

ORDINANCE NO. 113

**AMENDING ORDINANCE NO. 111 IMPLEMENTING STAGE 2 WATER SHORTAGE
RESPONSE OF WATER SHORTAGE CONTINGENCY PLAN REGARDING
MANDATORY RESTRICTIONS ON OUTDOOR WATER USE**

MID-PENINSULA WATER DISTRICT

WHEREAS, California is experiencing one of the most severe droughts on record; and

WHEREAS, on January 17, 2014, Governor Brown declared a drought state of emergency and called on all Californians to do their part to reduce their water use; and

WHEREAS, on April 25, 2014, Governor Brown issued a proclamation of a continued state of emergency to mitigate the effects of drought conditions upon the people and property of California, and called on residents to refrain from wasting water; and

WHEREAS, on July 15, 2014, the State Water Resources Control Board (SWRCB) adopted drought emergency regulations (Resolution No. 2014-0038) that impose mandatory actions by urban water suppliers, which became effective July 28, 2014; and

WHEREAS, the Mid-Peninsula Water District (District) is required to comply with the SWRCB drought emergency regulations that apply to an urban water supplier; and

WHEREAS, in response to the SWRCB emergency regulations, the District adopted Ordinance No. 111, which implemented Stage 2 of the District's Water Shortage Contingency Plan, which provides for water rationing programs that may include prohibitions on the wasteful use of water including any use that results in run off to gutters or streets, the use of water to clean hard surfaces such as sidewalks and streets, and restrictions on certain outdoor irrigation; and

WHEREAS, on April 1, 2015, Governor Brown issued an Executive Order that, in part, directs the SWRCB to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in urban potable water usage through February , 2016; requires commercial, industrial, and institutional users to implement water efficiency measures; prohibits irrigation with potable water of ornamental turf in public street medians; and prohibits irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems; and

WHEREAS, on May 15, 2015, the SWRCB adopted drought emergency regulations (Resolution No. 2015-0032) that impose mandatory actions and reporting requirements by urban water suppliers, which became effective May 18, 2015; and

WHEREAS, in order to comply with the SWRCB requirements, including a 20% conservation standard for the District, the District needs to amend Ordinance No. 111 to incorporate additional mandatory conservation measures applicable to the District's customers; and

WHEREAS, the actions taken hereinafter are exempt from the provisions of Section 21000 *et seq.* of the Public Resources Code as they constitute a project undertaken as immediate action necessary to prevent or mitigate an emergency pursuant to Title 14, California Code of Regulations Section 15269 and a project undertaken to assure the maintenance, restoration or enhancement of a natural resource pursuant to Title 14, California Code of Regulations Section 15307.

NOW, THEREFORE, BE IT ORDAINED that the Board of Directors of the Mid-Peninsula Water District hereby takes the following actions:

1. Section 2 of Ordinance No. 111 is hereby deleted in its entirety and replaced with the following:

The District, to promote water conservation, prohibits each of the following actions 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:

- A. 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.
- B. 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.
- C. The application of potable water to 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 eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
- G. The irrigation with potable water of ornamental turf on public street medians.
- H. The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- I. The irrigation of outdoor ornamental landscapes or turf with potable water between the hours of 10 a.m. and 6 p.m.
- J. Irrigation of outdoor ornamental landscapes or turf more than two days per week with the purpose of not exceeding 80% of the customer's use of water for that purpose in calendar year 2014.


In addition, to promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily.

- 2. All other provisions of Ordinance No. 111 remain in full force and effect.
- 3. Effective Date. All provisions of this Ordinance shall become effective after the publication of this Ordinance and remain in effect until the District takes action to cancel the implementation of Stage 2 of the District's Water Shortage Contingency Plan.

4. Publication. The District shall publish this Ordinance within 15 days of enactment in a newspaper of general circulation in the District and shall post it on the District's website.

PASSED AND ADOPTED this 28th day of May, 2015, by the following vote:

AYES: Directors Stuebing, Warden, Vella, Zucca,
Linville
NOES: \emptyset
ABSENT: \emptyset



President of the Board of Directors
Mid-Peninsula Water District

ATTEST:



Secretary of the Board

