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ORDINANCE NO. 15-02

AN EMERGENCY ORDINANCE OF THE CITY OF INGLEWOOD,  
CALIFORNIA, AMENDING SECTION 5-110 OF ARTICLE 7 OF  
CHAPTER 5 AND ADDING AN ARTICLE 19 TO CHAPTER 10  
(PUBLIC WORKS) TO ESTABLISH A WATER CONSERVATION  
AND WATER SUPPLY SHORTAGE PROGRAM

WHEREAS, the City receives its water supply from two sources: 80% from  
Metropolitan Water District, through the West Basin Municipal Water District  
(surface water from Colorado River and Northern California), and 20% from local  
groundwater produced from City wells; and

WHEREAS, both surface water and ground water supply is continuously  
depleting due to dry weather conditions requiring reduction in consumption; and

WHEREAS, City well production capacity has substantially depleted due to  
age of the four (4) existing wells (2 wells drilled in 1974 and one in 1990); and

WHEREAS, the City will be primarily dependent on surface water supply  
because it will be 2-3 years before the City drills two new wells and improves its  
local water supply; and

WHEREAS, on January 17, 2014, the Governor issued a proclamation of a  
state of emergency under the California Emergency Services Act based on drought  
conditions; and

WHEREAS, on April 25, 2014, the Governor issued a proclamation of a  
continued state of emergency under the California Emergency Services Act based on  
continued drought conditions; and

WHEREAS, the drought conditions that formed the basis of the Governor's  
emergency proclamations continue to exist; and,

WHEREAS, the present year is critically dry and has been immediately  
preceded by two or more consecutive below normal, dry, or critically dry years; and,

WHEREAS, the drought conditions will likely continue for the foreseeable

1 future and additional action by both the State Water Resources Control Board and  
2 local water suppliers will likely be necessary to further promote conservation; and,

3       WHEREAS, wasteful use of water is detrimental to the long-term water  
4 supplies of the City of Inglewood; and,

5       WHEREAS, the long-term health, safety, and prosperity of the community  
6 depends upon having a reliable long-term supply of potable water; and,

7       WHEREAS, the State Water Resources Control Board adopted Article X.  
8 Prohibition of Activities and Mandatory Actions During Drought Emergency at its  
9 July 15, 2014, meeting, which became effective August 1, 2014, whose Section X.1  
10 prohibits certain activities in promotion of water conservation; and

11       WHEREAS, urban water suppliers that violate the mandatory actions  
12 approved by the State Water Resources Control Board could be subject to cease and  
13 desist orders for violating emergency regulations with fines up to \$10,000 per day;  
14 and,

15       WHEREAS, the California Water Code Section 10632 requires that stages of  
16 action to be undertaken by the urban water supplier in response to water supply  
17 shortages, including up to a 50 percent reduction in water supply.

18       NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF  
19 INGLEWOOD, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

20 **SECTION 1**

21       The City Council of the City of Inglewood finds that aforementioned recitals  
22 are true and incorporated herein. Furthermore, the Inglewood City Council finds  
23 that amending Section 5-110, of Article 7 of Chapter 5 and that creating Article 19  
24 (Water Conservation and Water Supply Program) of Chapter 10 (Public Works) is  
25 hereby needed and therefore added to the Inglewood Municipal Code to read as  
26 follows:

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**Article 7. WATER CONSERVATION**

Section 5-110, Use Restrictions, is deleted in its entirety and replaced with the following:

*"Section 5-110, Use Restrictions.*

*It shall be unlawful for any person to violate the following restrictions concerning the use of water:*

*(a) With respect to irrigation practices:*

*(1) Except as provided below, lawn watering and landscape irrigation with potable water is permitted only as specified in Sections 10-208, 10-209 and 10-210.*

*(2) Irrigation with reclaimed water is permitted on any day in accordance with the water-efficient landscape criteria of Section 5-111 through 5-118."*

