URGENCY ORDINANCE NO. 14-012

URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DIXON
TO IMPLEMENT TEMPORARY DROUGHT RESTRICTION MEASURES

WHEREAS, effective July 28, 2014, the State Office of Administrative Law adopted emergency regulations proposed by Resolution 2014-0038 (the “Emergency Regulations”) of the State Water Resources Control Board (“SWRCB”); and

WHEREAS, the Emergency Regulations were adopted to enforce statewide urban water conservation, to help strengthen the State of California’s ability to manage water and habitat effectively in the current drought conditions; and

WHEREAS, the Emergency Regulations require each distributor of a public water supply that is not an urban water supplier to take action within thirty (30) days to either limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week, or implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013; and

WHEREAS, the City Council finds that the restriction on outdoor watering to two days per week is intended to achieve a twenty percent (20%) reduction in outdoor water use, and that outdoor water use and irrigation, on average, constitutes up to fifty percent (50%) of water use by urban consumers; and

WHEREAS, the City of Dixon is not an urban water supplier based on Water Code section 10617; and

WHEREAS, the City Council finds it necessary, for the preservation of the public peace, health and safety, to require City water users to achieve a twenty percent (20%) reduction in outdoor water use, or a ten percent (10%) reduction in gross water use;

WHEREAS, the Emergency Regulations establish additional prohibitions on excessive water use; and

WHEREAS, pursuant to Water Code section 1058.5, the Emergency Regulations shall remain in effect for up to 270 days (i.e., April 24, 2015), unless the SWRCB determines that it is no longer necessary due to changed conditions, or unless the regulations are renewed due to continued drought conditions; and

WHEREAS, the City currently requires certain water conservation measures per the Water Municipal Code; and
WHEREAS, the City desires to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water conservation; and

WHEREAS, the City is required to take action to comply with the Emergency Regulations within thirty (30) days of their effective date of July 28, 2014; and

WHEREAS, this ordinance is an ordinance for the immediate preservation of the public peace, health, and safety, and shall take effect immediately in accordance with Government Code section 36937.

THE CITY COUNCIL OF THE CITY OF DIXON DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 14.02, Water, is amended to add Section 14.02.905, Temporary Drought Restrictions, which shall read as follows:

14.02.905 Temporary Drought Restrictions.

Due to the ongoing drought, the following water use restrictions shall remain in effect until April 25, 2015:

A. City water users and customers shall implement measures to reduce water consumption, as follows:

   (1) Users and customers with meters installed solely for irrigation or outdoor use must reduce monthly water consumption by at least twenty percent (20%), as compared to each user’s monthly water use in 2013. Customers that do not have a history of water usage in the City from 2013 shall restrict outdoor irrigation to a maximum of two times per week.

   (2) Users and customers with meters connected to outdoor irrigation and indoor uses must reduce monthly water consumption by at least ten percent (10%), as compared to each user’s monthly water use in 2013. Customers that do not have a history of water usage in the City from 2013 shall restrict outdoor irrigation to a maximum of two times per week.

   (3) The City may review the water usage history of its customers at any time to determine whether such reductions have been implemented.

B. 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 a state or federal agency:

   (1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures; and
(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use; and

(3) The application of potable water to driveways and sidewalks; and

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

C. The taking of any action prohibited by this section may be cited as a code violation. The Community Development Director, Building Official, code enforcement personnel and other personnel as designated by the City Council may issue administrative citations to any person, firm or corporation for violations of this section, which may include penalties of up to five hundred dollars ($500) for each day in which the violation occurs, pursuant to Article VI of Chapter 9.01 DMC.

D. This section shall remain in effect upon the extension, or terminate automatically upon expiration, of the emergency drought regulations proposed by the State Water Resources Control Board pursuant to its Resolution 2014-0038, in accordance with section 1058.5 of the California Water Code.

PASSED AND ADOPTED BY AT LEAST A FOUR-FIFTH VOTE AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DIXON ON THE 26th DAY OF AUGUST 2014, BY THE FOLLOWING VOTE:

AYES: Besneatte, Bird, Bogue, Castanon, Batchelor
NOES: None
ABSTAIN: None
ABSENT: None

ATTEST:

[Signatures]
Süellen Johnston City Clerk

Jack Batchelor, Jr. Mayor

ORDINANCE NO.: 14-012
DATE: AUG 26 2014