

RESOLUTION NO. 16-15

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WHEATLAND
DECLARING A STAGE TWO DROUGHT CONDITION AND
ADOPTING WATER USE RESTRICTIONS

WHEREAS, California and the Sacramento Valley are experiencing a serious multi-year drought;

WHEREAS, on April 1, 2015, the Governor issued an Executive order directing the State Water Resources Control Board ("SWRCB") to impose mandatory water usage restrictions to achieve a statewide 25 percent reduction in potable urban water usage through February 28, 2016;

WHEREAS, the City's water conservation program, as set forth in Wheatland Municipal Code chapter 10.62, sets forth the actions to be undertaken by the City during drought conditions, and the program groups water supply and conditions into five stages, with the "Normal" Stage used for normal water supply conditions and Stages 1 through 4 used for drought conditions of increasing severity;

WHEREAS, California Code of Regulations, title 23, section 865(e) requires public water supply distributors such as the City to limit their customers' outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week, or to implement other mandatory conservation measures intended to achieve a 20 percent reduction in water consumption by their customers relative to the amount consumed in 2013;

WHEREAS, pursuant to the Governor's April 1, 2015 Executive Order, the SWRCB further has issued proposed emergency water conservation regulations amending section 865(e) to require water supply distributors that do not limit their customers' outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week to, in the alternative, implement other mandatory conservation measures intended to achieve a 25 percent reduction in water consumption relative to the amount consumed in 2013;

WHEREAS, the Stage 2 condition (water alert) of the City's water conservation program restricts landscape irrigation and watering to no more than two days per week, and it therefore is the stage that would meet section 865(e)'s existing requirements as well as the SWRCB's proposed emergency water conservation regulations;

WHEREAS, Water Code sections 350 and 353 authorize the City Council to (1) declare a water shortage emergency condition whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the City's water supply to the extent that there would be insufficient water for human consumption, sanitation, and fire protection, and (2) adopt such regulations and restrictions on the delivery and consumption of water as will conserve the water supply for the greatest public benefit; and

WHEREAS, the City Council has conducted a noticed public hearing regarding this proposed resolution as required by law and has considered all public comments received concerning the subject matter of this resolution.

WHEREAS, on May 12, 2015, the City Council Conduct a public hearing concerning the adoption of a water conservation program and declaration of a Stage 2 drought condition ; and

WHEREAS, on May 12, 2015, the City Council adopted Resolution 14-15 declaring a Stage 2 water shortage condition and water use restrictions; and

WHEREAS, on June 3, 2015, the Water Conservation Ad-Hoc Committee, formed at the direction of the City Council, met to incorporate public comments brought forth at the May 12, 2015, public hearing, and produced recommended changes to the Water Conservation Ordinance and Stage 2 Water Shortage Declaration (Resolution 14-15); and

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

1. **Authority.** This resolution is adopted pursuant to Water Code sections 350 to 359, California Code of Regulations, title 23, section 865(e), Wheatland Municipal Code chapter 10.62, and other applicable law.

2. **Findings.** In light of the multi-year drought being experienced in the Sacramento Valley and the requirements imposed by Water Code sections 350 and 359 and California Code of Regulations, title 23, section 865, the City Council finds and determines as follows:

(a) It is necessary and appropriate to adopt this declaration of water shortage emergency condition and impose water usage restrictions in order to conserve the limited City water supply.

(b) The ordinary demands and requirements of the City's water service customers cannot be satisfied without depleting the City water supply to the extent that there could be insufficient water for human consumption, sanitation, and fire protection.

(c) It is appropriate to declare a Stage 2 drought condition under Wheatland Municipal Code sections 13.54.020 and 13.54.050 and implement the related water use restrictions.

(d) The regulations and restrictions imposed by this resolution are appropriate to conserve the limited water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection.

3. **Water Shortage Declaration.** The City Council declares that a water shortage emergency condition exists in the City within the meaning of Water Code section 350. The City Council therefore determines and orders that a Stage 2 drought condition (water alert) exists and that the regulations and restrictions shall remain in full force and effect during the period of the emergency and until the supply of water available to the District has been replenished or augmented.

4. **Water Use Restrictions.** The City Council adopts the following regulations and restrictions on the delivery and consumption of water within the City. All City water customers shall comply with the following mandatory water conservation measures and restrictions:

(a) All Stage "Normal" and Stage 1 water conservation measures and restrictions as set forth in Wheatland Municipal Code sections 13.54.030 and 13.54.040 shall apply, except as modified in (b) through (f) below.