**Article 19. WATER CONSERVATION AND WATER SUPPLY SHORTAGE PROGRAM**

Section 10-204	Title
Section 10-205	Purpose and Intent
Section 10-206	Application
Section 10-207	Definitions
Section 10-208	Permanent Water Conservation Requirements
Section 10-209	Determination & Notification of Water Supply Shortage
Section 10-210	Level of Water Shortage
Section 10-211	Hardship Waiver
Section 10-212	Penalties and Violations
Section 10-213	Notice and Hearings
Section 10-214	Authority to Issue Violations and Enforce the Code
Section 10-204.	Title

This Article shall be entitled the "City of Inglewood Water Conservation and

1 Water Supply Shortage Program” and shall be known as such throughout this Code.

2 **Section 10-205. Purpose and Intent:**

3 (1) The purpose of this Article is to establish a water conservation and  
4 water supply shortage program that will reduce water consumption within the City  
5 of Inglewood through conservation, enable effective water supply planning, assure  
6 reasonable and beneficial use of water, prevent waste of water, and maximize the  
7 efficient use of water within the City of Inglewood to avoid and minimize the effect  
8 and hardship of water shortage to the greatest extent possible.

9 (2) This Article establishes permanent water conservation standards  
10 intended to alter behavior related to water use efficiency at all times and further  
11 establishes three levels of water supply shortage response actions to be  
12 implemented during times of declared water shortage or declared water shortage  
13 emergency, with increasing restrictions on water use in response to worsening  
14 drought or emergency conditions and decreasing supplies.

15 **Section 10-206 Application**

16 (1) The provisions of this Article apply to any Person in the use of any  
17 Potable Water provided by the City of Inglewood.

18 (2) The provisions of this Article do not apply to uses of water necessary to  
19 protect public health and safety or for essential government services, such as police,  
20 fire, and other similar emergency and water quality maintenance services.

21 (3) The provisions of this Article do not apply to the use of Recycled Water.

22 (4) The provisions of this Article do not apply to the use of water by  
23 commercial nurseries and commercial growers to sustain plants, trees, shrubs,  
24 crops or other vegetation intended for commercial sale.

25 (5) This Article is intended solely to further the conservation of Potable  
26 Water. It is not intended to implement any provision of Federal, State, or Local  
27 Statutes, Ordinances, or Regulations relating to protection of water quality or  
28 control of drainage or Runoff. Refer to the local jurisdiction or the Los Angeles

1 Regional Water Quality Control Board for information on any storm-water  
2 ordinances and storm water management plans.

3 **Section 10-207 Definitions**

4 The words used in this article have the meaning set forth below:

5 "Application rate" means the depth of water applied to a given area, usually  
6 measured in inches per hour.

7 "Emitter" means a drip irrigation emission device that delivers water slowly  
8 from the system to the soil.

9 "Infiltration Rate" means the rate of water entry into the soil expressed as a  
10 depth of water per unit of time (e.g., inches per hour).

11 "Local Water Purveyor" means any entity, including a public agency, city,  
12 county, or private water company that provides retail water service.

13 "Person" means any natural person or persons, corporation, public, or private  
14 entity, governmental agency or institution, including all agencies and departments  
15 of City of Inglewood, or any other user of water provided by the City or Local Water  
16 Purveyor.

17 "Potable Water" means water, which is suitable for drinking.

18 "Recycled Water or reclaimed water" means treated or recycled wastewater of  
19 a quality suitable for non-potable uses such as landscape irrigation and water  
20 features. This water is not intended for human consumption.

21 "Runoff" means water which is not absorbed by the soil or landscape to  
22 which it is applied and flows from the landscape area. For example, Runoff may  
23 result from water that is applied at too great a rate (Application Rate exceeds  
24 Infiltration Rate) or when there is a steep slope.

25 "Single Pass Cooling Systems" means equipment where water is circulated  
26 only once to cool equipment before being disposed.

27 "Station" means an area served by one valve or by a set of valves that operate  
28 simultaneously.

