

ORDINANCE 13-2022
AN ORDINANCE ESTABLISHING LANDSCAPING STANDARDS AND
REQUIREMENTS IN WEST HAVEN CITY

Section 1 – Recitals

WHEREAS, the City of West Haven (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, the City Council finds that in conformance with UC §10-3-702, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by the laws of the State of Utah or any other provision of law; and

WHEREAS, the City Council sees that West Haven City, along with surrounding areas throughout the State of Utah are in a drought; and

WHEREAS, owing to that drought, the City Council recognizes the need to conserve water resources and be wise in how properties are landscaped; and

WHEREAS, the City Council wishes to have an ordinance in place that will facilitate wise use of water resources.

NOW THEREFORE, BE IT ORDAINED by the City of West Haven that the West Haven City Zoning Code are amended as follows:

CHAPTER 28A
LANDSCAPING STANDARDS AND REQUIREMENTS

PURPOSE AND INTENT:

The Landscaping Standards and Requirements ordinance is established to promote the health, safety, and general welfare of the public by enhancing the aesthetic quality of residential and commercial areas while promoting water-efficient landscaping.

DEFINITIONS:

For the purposes of this chapter, the following terms shall be defined as set forth herein:

ACTIVE RECREATION AREA: An area that is dedicated to active play, including where turf may provide a playing surface.

BUBBLER: An irrigation head that delivers water to the root zone by “flooding” the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella, or short stream pattern.

CHECK VALVE: A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow. Used to prevent pollution or contamination of the water supply due to the reverse flow of water.

DRIP EMITTER: Drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.

EVAPOTRANSPIRATION (ET): The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time, expressed in inches per day, month or year.

GRADING PLAN: The Grading Plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscape area.

GROUND COVER: Material planted in such a way as to form a continuous cover over the ground.

GROUND PLANE COVERAGE: Vegetative cover of the horizontal surfaces of a landscaped area. Canopies of deciduous trees shall not be counted toward the coverage calculation.

HARDSCAPE: Durable landscape materials, such as concrete, wood, stone or brick pavers, or compacted organic mulch.

IRRIGATION EFFICIENCY: the measurement of the amount of water beneficially applied, divided by the total amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system hardware characteristics and management practices.

IRRIGATION PLAN: The irrigation plan shows the components of the irrigation system with water meter size, backflow prevention (when outdoor irrigation is supplied with culinary water), precipitation rates, flow rate and operating pressure for each irrigation circuit, and identification of all irrigation equipment.

LANDSCAPED AREA: Improved areas of the property that make up the landscape. The landscaped area does not include building or structure footprints, sidewalks, and other non-irrigated natural areas intentionally left undeveloped.

LANDSCAPE ARCHITECT: A person who holds a certificate to practice landscape architecture in the state of Utah. Only a Landscape Architect can legally create commercial landscape plans.

LANDSCAPE DESIGNER: A person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers generally focus on residential design and horticultural needs of home landscapes.

LANDSCAPE PLAN: The landscape plan shows the design of the landscape with natural features such as plantings, ground and water forms, circulation, walks, hardscape, and other features to comply with this ordinance. Types of plantings are identified, and quantities included.

A landscape and open space percentage of the site is also included to ensure conformance with the minimum requirements of the zone in which the development is located.

LANDSCAPE ZONE: A portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.

LANDSCAPING: Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences or benches.

LOCALSCAPES®: A locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see www.Localscapes.com).

MULCH: Any material such as rock, bark, wood chips or other materials left loose and applied to the soil.

OPEN SPACE: An area which is completely free and unobstructed from any building or structure. Landscaping, walkways, covered patios, light poles and other ornamental features shall not be considered obstructions for the purposes of this definition. Areas used for storm drainage shall not be eligible for inclusion in a required open space area. Utility corridors shall only be counted toward the open space requirement if improved as an accessible amenity to the project or the community as a whole.

PARK STRIP: A typically narrow landscaped area located between the back-of-curb and sidewalk.

PLANNED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT: A planned single-family development with specific open space and/or amenity standards that are required by the zone or a development agreement, and in which common open spaces will be maintained by a homeowner's association or organization.

PLANTER BED: Any irrigated, non-turf portion of the landscaped area.

PLANTING PLAN: A Planting Plan shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.

POP-UP SPRAY HEAD: A sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.

PRECIPITATION RATE: The depth of water applied to a given area, usually measured in inches per hour.

PRESSURE COMPENSATING: A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.

PUBLIC FACILITY: A government, educational, or non-profit organization that provides services to the general public.

