

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING CERTAIN SECTIONS OF ARTICLES VII, IX AND X OF CHAPTER 22 OF THE CITY CODE, CONCERNING WATER WASTE RESTRICTIONS, REQUIREMENTS FOR WATER CONSERVATION AND WATER SHORTAGE RESPONSE, AND WATER RECYCLING

WHEREAS, the City of Oxnard ("city") is a general law city in Ventura County, California; and

WHEREAS, the city owns and operates a municipal water system providing retail potable water service to the local community; and

WHEREAS, a reliable minimum supply of potable water is essential to the public health, safety and welfare of the people and economy of the Southern California region; and

WHEREAS, to meet the community's existing demand for water, the city relies on both local and imported water supplies, including groundwater produced and treated from city facilities, as well as water purchased from the United Water Conservation District, and imported supplies purchased from the Calleguas Municipal Water District, a member agency of the Metropolitan Water District of Southern California; and

WHEREAS, Southern California is a semi-arid region and is largely dependent upon imported water supplies. A growing population, environmental concerns, and other factors in other parts of the State and western United States, make the region highly susceptible to year-to-year variations in available water supplies; and

WHEREAS, careful water management that includes active water conservation at all times, is essential to ensure a reliable supply of water to meet current and future water supply needs; and

WHEREAS, Article XI, section 7 of the California Constitution declares that a city or county may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Article X, section 2 of the California constitution declares that the general welfare requires that water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to optimize the reasonable and beneficial use of water; and

WHEREAS, California Water Code section 375 authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies; and

WHEREAS, these amendments to the city's water waste and water conservation and supply shortage ordinances are necessary to manage the city's potable water supply to avoid or minimize the effects of drought and water supply variations within the City. This conservation program is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare; and

WHEREAS, section 15061, paragraph (b)(3), of the California Environmental Quality Act ("CEQA") Guidelines provides that a project is exempt from CEQA if "the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect to the environment;" and

WHEREAS, this ordinance and its implementation does not result in any changes to existing facilities or any increase in the quantity of water available to city customers and thus, does not create the potential for causing any significant effect to the environment; and

WHEREAS, sections 15307 and 15308 of the CEQA Guidelines provide that a project is categorically exempt from CEQA if the activity is taken "to ensure the maintenance, restoration, or enhancement of natural resources or the environment;" and

WHEREAS, the conservation of water resources that may that result from imposition of *this ordinance will help ensure the maintenance and sustainability of certain local and imported water resources.*

NOW, THEREFORE, the City Council of the City of Oxnard does hereby find as follows:

The adoption of this ordinance is exempt from CEQA for the following reasons:

CEQA Guidelines section 10561 exempts projects which have no potential for resulting in a physical change in the environment and because this ordinance and its implementation does not result in any changes to existing facilities or any increase in the quantity of water available to City customers, this ordinance does not create the potential for causing any significant effect to the environment.

CEQA Guidelines sections 15307 and 15308 exempt a project if the activity is taken "to ensure the maintenance, restoration, or enhancement of natural resources or the environment" and the conservation of water resources, particularly during water shortage conditions, will help ensure the maintenance and sustainability of certain local and imported water resources.

Purpose and Intent

- (A) The purpose of this ordinance is to amend certain portions of the city code concerning water waste and water conservation and supply shortage, and recycled water programs to manage water consumption within the city through

conservation, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, and maximize the efficient use of all water sources within the city to maintain the long-term integrity of the water supplies available to the city, and also minimize the magnitude of drought related water restrictions to the greatest extent possible.

- (B) This ordinance establishes permanent water conservation standards intended to maximize water use efficiency for non-shortage conditions and further refines the existing four levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. Sections 136, 137(D)(1) and 142 of Article VIII; sections 153,154, and 157(C) of Article IX; and sections 179(B(1) and 182(A)-(B) of Article X, of Chapter 22 of the City Code are repealed.

Part 2. Sections 136, 137(D)(1) and 142 of Article VIII; sections 153,154, and 157(C) of Article IX; and sections 179(B(1) and 182(A)-(B) of Article X, of Chapter 22 of the City Code are adopted to read:

SEC. 22-136. WATER WASTE PROHIBITED.

- (A) The city council declares that any waste or unreasonable use, or unreasonable method of use of water is hereby prohibited and that the conservation of water shall be mandatory on all persons using city water within and outside the city limits.
- (B) Therefore, the city council orders the restrictions on water use as specified below:
- (1) Limits on Watering Hours. Watering of lawns, ornamental turf, trees, shrubs, vegetation, landscape and other outside irrigation is prohibited except between 6:00 p.m. and 9:00 a.m. Testing of repairs to and replacement of irrigation systems may occur outside of the normally allowed irrigation period.
 - (2) No Outdoor Irrigation During Rain. Outdoor irrigation is prohibited during rain.
 - (3) Limits on Watering Duration. Watering or irrigating of lawns, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes per day per station. This subsection does not apply to landscape irrigation systems that exclusively use high efficiency irrigation equipment, very low-flow drip type irrigation systems when no emitter produces more than two gallons of water per hour, and weather based controllers or high-efficiency stream rotor sprinklers.

