

**RESOLUTION NO. 2016-40**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL REPEALING RESOLUTION NO. 2015-47 AND APPROVING WATER CONSERVATION MEASURES IN COMPLIANCE WITH STATE OF CALIFORNIA EXECUTIVE ORDER B-37-16 MAKING WATER CONSERVATION A CALIFORNIA WAY OF LIFE**

**WHEREAS**, the State of California (“State”) is experiencing a severe drought and all water purveyors in California, including the City of Imperial (“City”), are required by law to implement measures to alleviate drought impacts; and

**WHEREAS**, the City Council of the City of Imperial (“City Council”), through Resolution No. 2014-45 and Resolution No. 2015-47, established measures in compliance with State Water Resources Control Board (“SWRCB”) Resolution No. 2014-0038 regarding water restrictions and conservation measures; and

**WHEREAS**, April 1, 2015, Governor Brown issued Executive Order B-29-15 directing SWRCB to propose framework for achieving an across-the-board 25% reduction and implemented additional water restrictions.

**WHEREAS**, the State of California (“the State”) has adopted the California Code of Regulations, Title 23, Section 866 and re-adopts sections 863 (Finding of Drought Emergency), 864 (Prohibited Activities in Promotion of Water Conservation) and 865 (Mandatory Actions by Water Suppliers) as emergency regulations; and

**WHEREAS**, Executive Order B-37-16 required the Board to adjust its emergency water conservation regulation through the end of January 2017; and

**WHEREAS**, on June 22, 2016, the City of Imperial submitted a “Self-Certification of Supply Reliability” (“Stress Test”) demonstrating that we have adequate supplies to withstand three additional dry years; and

**WHEREAS**, On August 16, 2016, the State Water Board release information about Agencies that passed the “Stress Test” granting the City a Conservation Standard of 0% from the previous conservation Standard of 20%, through January 2017.

**WHEREAS**, the City Council finds that the new Conservation Standard allows for less restrictive water use by removing the mandatory water restrictions by residents.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

1. That the foregoing is true, correct and adopted.

2. That the City Council does hereby repeal Resolution No. 2015-47.
3. That the City Council does hereby approve water conservation measures identified as Exhibit "A".
4. That the City manager may revise the Water Conservation Plan as necessary to remain in compliance with State regulations.
5. That designated water officials of the City of Imperial, California, as designated by the City Manager, are hereby authorized to implement stepped fines identified as Exhibit "B" for noncompliance with water conservation measures identified as Exhibit "A" in accordance with the City's code enforcement procedures.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Imperial, California held on the 17<sup>th</sup> day of June, 2015.

CITY OF IMPERIAL

By \_\_\_\_\_  
Mark T. Gran, Mayor

ATTEST:

By \_\_\_\_\_  
Debra Jackson, City Clerk

## EXHIBIT "A"

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;
2. The use of running water to wash vehicles shall be prohibited, except to wash such vehicles at commercial or fleet vehicle washing facilities using water recycling equipment. The use of buckets and stop nozzles on hoses, for rinsing only, shall be permitted.
3. The application of potable water to hardscapes, driveways, parking lots and walkways, except to protect public health and safety.
4. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
5. Outdoor irrigation of commercial, industrial and institutional facilities shall be reduced by 25%.
6. The application of water to outdoor landscapes during and up to 48 hours after measurable rainfall shall be prohibited.
7. Use of potable water for construction, compaction, dust control, street or parking lot sweeping, building wash down where non-potable water is sufficient.
8. No restaurant, hotel, café, cafeteria or other public place where food is sold, served or offered for sale, shall serve drinking water to any customer unless requested.
9. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. Each hotel or motel shall prominently display notice of this option in each bathroom, using clear and understood language.
10. The use of potable water outside of newly constructed homes and buildings that is not consistent with CBSC and DHCD requirements.

11. The use of potable water to irrigate turf within street medians
12. Landscape/turf irrigation is encouraged to be limited to the hours between 6:00 PM and 6:00 AM.

## **EXHIBIT "B"**

If noncompliance with water conservation measures identified in Exhibit "A" is found, the City Code Enforcement Officer of the City of Imperial is hereby authorized to implement the following stepped fines:

- First Offense – A warning notice
- Second Offense - \$25.00 fine
- Third Offense - \$50.00 fine
- Fourth Offense - \$100.00 fine
- Fifth Offense - \$500.00 fine per daily offense