REHABILITATED LANDSCAPING: Altering, repairing, or adding to a landscape to make possible a compatible use, increase curb appeal, decrease maintenance, etc.

ROTOR SPRAY HEAD: A sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.

RUNOFF: Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.

SMART AUTOMATIC IRRIGATION CONTROLLER: An automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. Smart Automatic Irrigation Controllers schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather/soil moisture conditions.

SPRAY SPRINKLER: An irrigation head that sprays water through a nozzle.

STREAM SPRINKLER: An irrigation head that projects water through a gear rotor in single or multiple streams.

TURF: A surface layer of earth containing grass species with full root structures that are maintained as mowed grass.

WASTE OF WATER: Includes, but is not necessarily limited to:

1. The use of water for any purpose, including outdoor irrigation, that consumes, or for which is applied substantial excess water beyond the reasonable amount required by the use, whether such excess water is lost due to evaporation, percolation, discharges into the sewer system, or is allowed to run into the gutter or street.
2. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas except to alleviate immediate health or safety hazards.

WATER-CONSERVING PLANT: A plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during periods of dry and warm weather.

APPLICABILITY

The provisions of this ordinance shall apply to all new and rehabilitated landscaping for public facility projects, commercial and industrial projects, multi-family residential projects, and landscaping for new single-family residential dwellings and fully rehabilitated single-family residential landscapes.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY, AND PUBLIC FACILITY DEVELOPMENT STANDARDS

1) Open Space

- a) Commercial, Manufacturing, Multi-family, and Public Facility Developments: Landscaping for Commercial, manufacturing, multi-family and public facility developments shall comply with the requirements of West Haven City "Site Plan and Design Review" ordinances. All open space required shall be landscaped with a minimum of one tree for every four hundred (400) square feet of landscaped area and one shrub for every two hundred (200) square feet of landscaped area. Planter beds shall be planted to provide a minimum of 50% ground plane coverage when plant material reaches maturity. Canopies of deciduous trees shall not count towards the coverage calculation. Park strips are exempt from the ground plane coverage requirements.
- b) Single-family Residential Developments: Each lot or parcel located within a platted single-family subdivision shall comply with the minimum open space requirements of the zone in which the property is located.
- c) Planned Single-family Residential Developments: Developments shall comply with the open space requirements of the zone in which the property is located or comply with the requirements of any applicable development agreement.

2) Landscape Design Standards

- a) Plant Selection:
 - i) Plants shall be well-suited to conditions at the project site. Both native and locally adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as possible. Areas with slopes greater than 33% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.
 - ii) Park strips and other landscaped areas less than eight (8) feet wide shall not be landscaped with turf and shall be maintained free of weeds. Any hardscape installed within a park strip shall cover no more than fifty percent (50%) of the park strip area, unless otherwise required by city code.
 - iii) Turf area shall not exceed 15% of the total landscaped area, outside of active recreation areas.
 - iv) Note: Please visit weberbasin.com for a list of recommended water-conserving plants (not a comprehensive list).
- b) Mulch: After completion of planting, all irrigated non-turf areas shall be covered with a minimum three (3) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material such as concrete or asphalt shall not be placed under the mulch.
- c) Tree Selection: Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall be selected as follows:
 - i) Broad canopy trees shall be selected where shade or screening of tall objects is desired;

- ii) Low-growing trees shall be selected for spaces under utility wires;
 - iii) Trees shall be selected from which lower branches can be trimmed to maintain a healthy growth habit where vision clearance and natural surveillance is a concern;
 - iv) Narrow or columnar trees shall be selected where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street for natural surveillance;
 - v) Street trees shall be planted within existing and proposed park strips, and in sidewalk tree wells on streets without park strips. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, retaining walls, utilities, lighting, and other obstacles. All street trees shall comply with the clear vision standards of this Title;
 - vi) All trees to be installed on public property or on property to be maintained by the city shall be subject to approval by the city arborist or designee;
- d) Plant Material Size at Installation:
- i) Deciduous trees shall be installed at a minimum size of two (2) inches in caliper, measured eight (8) inches above the soil line.
 - ii) Evergreen trees shall be installed at a minimum height of six (6) feet.
 - iii) Shrubs shall be installed at a minimum size of three (3) gallon.
 - iv) Ornamentals grasses and perennials shall be installed at a minimum size of one (1) gallon.
 - v) Groundcover shall be installed at a minimum height of three (3) inches.
- 3) Landscape and Irrigation Plan Submittal: A copy of a landscape and irrigation plan shall be submitted to and approved by the city prior to the issue of any permit. The plans shall be prepared by a registered landscape architect and shall consist of the following items:
- a) Landscape Plan. A detailed landscape plan shall be drawn at a scale that clearly identifies the following:
 - i) Project name and address, and landscape architect's information;
 - ii) Location of all plant materials, a legend with botanical and common names, and size of plant materials;
 - iii) Location of landscape features, ground and water forms, walks, hardscape, mulch, and other features;
 - iv) Property lines and street names;
 - v) Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
 - vi) Existing trees and plant materials to be removed or retained;
 - vii) Scale: graphic and written;
 - viii) Date of design;
 - ix) Designation of a landscape zone; and