1 **Section 10-208. Permanent Water Conservation Requirements**

2 The following water conservation requirements are effective at all times and  
3 are permanent. Violations of this Article will be considered waste and an  
4 unreasonable use of water.

5 (1) Limits on Watering Hours: Watering or irrigating of lawn, landscape  
6 or other vegetated area with Potable Water is prohibited between the hours of 9:00  
7 a.m. and 4:00 p.m. Pacific Standard Time, except by use of a hand-held bucket or  
8 similar container, a hand-held hose equipped with a positive self-closing water shut-  
9 off nozzle or device, or for very short periods of time for the express purpose of  
10 adjusting or repairing an irrigation system.

11 (2) Limit on Watering Duration: Watering or irrigating of lawn, landscape  
12 or other vegetated area with Potable Water using a landscape irrigation system or a  
13 watering device that is not continuously attended is limited to no more than fifteen  
14 (15) minutes watering per day per Station. This subsection does not apply to  
15 landscape irrigation systems that exclusively use very low-flow drip type irrigation  
16 systems when no Emitter produces more than two (2) gallons of water per hour and  
17 weather based controllers or stream rotor sprinklers that meet a 70% efficiency  
18 standard.

19 (3) No Excessive Water Flow or Runoff: Watering or irrigating of any  
20 lawn, landscape or other vegetated area in a manner that causes or allows excessive  
21 water flow or Runoff onto an adjoining sidewalk, driveway, street, alley, gutter,  
22 ditch or adjacent property is prohibited.

23 (4) No Washing Down Hard or Paved Surfaces: Washing down hard or  
24 paved surfaces, including but not limited to sidewalks, walkways, driveways,  
25 parking areas, tennis courts, patios or alleys, is prohibited except when necessary to  
26 alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or  
27 similar container, a hand-held hose equipped with a positive self-closing water shut-  
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1 off device, a low-volume, high-pressure cleaning machine equipped to recycle any  
2 water used, or a low-volume high-pressure water broom.

3 (5) Obligation to Fix Leaks, Breaks or Malfunctions: Excessive use, loss  
4 or escape of water through breaks, leaks or other malfunctions in the water user's  
5 plumbing or distribution system for any period of time after such escape of water  
6 should have reasonably been discovered and corrected and in no event more than  
7 three (3) days of receiving notice from the City of Inglewood, is prohibited.

8 (6) Recirculating Water Required for Water Fountains and Decorative  
9 Water Features: Operating a water fountain or other decorative water feature that  
10 does not use recirculated water is prohibited.

11 (7) Limits on Washing Vehicles: Using water to wash or clean a vehicle,  
12 including but not limited to any automobile, truck, van, bus, motorcycle, boat or  
13 trailer, whether motorized or not is prohibited, except by use of a hand-held bucket  
14 or similar container or a hand-held hose equipped with a positive self-closing water  
15 shut-off nozzle or device. This subsection does not apply to any commercial car  
16 washing facility.

17 (8) Drinking Water Served Upon Request Only: Eating or drinking  
18 establishments, including but not limited to a restaurant, hotel, cafe, cafeteria, bar,  
19 or other public place where food or drinks are sold, served, or offered for sale, are  
20 prohibited from providing drinking water to any Person unless expressly requested.

21 (9) Commercial Lodging Establishments Must Provide Guests Option to  
22 Decline Daily Linen Services: Hotels, motels and other commercial lodging  
23 establishments must provide customers the option of not having towels and linen  
24 laundered daily. Commercial lodging establishments must prominently display  
25 notice of this option in each bathroom using clear and easily understood  
26 language.

27 (10) No Installation of Single Pass Cooling Systems: Installation of Single  
28 Pass Cooling Systems is prohibited in buildings requesting new water service.

1 (11) No Installation of Non-re-circulating Water Systems in Commercial  
2 Car Wash and Laundry Systems: Installation of non-re-circulating water systems  
3 is prohibited in new commercial conveyor car wash and new commercial laundry  
4 systems.

