide documentation verifying that the measures you have implemented meet the objectives.]*

Please provide any additional information that will assist the City in reviewing this request:

Once approved and processed, variances will be applied to future billings. You will be notified in writing, either via email or US Postal Service, if your request has been approved. Please allow thirty (30) days to process your variance request. Unsigned applications will be automatically denied.

I declare, under penalty of perjury, that I am the above account holder and the information contained herein, including supporting documentation, is complete and accurate. I understand, acknowledge and agree that if a variance is granted, the City has the right to enter and inspect the interior and exterior of my property to verify that the conditions or circumstances for which the variance was granted are true and correct. I further understand that I may be liable for back charges if I provide false or misleading information. Knowingly providing false or misleading information for purposes of receiving a variance may be subject to civil and criminal penalties. I agree to notify the City within 10 days if any of the conditions or circumstances for which my variance was granted have changed.

Signed: _____ Date: _____

Please print name: _____

Mail your completed application to: City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675
Attn: water conservation

Or email a scanned, signed application to: sjconserve@sanjuancapistrano.org