- x) Details and specifications for tree staking, soil preparation, and other planting work.
- b) Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:
 - i) Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
 - ii) Static water pressure in pounds per square inch (PSI) at the point of connection to the public water supply;
 - iii) Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers; and
 - iv) Installation details for irrigation components.
- 4) Plan Review, Construction Inspection, and Post-Construction Monitoring:
 - a) As part of the land use approval process, a copy of the landscape and irrigation plans shall be submitted to the city for review and approval before construction begins.
 - b) All installers and designers shall meet state and local license, insurance, and bonding requirements, and be able to show proof of such.
 - c) During construction, site inspection of the landscaping may be performed by the city.
 - d) Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the Community Development Department to verify compliance with the approved landscape plans.
 - e) The City reserves the right to perform site inspections at any time before, during, or after the irrigation system and landscape installation, and to require corrective measures if requirements of this ordinance are not satisfied.

SINGLE-FAMILY RESIDENTIAL

- 1) Landscape Design Standards
 - a) Plant Selection:
 - i) Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally adapted plants are acceptable. Plants with similar water needs should be grouped together as much as possible.
 - ii) Areas with slopes greater than 33% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.
 - iii) Park strips and other landscaped areas less than eight (8) feet wide shall not be landscaped with turf and shall be maintained free of weeds. Hardscape is permitted provided it does not interfere with the park strip's ability to capture storm water.
 - iv) Turf area shall not exceed 35% of the combined front and interior side yard landscaped areas of the lot or parcel or 250 square feet, whichever is greater.
 - v) Please visit weberbasin.com for a list of recommended water-conserving plants (not a comprehensive list).
 - b) Mulch: After completion of all planting, all irrigated non-turf areas and all non-irrigated park strip areas shall be covered with a minimum three (3) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.

2) Homebuilders and Developers

- a) Homebuilders and developers subdividing lots and/or constructing new single-family residential homes within a planned development with common ownership and maintenance of landscaped areas shall comply with all of the water efficient landscaping and irrigation standards of this chapter, and provide water efficient designs, such as the Localscapes® design style, to prospective home buyers.
- b) Any Model Home shall meet the water-efficient landscaping standards of this chapter and provide an informational brochure on water-efficient landscaping. Brochures can be obtained from the City Planning Division.

IRRIGATION DESIGN STANDARDS

- 1) Irrigation systems shall be designed to maximize irrigation efficiency.
- 2) Landscaped areas shall be provided with a smart automatic irrigation controller. Smart irrigation controllers shall be WaterSense® labeled and automatically adjust the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- 3) Each valve shall irrigate a landscape with similar site, slope, and soil conditions. Plants watered by a valve should have similar watering needs. Turf and non-turf areas shall be irrigated on separate valves. Drip emitters and sprinklers shall be placed on separate valves.
- 4) Drip emitters or a bubbler shall be provided for each tree. Bubblers shall not exceed 1.5 gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the City due to the limited number of trees on the project site. Drip irrigation or bubblers shall be used to irrigate plants in non-turf areas.
- 5) Pop-up spray heads shall be at a minimum of four (4) inches in height to avoid blockage from lawn foliage.
- 6) Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to reduce potential for breakage.
- 7) Check valves shall be required when attached to the West Haven City culinary water system and where elevation differences cause low-head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.
- 8) Filters shall be required on all secondary water service connections. Filters shall have as a minimum a 30 mesh screen and shall be cleaned and maintained by the property owner on a regular basis.
- 9) Drip irrigation lines require additional filtration at or after the zone valve at a minimum of 200 mesh and end flush valves are required as necessary for drip irrigation lines.

- 10) Valves with spray or stream sprinklers shall be scheduled to operate in accordance with local water supplier restrictions to reduce water loss from wind, evaporation, or other environmental conditions not suitable for irrigation. Operation is strictly prohibited between the hours of 10:00 a.m and 6:00 p.m.
- 11) Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.