5 (12) Restaurants Required to Use Water Conserving Dish Wash Spray  
6 Valves: Food preparation establishments, such as restaurants or cafes, are  
7 prohibited from using non-water conserving dish wash spray valves.

8 (13) Commercial Car Wash Systems: Effective on September 1, 2015, all  
9 commercial conveyor car wash systems must have installed operational re-  
10 circulating water systems, or must have secured a waiver of this requirement from  
11 the City of Inglewood.

12 **Section 10-209. Determination & Notification of Water Supply Shortage**

13 Declaration and Notification of Water Supply Shortage: The existence of a  
14 Level 1, Level 2, or Level 3 Water Supply Shortage condition or the retraction of a  
15 Level 1, Level 2, or Level 3 Water Supply Shortage condition, may be declared by  
16 resolution of the City of Inglewood adopted at a regular or special public meeting  
17 held in accordance with State law. Such declared Level controls over any  
18 inconsistent, ambiguous or contrary language of Section 10-208. The mandatory  
19 conservation requirements applicable to Level 1, Level 2, or Level 3 conditions will  
20 take effect on the fifteenth (15) day after the date the shortage level is declared.  
21 Within seven (7) days following the declaration of a shortage level, the City of  
22 Inglewood must publish a copy of the resolution in a newspaper used for publication  
23 of official notices. If the City of Inglewood activates a water allocation process, it  
24 must provide notice of the activation by including it in the regular billing statement  
25 or by any other mailing to the address to which the City of Inglewood customarily  
26 mails the billing statement for fees or charges for on-going water service. A water  
27 allocation will be effective on the eighth day following the date of mailing or at such  
28 later date as specified in the notice. The retraction of mandatory conservation



1 requirements applicable to Level 1, Level 2, or Level 3 conditions will take effect  
2 immediately upon City Council action.

3 **Section 10-210. Level of Water Shortage:**

4 (1) **Level 1 Water Supply Shortage**

5 (a) A Level 1 Water Supply Shortage exists when the City of Inglewood  
6 determines, in its sole discretion, that due to drought or other water supply  
7 conditions, a water supply shortage or threatened shortage exists and a consumer  
8 demand reduction is necessary to make more efficient use of water and  
9 appropriately respond to existing water conditions. Upon the declaration by the  
10 City of Inglewood of a Level 1 Water Supply Shortage condition, the City of  
11 Inglewood will implement the mandatory Level 1 conservation measures identified  
12 in this section.

13 (b) **Additional Water Conservation Measures:** In addition to the  
14 prohibited uses of water identified in Section 10-208, the following water  
15 conservation requirements apply during a declared Level 1 Water Supply Shortage:

16 (i) **Limits on Watering Days:** Watering or irrigating of lawn, landscape or  
17 other vegetated area with Potable Water is limited to three (3) days per week  
18 during the months of April through October on a schedule established and  
19 posted by the City of Inglewood. During the months of November through  
20 March, watering or irrigating of lawn, landscape or other vegetated area with  
21 Potable Water is limited to no more than two (2) days per week on a schedule  
22 established and posted by the City of Inglewood. This provision does not  
23 apply to watering or irrigating by use of recycled, reclaimed or storm-water,  
24 landscape irrigation zones that exclusively use very low flow drip type  
25 irrigation systems when no Emitter produces more than two (2) gallons of  
26 water per hour. This provision also does not apply to watering or irrigating  
27 by use of a hand-held bucket or similar container, a hand-held hose equipped  
28 with a positive self-closing water shut-off nozzle or device, or for very short

1 periods of time for the express purpose of adjusting or repairing an irrigation  
2 system.

3 (ii) **Obligation to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks, or  
4 other malfunctions in the plumbing or distribution system must be repaired  
5 within seventy-two (72) hours of notification by the City of Inglewood unless  
6 other arrangements are made with the City of Inglewood.