(b) Landscape irrigation and watering is permitted only between 9:00 p.m. and 9:00 a.m. and no more frequently than two days per week. The City Manager is authorized and directed to establish a landscape irrigation schedule for different areas throughout the City and to notify residents about their water and no-water days.

(c) Irrigate no longer than 30 minutes per watering zone or station per water-day.

(d) Landscape irrigation and watering is prohibited during and within 48 hours after measurable rainfall.

(e) Repair all water leaks within the water consumer's water and irrigation system within 72 hours after written notification by the City unless other arrangements are made with the City Manager.

(f) When using water for construction-related purposes, use recycled or non-potable water when available.

5. **Enforcement.** The City Manager is authorized and directed to enforce the water use restrictions in this resolution pursuant to Wheatland Municipal Code section 13.54.100.

6. **Fire and other Emergencies.** Nothing in this resolution shall apply to the use of water for purposes of extinguishing fires or responding to other emergency conditions.

7. **Effective Date.** This resolution shall take effect on June 9, 2015.

8. **Superseder.** This resolution supersedes Resolution 14-15, adopted on May 12, 2015.

PASSED AND ADOPTED by the City Council of the City of Wheatland on the 9th day of June 2015 by the following vote:

AYES: Pendergraph, Coe, Henderson, McIntosh, West

NOES:

ABSTAIN:

ABSENT:

By:


Rick West, Mayor

CITY OF WHEATLAND WATER CONSERVATION/CONTINGENCY POLICY MATRIX

PER MUNICIPAL CODE CHAPTER 13.54

CONDITIONS / INDICATIONS	WATER STAGE				
	NORMAL	1 WATCH	2 ALERT	3 CRITICAL	4 EMERGENCY
	Normal water year.	Single year drought or other minimal water supply impairments.	Notable water supply reduction, multi-year drought or supply impairment.	Substantial water supply reductions, multi-year drought, water system impairment, water shortage declaration by State or Federal Government.	Catastrophic water supply reductions or water system impairment, multi-year drought, emergency declaration by State or Federal Government.
CONSERVATION GOALS	Voluntary Conservation.	10% Voluntary Conservation.	Up to 25% mandatory conservation.	Up to 30% mandatory conservation.	30% or higher mandatory conservation through complete cessation of water service.
STAFF TRAINING	No special training.	Initial training on requirements of Watch Stage.	Initial training on requirements of Alert Stage, plus monthly refresher sessions.	Initial training on requirements of Critical Stage, plus weekly refresher sessions.	Initial training on requirements of Emergency, weekly refresher sessions and daily communication with the City Manager.

CITY OF WHEATLAND WATER CONSERVATION/CONTINGENCY POLICY MATRIX PER MUNICIPAL CODE CHAPTER 13.54

EDUCATION/ OUTREACH	WATER STAGE				
	NORMAL	1 WATCH	2 ALERT	3 CRITICAL	4 EMERGENCY
	None.	-Website. -Post voluntary conservation fliers.	-Website including % saved to date. -Post mandatory conservation fliers. -Direct mailers to customers. -Contact schools & higher water users in-person.	-Website including % saved to date. -Post mandatory conservation fliers. -Direct mailers to customers. -Contact schools & higher water users in-person.	-Website including % saved to date, per capita rationing (if any). -Post mandatory conservation fliers. -Direct mailers to customers. -Contact schools & higher water users in-person.

WASHING OF PAVED SURFACES	Allowed with flow control device.	Allowed with flow control device.	Allowed with flow control device.	Not Allowed.	Not Allowed.
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HAND WATERING AND VEHICLE WASHING	Allowed	Nozzle with auto shut-off required	Nozzle with auto shut-off required	Nozzle with auto shut-off, only bucket wash vehicles	No vehicle washing allowed
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LANDSCAPE WATER RUNOFF, OVERSPRAY OR INEFFICIENT USE	Encouraged against	Not allowed	Not allowed	Not allowed	Not allowed
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CITY OF WHEATLAND WATER CONSERVATION/CONTINGENCY POLICY MATRIX PER MUNICIPAL CODE CHAPTER 13.54