RESTRICTIVE COVENANTS REQUIRING TURF OR PLANT MATERIAL WITH UNIFORM OVERHEAD SPRAY IRRIGATION

- 1) Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, shall not:
 - a) Require the use of any uniform plant material requiring overhead spray irrigation in landscape areas less than eight (8) feet wide or require any uniform plant material requiring overhead spray irrigation in other areas that exceed 35% of the landscaped area; or
 - b) Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or
 - c) Have the effect of prohibiting or restricting compliance with this ordinance or other water conservation measures.

COMPLETION OF IMPROVEMENTS

- 1) Completion: All landscaping improvements required by this title shall be installed in accordance with the approved landscape and irrigation plans as follows:
 - a) Nonresidential Landscaping: Landscaping for commercial, industrial, and public facility projects shall be completed prior to the issuance of a certificate of occupancy for the building or structure with which it is associated, or in cases of inclement weather, within six (6) months of the date of initial occupancy. The date of initial occupancy shall be the date that a certificate of occupancy is issued for the first building or structure of an individual phase or plat of the development.
 - b) Multi-family Residential: Landscaping for two-family and multiple-family dwellings in all zones shall be completed prior to the issuance of a certificate of occupancy for the building or structure with which they are associated, or in cases of inclement weather, within six (6) months of the date of initial occupancy. Date of initial occupancy will be the date that a certificate of occupancy is issued for the first dwelling unit.
 - c) Single-family Residential: The front and side yards of all single-family dwellings in all zones shall be landscaped within twelve (12) months of the date of initial occupancy for the building or structure with which they are associated. The rear yard shall be landscaped within eighteen (18) months of the date of initial occupancy. Date of initial occupancy will be the date that a certificate of occupancy is issued for the dwelling unit.
- 2) Bond/Escrow required for nonresidential, two-family, and multiple-family developments: In cases of inclement weather and in order to ensure that all required landscaping is installed in an acceptable manner, the developer shall post a separate cash bond with the city or establish

an escrow account with an appropriate financial institution. The cash bond or escrow account shall be subject to approval by the Community Development Department, and shall be in an amount equal to one hundred ten percent (110%) of the estimated costs of construction and installation of all required landscaping, parks, playgrounds, recreation facilities, fences, walls, and other amenities shown on the final landscape plan or site plan, as applicable.

- a) The bond or escrow account shall be posted or established in accordance with all other city regulations.
- b) The bond or escrow account shall be posted or established prior to the issuance of a certificate of occupancy for the site.
- c) The bond shall be accompanied by a schedule of anticipated completion dates for such improvements. In no case shall the time period for completion exceed the time periods set forth in subsection A of this section.
- d) In the event that the improvements are not completed in reasonable conformance with said schedule, the city may undertake to complete the improvements and pay for such improvements from the bond or escrow account.
- e) This section shall not pertain to the completion or installation of private landscaping on individual building lots for single-family dwellings. (Ord. 2015-19, 12-8-2015)

TREE & SHRUB REGULATIONS FOR PUBLIC WAYS AND PLACES

- 1) Purpose: The city values its open spaces, both natural and enhanced, and recognizes the importance of trees within the community. Not only do trees add to the beauty of the community, but they stabilize surface drainage and soil erosion. A well-designed landscape can reduce air and sound pollution, regulate solar radiation, and help with wind control.
- 2) City Arborist
 - a) Created: The City Manager or designee shall appoint a City Arborist.
 - b) Duties And Responsibilities: The City Arborist shall have authority over all trees and shrubs located within the city's rights of way, parks, and public places. On private, commercial, and residential property, the City Arborist shall have the authority over trees and shrubs which constitute a public hazard or threat as described in the standards for specification manual.
- 3) Planting Trees, Landscaping in City Right of Way: Tree planting on public ways shall be coordinated with required open landscaping areas to achieve the most effective use of these areas and to accomplish the purposes of aesthetics and conservation. Street trees shall be selected based on growth characteristics that are well suited to their environment. For a list of permitted street trees, contact the City Arborist.
- 4) Public Rights of Way Tree and Plant Care: It is the duty of the owner and occupant of any real property with frontage along a public sidewalk to maintain any trees, shrubs, and plant material between such property and the curb line of the street. The city shall have the right, as determined by its sole discretion, to plant, prune, maintain, and remove trees, plants, and shrubs within rights of way, streets, and public property as may be necessary to ensure public safety or to preserve or enhance public grounds.

