

RESOLUTION NO. 2546 (2015)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEPORT CONTINUING THE DECLARATION OF A STAGE 1 WATER EMERGENCY AND IMPLEMENTING FURTHER WATER CONSERVATION MEASURES AS MANDATED BY THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS, in 1989 the City Council adopted Ordinance 693 to establish a procedure for restricting or prohibiting demands on the existing water supply and prohibiting non-essential uses of water; and

WHEREAS, on September 2, 2014, the City Council of the City of Lakeport adopted Resolution No. 2512 (2014) declaring a Stage 1 Water Emergency and Adopted Water Conservation regulations; and

WHEREAS, a water emergency condition remains due to drought conditions continuing throughout the state of California; and

WHEREAS, on April 1, 2015, the Governor of the State of California issued Executive Order B-29-15 that, in part, directs the State Water Resources Control Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable water usage through February 28, 2016; and

WHEREAS, the Governor's Executive Order acknowledged that California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with reduced flows in the state's rivers and shrinking supplies in underground water basins; and

WHEREAS, the Governor's Executive Order also noted that the distinct possibility exists that current drought will stretch into a fifth straight year in 2016 and beyond; and

WHEREAS, on May 5, 2015, and pursuant to California *Water Code* Section 1058.5, the State Water Resources Control Board adopted revisions to *California Code of Regulations*, Title 23, Sections 863, 864, and 865 to reduce water usage; and

WHEREAS, the modified *California Code of Regulations*, Title 23, Sections 863, 864, and 865 became effective upon approval by the California Office of Administrative Law and filing with the California Secretary of State's Office; and

WHEREAS, the modified *California Code of Regulations*, Title 23, Section 865(f)(1) requires each distributor of a public water supply, as defined in California *Water Code* Section 350, that is not an urban water supplier, to take one or more of the following actions:

1. 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

2. Implement another mandatory conservation measure or measures intended to achieve a 25 percent reduction in water consumption by the persons it serves relative to the amount consumed in 2013; and

WHEREAS, the City of Lakeport is not an urban water supplier, as defined by California *Water Code* Section 10617, but is a distributor of a public water supply, as defined by California *Water Code* Section 350, and is therefore subject to the requirements set forth in *California Code of Regulation*, Title 23, Section 865(f)(1); and

WHEREAS, pursuant to California *Water Code* Sections 31026 and 31027, the City of Lakeport may restrict water use during any emergency caused by drought and may prescribe and define the restrictions, prohibitions and exclusions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakeport as follows:

1. This water emergency shall be presumed to continue unchanged unless and until a contrary finding is made by the City Council by resolution.

2. Under that emergency the City Council may restrictions and prohibitions on the delivery and consumption of water within the City of Lakeport. To comply with State regulations and to prevent the waste and unreasonable use of water and to promote water conservation, the following restrictions shall apply to residents and business owners within the City of Lakeport:

- a. Potable water may not be used to wash sidewalks and driveways
- b. No runoff may occur when irrigating with potable water
- c. Hoses with no automatic shutoff nozzles may not be used to wash cars
- d. Potable water may not be used in decorative water features that do not recirculate the water
- e. Potable water may not be used on driveways and sidewalks
- f. No irrigating outdoors shall occur during and within 48 hours following measureable rainfall
- g. For properties whose addresses end in an even number, outdoor irrigation of ornamental landscapes or turf with potable water may be done no more than two days a week on Tuesdays and Saturdays
- h. For properties whose addresses end in an odd number, outdoor irrigation of ornamental landscapes or turf with potable water may be done no more than two days a week on Wednesdays and Sundays
- i. Restaurants cannot serve water to their customers unless the customer requests it

- j. Hotels and motels must offer their guests the option to not have their linens and towels laundered daily and prominently display this option in each guest room.

The foregoing Resolution was passed and adopted at a regular meeting of the City Council on the 16th day of June, 2015, by the following vote:

AYES: Council Members Turner, Mattina, Parlet, and Spillman and Mayor Scheel

NOES:

ABSENT:

ABSTAINING:



MARTIN SCHEEL, Mayor

ATTEST:



JANEL M. CHAPMAN, City Clerk