	WATER STAGE				
	NORMAL	1 WATCH	2 ALERT	3 CRITICAL	4 EMERGENCY
LANDSCAPE WATERING	No restrictions	Allowed any days between 7pm and 10am.	-Allowed two days per week. -Watering from midnight to 10am and 7pm to midnight.	-Allowed two days per week June through October, allowed one day per week November through May. -Watering from midnight to 10am and 7pm to midnight.	Not allowed except to preclude/prevent fire hazards as determined by the Fire Marshal
			-No more than 30-minutes total per area per day.	-No more than 10-minutes total per area per day.	
			-Even address numbers on Saturdays & Wednesdays.	-Even address numbers on Saturdays & Wednesdays.	
			-Odd address numbers on Sundays & Thursdays.	-Odd address numbers on Sundays & Thursdays.	
			-No watering during and within 48-hrs of measurable rain event.	-No watering during and within 48-hrs of measurable rain event.	
NURSERY PLANTS AND LIVESTOCK	No restrictions	Water anytime with handheld hose or drip irrigation. Otherwise water between 7pm and 10am	Water anytime with handheld hose or drip irrigation. Otherwise water between 7pm and 10am	Every other day between 7pm and 10am. No more than 10-minutes per area per day	Allowed to the minimum extent possible to sustain livestock and nursery stock (as determined by the City)

CITY OF WHEATLAND WATER CONSERVATION/CONTINGENCY POLICY MATRIX

PER MUNICIPAL CODE CHAPTER 13.54

	WATER STAGE				
	NORMAL	1 WATCH	2 ALERT	3 CRITICAL	4 EMERGENCY
WATER IN RESTAURANTS	No restrictions	Voluntary participation in "water upon request"	Voluntary participation in "water upon request"	Water upon request only	Water upon request only
LEAK REPAIR	Repair in reasonable time frame	Repair within 5 days	Repair within 72 hours	Repair within 48 hours	Repair within 24 hours
CONSTRUCTION WATER	No restrictions	No restrictions	Use recycled or non-potable water when available	Use recycled or non-potable water when available	No construction water allowed without written authorization of the City Engineer
NEW SERVICES	No restrictions	No restrictions	No restrictions	New water services and "will serve letters" may be issued at the discretion of the City Engineer	New water services and "will serve letters" may be issued at the discretion of the City Engineer
REPORTING	Complaint driven only	Complaint driven only	Complaints and patrols.	Complaints and patrols.	Complaints and patrols.
			Periodic random checks of individual water usage records.	Monthly random checks of individual water usage records.	Month checks of all water usage records.

CITY OF WHEATLAND WATER CONSERVATION/CONTINGENCY POLICY MATRIX PER MUNICIPAL CODE CHAPTER 13.54

ENFORCEMENT	WATER STAGE				
	NORMAL	1 WATCH	2 ALERT	3 CRITICAL	4 EMERGENCY
	<p>General Approach: Each stage has a education/phase-in period in which only verbal warnings are given with an emphasis on education and outreach. Enforcement measures are progressive by stage and increase in severity by stage. City Manager will appoint a Water Conservation Supervisor who logs, tracks and reports all complaints, verbal warnings and written violations.</p>				
	<p>30-day phase-in/ education period verbal warnings only.</p> <p>-Education, outreach, verbal warnings, door hangars & written warnings.</p> <p>-Enforce per current municipal code up to \$25 per day after 4th written notice of violation.</p>	<p>30-day phase-in/ education period verbal warnings only.</p> <p>-Education, outreach, verbal warnings, door hangars & written warnings.</p> <p>-Citings up to \$50 after 3rd written notice of violation.</p>	<p>30-day phase-in/ education period verbal warnings only.</p> <p>-Education, outreach, verbal warnings, door hangars & written warnings.</p> <p>-Citings ranging from \$50 to \$100 per day plus court costs (if any) after 2nd written notice of violation as follows: 1st Citation \$50 2nd Citation \$75 3rd or more \$100</p>	<p>10-day phase-in/ education period verbal warnings only.</p> <p>-Education, outreach, verbal warnings, door hangars & written warnings.</p> <p>-Citings ranging from \$50 to \$200 per day plus court costs (if any) after 1st written notice of violation as follows: 1st Citation \$50 2nd Citation \$100 3rd or more \$200</p>	<p>No phase-in/ education period.</p> <p>-Education, outreach, verbal warnings, door hangars & written warnings.</p> <p>-Citings ranging from \$50 to \$300 per day plus court costs (if any) after 1st written notice of violation as follows: 1st Citation \$50 2nd Citation \$100 3rd Citation \$200 4th or more \$300</p> <p>- Possible suspension of service.</p>