- 5) Clear Vision: All trees, shrubs, and other plant material located within the public rights of way or in public places shall comply with the clear vision standards of this Title.
- 6) Illegal To Cut, Injure, Or Top Trees:
 - a) It shall be unlawful for any person to remove trees situated on city property, including streets and roadways of the city, without obtaining permission from the city arborist for that purpose.
 - b) It shall be unlawful as a normal practice for any person, firm, or city department to top any tree on city property. Topping is the severe cutting back of limbs to stubs larger than three inches (3") in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other cause, or other obstructions where other pruning practices are impractical, may be exempted from this subsection at the determination of the city arborist.
- 7) Pruning, Corner Clearance: Every owner of any tree or shrub overhanging any street, sidewalk or right of way within the city, shall prune the branches so that such branches shall not severely obstruct the light from any streetlamp, obstruct the view of any street intersection, or obstruct and create a hazard on a sidewalk. Said owners shall remove all dead, diseased, or dangerous trees and shrubs, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right to prune any tree or shrub on private property when it interferes with visibility of any traffic control device, sign or sight triangle at intersections or constitutes a hazard on a sidewalk. Any costs incurred by the city will be collected from the adjacent property owner.
- 8) Appeal: Any person may appeal a decision of the city arborist to the City Manager, who may hear the matter and make a final decision within sixty (60) days.

SUPPLEMENTARY STANDARDS

- 1) Fee In Lieu of Open Space: A fee in lieu of landscaped open space in commercial, industrial, multi-family, and public facility developments may be permitted by the planning commission for required open space that is less than five thousand (5,000) square feet in size, provided that the development can be adequately served by existing parks and recreation facilities. The amount of the fee shall be set forth in the city's fee schedule. Any fee in lieu paid to the city shall be set forth in a development agreement. Open space fees in lieu shall be held by the city in a reserved account to be used solely for improvements to parks and recreation facilities. Where possible, the fees collected by the city shall be used to improve the park or open space nearest the location where those fees were paid.
- 2) Modification: The percentage of required landscaped open space may be modified through a development agreement, subject to planning commission recommendation and city council approval. No modification shall be granted, however, unless the following standards are met:
 - a) The granting of the modification will not adversely affect the rights of adjacent landowners or residents;

- b) The modification desired will not adversely affect the public health, safety, or general welfare; and
 - c) The granting of the modification will not be opposed to the general spirit and intent of this title or the general plan.
- 3) Preservation, Maintenance, And Ownership:
- a) The planning commission and city council shall require the preservation, maintenance, and ownership of all required open space for nonresidential, multi-family, or planned single-family residential developments through one or a combination of the following:
Dedication of the land as a public park or parkway system;
 - b) Dedication of the land as permanent open space on the recorded plat;
 - c) Granting the city a permanent open space easement on the private open spaces to guarantee that the open space remain perpetually in recreation use, with ownership and maintenance being the responsibility of a homeowners' association; or
 - d) Through compliance with the provisions of the condominium ownership act as outlined in Title 57 of the Utah code, which provides for the payment of common expenses for the upkeep of common areas and facilities.
 - e) Landscaping for all single-family residential properties shall be maintained in accordance with the provisions of this chapter and applicable regulations of the zone in which the property is located.
 - f) In the event that open space or other required landscaping improvements or facilities are not landscaped or maintained in a manner consistent with the approved site plan or landscaping plan, the city may at its option cause such landscaping or maintenance to be performed and assess the costs to the affected property owner(s) or other responsible association or entity.

PROHIBITED WATERING PRACTICES

Regardless of the age of a development, water shall be properly used. Waste of water is prohibited.

ENFORCEMENT, PENALTY FOR VIOLATIONS

The Community Development Director or designee is authorized to enforce all provisions of this Ordinance.

Section 2 – Prior Ordinances and Resolutions

That the above changes, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance of those prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 3 – Repealer of Conflicting Enactments

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts thereof, which conflict with this Ordinance are, for such conflict, repealed, except that this repeal will not be construed to revive any act, order or resolution, or part.

Section 4 – Savings Clause

If any provision of this Ordinance be held or deemed invalid, inoperative or unenforceable, such will render no other provision or provisions invalid, inoperative or unenforceable to any extent whatsoever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

Section 5 – Date of Effect

This Ordinance shall be effective as of the date of signing and after being published or posted as required by law.

DATED the 6th day of July, 2022

WEST HAVEN CITY

Rob Vanderwood
Mayor

ATTEST:

Emily Green, City Recorder