7 **(2) Level 2 Water Supply Shortage**

8 (a) A Level 2 Water Supply Shortage exists when the City of Inglewood  
9 determines, in its sole discretion, that due to drought or other water supply  
10 conditions, a higher level of water supply shortage or threatened shortage exists  
11 and a consumer demand reduction is necessary to make more efficient use of water  
12 and appropriately respond to existing water conditions. Upon the declaration by  
13 the City of Inglewood of a Level 2 Water Supply Shortage condition, the City of  
14 Inglewood will implement the mandatory Level 2 conservation measures identified  
15 in this section.

16 (b) **Additional Conservation Measures:** In addition to the prohibited uses  
17 of water identified in Section 10-208, the following additional water conservation  
18 requirements apply during a declared Level 2 Water Supply Shortage:

19 (i) **Watering Days:** Watering or irrigating of lawn, landscape or other  
20 vegetated area with Potable Water is limited to two (2) days per week during  
21 the months of April through October on a schedule established and posted by  
22 the City of Inglewood. During the months of November through March,  
23 watering or irrigating of lawn, landscape or other vegetated area with  
24 Potable Water is limited to no more than one (1) day per week on a schedule  
25 established and posted by the City of Inglewood. This provision does not  
26 apply to landscape irrigation zones that exclusively use very low flow drip  
27 type irrigation systems when no Emitter produces more than two (2) gallons  
28 of water per hour. This provision also does not apply to watering or

1 irrigating by use of a hand-held bucket or similar container, a hand-held hose  
2 equipped with a positive self-closing water shut-off nozzle or device, or for  
3 very short periods of time for the express purpose of adjusting or repairing an  
4 irrigation system.

5 (ii) **Obligation to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks, or  
6 other malfunctions in the plumbing or distribution system must be repaired  
7 within forty-eight (48) hours of notification by the City of Inglewood unless  
8 other arrangements are made with the City of Inglewood.

9 (iii) **Limits on filling Ornamental Lakes or Ponds:** Filling or re-filling  
10 ornamental lakes or ponds is prohibited, except to the extent needed to  
11 sustain aquatic life, provided that such animals are of significant value and  
12 have been actively managed within the water feature prior to declaration of a  
13 supply shortage level under this ordinance.

14 (3) **Level 3 Water Supply Shortage**

15 (a) A Level 3 condition exists when the City of Inglewood declares a water  
16 shortage emergency and notifies its residents and businesses that a significant  
17 reduction in consumer demand is necessary to maintain sufficient water supplies  
18 for public health and safety. Upon the declaration of a Level 3 Water Supply  
19 Shortage condition, the City of Inglewood will implement the mandatory Level 3  
20 conservation measures identified in this section.

21 (b) **Additional Conservation Measures:** In addition to the prohibited uses  
22 of water identified in Section 10-208, the following water conservation requirements  
23 apply during a declared Level 3 Water Supply Shortage Emergency:

24 (i) **No Watering or Irrigating:** Watering or irrigating of lawn,  
25 landscape or other vegetated area with Potable Water is prohibited. This  
26 restriction does not apply to the following categories of use, unless the City of  
27 Inglewood has determined that Recycled Water is available and may be  
28 applied to the use:

