

ORDINANCE NO. 15-428

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEED  
IMPLEMENTING WATER CONSERVATION MEASURES  
PURSUANT TO EMERGENCY REGULATION ARTICLE 22.5 OF  
THE CALIFORNIA WATER RESOURCES CONTROL BOARD

The City Council makes the following findings:

1. On January 17, 2014, the Governor of the State of California issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions.

2. On April 1, 2015, the Governor of the State of California issued an Executive Order mandating the reduction in potable urban water usage.

3. The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist and will likely continue for the foreseeable future.

4. Section 350 of the California Water Code permits the governing board of a public water supply to declare a water shortage emergency and to impose mandatory water conservation measures.

5. The drought conditions within the State of California constitute an emergency and the City Council does hereby find that these conditions constitute a water shortage emergency as defined by Section 350 of the California Water Code.

6. The City Council finds that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA regulations (Title 14 California Code of Regulations §§ 15000, et seq.) because it consists of the operation of existing facilities involving no expansion of use and consists of actions taken to assure the maintenance, protection and enhancement of natural resources and the environment. Consequently, it is categorically exempt from further CEQA review under California Code of Regulations Title 14, §§ 15301, 15307 and 15308.

Now, therefore, the City Council of the City of Weed does ordain as follows:

Section 1. Chapter 14.02 of the Weed Municipal Code is hereby adopted to read in its entirety as follows:

"CHAPTER 14.02

WATER SHORTAGE EMERGENCY PROVISIONS

Sections:

14.02.010	Definitions.
14.02.020	Prohibited Conditions.
14.02.030	Hotels and Motels.
14.02.040	Outdoor Landscape Irrigation.
14.02.050	Expiration.
14.02.060	Exceptions.
14.02.070	Penalties and Remedies.

14.02.010 - Definitions. The following definitions shall apply to this chapter:

(A) "City" means the City of Weed.

(B) "Potable water" means water suitable and approved for consumption by human beings which has been provided by the city's municipal water system, any private well, any spring, or any other governmental or private source, except for recycled wastewater.

14.02.020 Prohibited Conditions. To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by the City or a state or federal agency:

(A) The application of potable water to outdoor lawns or landscapes in a manner that causes surface runoff onto property not owned by the person who own the property to which the water was being applied, or to any non-irrigated areas, paved areas, private or public sidewalks or walkways, roadways, parking lots, ditches, drains, or structures.

(B) The use of a hose that dispenses Potable water to wash a vehicle, except where the hose is fitted with a shut-off nozzle or other device that causes it to cease dispensing water immediately when not in use.

(C) The application of potable water to clean driveways and sidewalks.

(D) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(E) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall.

(F) The serving of drinking water other than upon request in any restaurant, cafe, cafeteria, bar, or other public place where food or drink are served.

(G) The use of potable water for cooling purposes, except when recirculated.

(H) Any drinking fountain except those which provide water only when actively manipulated by the user.

(I) Water lines, hoses, faucets, or other water fixtures which leak.

(J) Any toilet tank valve which does not close or fails to remain closed until activated.

(K) The construction or creation of any new pool, pond, reservoir, or other body of water, except that decorative reservoirs which are part of a recirculating system and which are sealed against leakage and seepage are permitted.

(L) The installation of any new landscape irrigation system which does not utilize drip irrigation where feasible.

(M) The installation or creation of any new grass lawn area, except that lawns on lots containing a sole single-family residence and its outbuildings may have a grass lawn(s) of not more than a total of 1000 square feet and provided that its grasses consist of only drought-resistant varieties.

(N) The installation of any toilet or shower head which does not meet current water-conservation standards in the applicable state or local building code.

(O) The irrigation of any lawn between the hours of 7 am and 7 pm.

(P) The operation of any commercial car wash which does not use recirculated water.

(Q) Any other extraordinary usage, or waste of significant amounts of potable water.

14.02.030 Hotels and Motels. To prevent the waste and unreasonable use of water and to promote water conservation, the operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

14.02.040 Outdoor Landscape Irrigation. A. Outdoor irrigation of lawns, and of ornamental gardens and landscapes, is limited to no more than two (2) days per week and not longer than thirty (30) minutes on each such occasion. For properties with even-numbered street addresses, such watering is limited to Saturdays and Wednesdays only. For properties with odd-numbered street addresses, such watering is limited to Sundays and Thursdays only. The restrictions of this subpart shall not apply to gardens cultivated for human consumption.

B. Nothing in this chapter shall prohibit watering foliage by using a hand-held container on any days and at any time.

C. The irrigation of public schools, public parks, and cemeteries shall take place on Mondays and Fridays, only. Bel Air Park may be irrigated on any days, at any time of day, and for any length of time, from July 13, 2015, through July 31, 2015, so as to accommodate the Carnivale events.

14.02.050 Expiration. This ordinance shall expire and be of no further force or effect as of April 1, 2016, provided, however, that the city council may extend the expiration date by one or more resolutions adopted before, or within thirty (30) days after its scheduled expiration.

14.02.060 Exceptions. The city council may, by resolution, grant temporary exceptions or variances to this ordinance upon finding that special circumstances exist whereby its strict application would create a danger or great hardship to the public or any property owner.

14.02.070 Penalties and remedies. Any violation of this chapter shall be punishable in the manner described in title 19, chapter 1, of this municipal code, and/or other applicable city ordinances. In addition or as alternative thereto, the city may seek injunctive relief from the superior court.”

Section 2. The city attorney is hereby authorized to prepare a summary of the ordinance as required by Government Code Section 36933.

Section 3. The city clerk is hereby authorized to publish the summary and post certified copies of the full text of the proposed and then adopted ordinances as required by Government Code Section 36933.

Section 4. This ordinance shall take effect and be in force thirty (30) days after its passage.

Section 5. This ordinance shall be published in the Weed Press, a newspaper of general circulation in the City of Weed, within fifteen (15) days after its passage.

I HEREBY CERTIFY the foregoing ordinance was introduced for first reading at a regular meeting of the City Council of the City of Weed held the 14<sup>th</sup> day of May, 2015, and thereafter adopted at a regular meeting of said Council held the 9<sup>th</sup> day of June, 2015, by the following vote to wit:

AYES: Council Members Green, Greene, Hall, Palfini, and Sutton  
NOES: None  
ABSENT: None

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Mayor, City of Weed

ATTEST:

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City Clerk, City of Weed

