

CITY OF LOS ANGELES
Emergency Water Conservation Plan

VARIANCE APPLICATION PROCESS
(Outdoor Water Use *Only*)

Qualifying Criteria

The following provides the qualifying criteria for a variance as specified in the Los Angeles Municipal Code, Chapter XII, Article I, Sections 121.08(H):

If, due to unique circumstances, a specific requirement of this section would result in undue hardship to a Customer using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water uses, then the Customer may apply for a variance from the requirements. Unique circumstances include, but are not limited to, physical disabilities which prevent compliance with the Emergency Water Conservation Ordinance. The City of Los Angeles Department of Water and Power shall adopt procedures for variance applications, review, and decision.

Application for Variance

In order to apply for a variance, the following forms, fees and documentation must be submitted by the Applicant:

(1) Variance Application

The Variance Application must be completed and accompanied by a non-refundable processing fee (determined by the largest meter size).

(2) Hardship Justification Form

The Hardship Justification Form must be completed and attached to the Variance Application.

(3) Supporting Documentation

Supporting documentation (such as photographs, maps, drawings, or other pertinent information) must be attached to the Variance Application, if applicable.

(4) Low-Income Fee Waiver

The Low-Income Fee Waiver form must be attached to the Variance Application, if applicable.

(5) Processing Fee

There is a non-refundable processing fee as part of the variance request. Variance requests from larger customers generally require more time to process and, therefore, a higher fee is required. The fees are based on meter size (check your water bill to determine the largest meter size).

Fees:

\$50	¾” and 1” meters (single-family residence, very small commercial properties)
\$100	1-1/2” meters (medium commercial properties and most irrigation meters)
\$200	2” meters and larger (large commercial properties)

Any returned checks will result in automatic denial of variance and will be subject to an additional bank return check fee of \$25.00.

The processing fee may be waived for individuals with physical disabilities which prevents compliance with the provision of Emergency Water Conservation Ordinance.

Applicant shall submit all forms, fees and documentation to:

City of Los Angeles Department of Water and
Power Attn: Water Conservation Response Unit
P.O Box 51111
Los Angeles, CA 90051

Determination of Variance

The variance may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a customer.

Approval Authority

The City of Los Angeles Department of Water and Power will exercise approval authority and act upon any completed Variance Application after submittal and may approve, conditionally approve, or deny the variance. The applicant requesting the variance will be promptly notified in writing of any action taken. The decision of the City of Los Angeles Department of Water and Power is final. Unless specified otherwise at the time a variance is approved, the variance applies to the subject property during the term of the applicable phase of the Emergency Water Conservation Ordinance.

Required Findings for Variance

An application for a variance will be denied unless the approving authority finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the City of Los Angeles Department of Water and Power, all of the following:

- (1) That the variance does not constitute a grant of special privilege inconsistent with the limitations upon other City of Los Angeles Department of Water and Power customers.
- (2) That because of special circumstances applicable to the property or its use, the strict application of the Emergency Water Conservation Ordinance would have a disproportionate impact on the property or use that exceeds the impacts to customers generally.
- (3) That the authorizing of such variance will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the City of Los Angeles Department of Water and Power to effectuate the purpose of the Emergency Water Conservation Ordinance and will not be detrimental to the public interest.
- (4) That the condition or situation of the subject property or the intended use of the property for which the variance is sought is not common, recurrent, or general in nature.

No relief will be granted to any customer for any reason in the absence of a showing by the customer that the customer has achieved the maximum practical reduction in water consumption in the customer's residential, commercial, industrial, institutional, agricultural or governmental water consumption.

Variance applications will be processed within 30 days of receipt, unless processing time is dependent on receipt of data and/or recommendations from outside the Los Angeles Department of Water and Power. Customers will be notified of the determination by e-mail unless otherwise requested.