- 1 \* Maintenance of vegetation, including trees and shrubs, that are  
2 watered using a hand-held bucket or similar container, hand-  
3 held hose equipped with a positive self-closing water shut-off  
4 nozzle or device;
- 5 \* Maintenance of existing landscape necessary for fire protection;
- 6 \* Maintenance of existing landscape for soil erosion control;
- 7 \* Maintenance of plant materials identified to be rare or essential  
8 to the well-being of protected species;
- 9 \* Maintenance of landscape within active public parks and  
10 playing fields, day care centers, golf course greens, and school  
11 grounds, provided that such irrigation does not exceed two (2)  
12 days per week according to the schedule and time restrictions  
13 established in this Article;
- 14 \* Actively irrigated environmental mitigation projects.
- 15 (ii) Obligation to Fix Leaks, Breaks or Malfunctions: All leaks,  
16 breaks, or other malfunctions in the plumbing or distribution systems  
17 must be repaired within twenty four (24) hours of notification by the  
18 City of Inglewood unless other arrangements are made with the City of  
19 Inglewood.
- 20 (iii) Limited Potable Water Service: Upon declaration of a Level 3  
21 Water Supply Shortage, limited new Potable Water service will be  
22 provided, limited temporary meters or permanent meters will be  
23 provided, and no ability to serve or provide Potable Water service (such  
24 as, will-serve letters, certificates, or letters of availability) will be  
25 issued, except under the following circumstances:
- 26 • A valid, unexpired construction permit and/or building
  - 27 permit has been issued for the project; or
  - 28 • The project is necessary to protect the public health, safety,

1 and welfare; or

- 2 • The applicant provides substantial evidence of an enforceable  
3 commitment that water demands for the project will be offset  
4 prior to the provision of a new water meter(s) to the  
5 satisfaction of the City of Inglewood.

6 This provision does not preclude the resetting or turn-on of  
7 meters to provide continuation of water service or the  
8 restoration of service that has been interrupted for a period of  
9 one year or less.

10 (iv) Discontinue use of ornamental fountains or similar decorative  
11 water features unless Recycled Water is used.

12 (v) Swimming Pools and Spas: Filling of swimming pools and  
13 outdoor spas is prohibited.

14 **Section 10-211. Hardship Waiver.**

15 (1) Undue and Disproportionate Hardship: If, due to unique  
16 circumstances, a specific requirement of this Article would result in undue hardship  
17 to a Person using water or to property upon which water is used, that is  
18 disproportionate to the impacts to water users generally or to similar property or  
19 classes of water users, then the Person may apply for a waiver to the requirements  
20 as provided in this section.

21 (2) Written Finding: The waiver may be granted or conditionally granted  
22 only upon a written finding of the existence of facts demonstrating an undue  
23 hardship to a Person using water or to property upon which water is used, that is  
24 disproportionate to the impacts to water users generally or to similar property or  
25 classes of water use due to specific and unique circumstances of the user or the  
26 user's property.

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1 (a) Application: Application for a waiver must be on a form prescribed by  
2 the City of Inglewood and accompanied by a non-refundable processing fee in  
3 an amount set by City of Inglewood resolution.

4 (b) Supporting Documentation: The application must be accompanied by  
5 photographs, maps, drawings, and other information, including a written  
6 statement of the applicant.

7 (c) Required Findings for Waiver: An application for a waiver will be  
8 denied unless the Director of Public Works or his designee finds, based on the  
9 information provided in the application, supporting documents, or such  
10 additional information as may be requested, and on water use information for  
11 the property as shown by the records of the City of Inglewood or its Agent, all  
12 of the following:

13 i. That the waiver does not constitute a grant of special privilege  
14 inconsistent with the limitations upon other residents and  
15 businesses;

16 ii. That because of special circumstances applicable to the property  
17 or its use, the strict application of this Article would have a  
18 disproportionate impact on the property or use that exceeds the  
19 impacts to residents and businesses generally;

20 iii. That the authorizing of such waiver will not be of substantial  
21 detriment to adjacent properties, and will not materially affect  
22 the ability of the City of Inglewood to effectuate the purpose of  
23 this Article and will not be detrimental to the public interest;  
24 and

25 iv. That the condition or situation of the subject property or the  
26 intended use of the property for which the waiver is sought is  
27 not common, recurrent or general in nature.  
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1 (d) Approval Authority: The Director of Public Works or his designee must  
2 act upon any completed application no later than ten (10) days after  
3 submittal and may approve, conditionally approve, or deny the waiver. The  
4 applicant requesting the waiver must be promptly notified in writing of any  
5 action taken. Unless specified otherwise at the time a waiver is approved,  
6 the waiver will apply too the subject property during the period of the  
7 mandatory water supply shortage condition. The decision of the Director of  
8 Public Works or his designee shall be final.

9 **Section 10-212 Penalties and Violations**

10 (1) Misdemeanor: Any violation of this Article may be prosecuted as a  
11 misdemeanor punishable by imprisonment in the county jail for not more than  
12 thirty (30) days, or by a fine not exceeding one thousand dollars (\$1,000), or by both.

13 (2) Penalties: Penalties for failure to comply with any provisions of the  
14 ordinance are as follows:

15 (a) First Violation: The City of Inglewood will issue a written warning.

16 (b) Second Violation: A second violation within the preceding twelve (12)  
17 calendar months is punishable by a fine not to exceed one hundred dollars  
18 (\$100).

19 (c) Third Violation: A third violation within the preceding twelve (12)  
20 calendar months is punishable by a fine not to exceed two hundred and fifty  
21 dollars (\$250).

22 (d) Fourth and Subsequent Violations: A fourth and any subsequent  
23 violation is punishable by a fine not to exceed five hundred (\$500).

24 i. Water Flow Restrictor: In addition to any fines, the City of  
25 Inglewood may install a water flow restrictor device of  
26 approximately one gallon per minute capacity for services up to  
27 one and one-half inch size and comparatively sized restrictors  
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1 for larger services after written notice of intent to install a flow  
2 restrictor for a minimum of forty eight (48) hours.

3 (ii) Discontinuing Service: In addition to any fines and the  
4 installation of a water flow restrictor, the City of Inglewood may  
5 disconnect a customer's water service for willful violations of  
6 mandatory restrictions in this Article.

7 (3) Cost of Flow Restrictor and Disconnecting Service: A Person or entity  
8 that violates this ordinance is responsible for payment of the City of Inglewood's  
9 charges for installing and/or removing any flow restricting device and for  
10 disconnecting and/or reconnecting service per the City of Inglewood's schedule of  
11 charges then in effect. The charge for installing and/or removing any flow  
12 restricting device must be paid to the City of Inglewood before the device is  
13 removed. Nonpayment will be subject to the same remedies as nonpayment of basic  
14 water rates.

15 (4) Separate Offenses: Each day that a violation of this ordinance occurs  
16 is a separate offense.

17 **Section 213 Notice and Hearing**

18 (1) The City of Inglewood will issue a Notice of Violation by mail or  
19 personal delivery at least ten (10) days before taking enforcement action. Such  
20 notice must describe the violation and the date by which corrective action must be  
21 taken. A customer may appeal the Notice of Violation by filing a written notice of  
22 appeal with the Director of Public Works no later than the close of business on the  
23 day before the date scheduled for enforcement action. Any Notice of Violation not  
24 timely appealed will be final. Upon receipt of a timely appeal, a hearing on the  
25 appeal will be scheduled before the Director of Public Works or his designee within  
26 twenty-one (21) calendar days, and the City of Inglewood will mail written notice of  
27 the hearing date to the customer at least ten (10) days before the date of the  
28 hearing.



1 (2) Pending receipt of a written appeal or pending a hearing pursuant to  
2 an appeal, the City of Inglewood may take appropriate steps to prevent the  
3 unauthorized use of water as appropriate to the nature and extent of the violations  
4 and the current declared water Level condition.

5 **Section 10-214 Authority to Issue Violation and Enforce the Code**

6 The Public Works Department and Code Enforcement Division shall have the  
7 duties of investigation and enforcement of this article. They both shall have the  
8 authority to issue citations for water conservation and water efficient landscape  
9 violations, and disconnect/reconnect services upon findings.

10 **SECTION 2.** The City Council hereby declares this ordinance an emergency  
11 ordinance affecting the public peace, health, safety, comfort, convenience and  
12 general welfare of the City of Inglewood, its citizens and the general public and  
13 specifically finds:

- 14 (a) The City receives its water supply from two sources: 80% from  
15 Metropolitan Water District, through West Basin Municipal  
16 Water District (surface water from Colorado River and  
17 Northern California), and 20% from local groundwater  
18 produced from City wells; and
- 19 (b) Both surface water and ground water supply is continuously  
20 depleting due to dry weather conditions requiring reduction in  
21 consumption; and
- 22 (c) City well production capacity has substantially depleted due to  
23 age of the four (4) existing wells (2 wells drilled in 1974 and  
24 one in 1990); and
- 25 (d) The City will be primarily dependent on surface water supply  
26 because it will be 2-3 years before the City drills two new wells  
27 and improves its local water supply; and
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- (e) There is a need for water conservation and regulations because there is a limited supply of water available to serve the residents and businesses of the City; and
- (f) Careful water management that includes water conservation measures to ensure a reliable minimum supply of water to meet current and future water supply needs; and
- (g) 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 of water should be prevented, and conservation of water should be fully exercised with a view to the reasonable and beneficial use thereof; and
- (h) 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
- (i) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act Based on drought conditions; and
- (j) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions; and
- (k) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist; and
- (l) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and
- (m) The California State Water Resources Control Board adopted *Article X. Prohibition of Activities and Mandatory Actions*

1                    *During Drought Emergency* at its July 15, 2014, meeting,  
2                    which became effective August 1, 2014; and

3                    (n) Urban water suppliers, like the City, that violate mandatory  
4                    actions approved by the California State Water Resources  
5                    Control Board could be subject to cease and desist orders for  
6                    violating emergency regulations with fines up to \$10,000 per  
7                    day per violation. Or the matter could be referred to the  
8                    Attorney General's Office for further action; and

9                    (o) The California Water Code, Section 10632 requires that stages  
10                    of action be undertaken by urban water suppliers in response  
11                    to water supply shortages, including up to a 50 percent  
12                    reduction in water supply; and

13                    (p) The adoption and enforcement of this emergency ordinance is  
14                    necessary to manage the City's Potable Water supply and to  
15                    avoid or minimize the effects of drought and shortage within  
16                    the City; and

17                    (q) That this Ordinance and actions taken hereafter pursuant to it  
18                    are exempt from the California Environmental Quality Act as  
19                    specific actions necessary to prevent or mitigate an emergency  
20                    pursuant to Public Resources Code Section 21080(b)(4) and the  
21                    California Environmental Quality act Guidelines Section  
22                    15269(c).

23 **SECTION 3.**        The City Council hereby declares that the provisions of this  
24 Ordinance are severable, and if for any reason a court of competent jurisdiction  
25 shall hold any sentence, paragraph or section of this ordinance to be invalid, or if  
26 any provision of this ordinance be invalidated by the enactment of a state or  
27 federal statute, such judicial decision or statute enactment shall not affect the  
28 validity of the remaining parts of this ordinance.

1 SECTION 4. This ordinance shall take effect and be in full force  
2 immediately upon the final passage and adoption thereof, as provided in the  
3 Inglewood City Charter.

4 SECTION 5. The City Clerk shall certify to the passage and adoption of this  
5 ordinance and to its approval by the City Council and shall cause the same to be  
6 published in accordance with the City Charter.

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8 Passed, approved and adopted this 21st day of October, 2014.

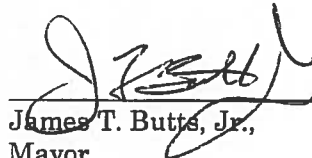
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James T. Butts, Jr.,  
Mayor

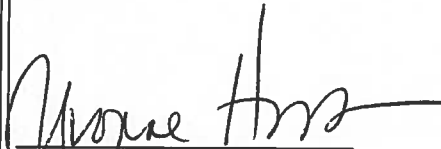
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ATTEST:

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Yvonne Horton  
City Clerk

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