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

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

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

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

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

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

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

SECTION 1 

The City Council of the City of Inglewood finds that aforementioned recitals 
are true and incorporated herein. Furthermore, the Inglewood City Council finds 
that amending Section 5-110, of Article 7 of Chapter 5 and that creating Article 19 
(Water Conservation and Water Supply Program) of Chapter 10 (Public Works) is 
hereby needed and therefore added to the Inglewood Municipal Code to read as 
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
Water Supply Shortage Program” and shall be known as such throughout this Code.

Section 10-205. Purpose and Intent:

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

(2) This Article establishes permanent water conservation standards intended to alter behavior related to water use efficiency at all times and further establishes three 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 and decreasing supplies.

Section 10-206 Application

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

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

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

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

(5) This Article is intended solely to further the conservation of Potable Water. It is not intended to implement any provision of Federal, State, or Local Statutes, Ordinances, or Regulations relating to protection of water quality or control of drainage or Runoff. Refer to the local jurisdiction or the Los Angeles
Regional Water Quality Control Board for information on any storm-water ordinances and storm water management plans.

Section 10-207 Definitions

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

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

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

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

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

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

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

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

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

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

"Station" means an area served by one valve or by a set of valves that operate simultaneously.
Section 10-208. Permanent Water Conservation Requirements

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

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

2. Limit on Watering Duration: Watering or irrigating of lawn, 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 watering per day per Station. This subsection does not apply to landscape irrigation systems that exclusively use very low-flow drip type irrigation systems when noEmitter produces more than two (2) gallons of water per hour and weather-based controllers or stream rotor sprinklers that meet a 70% efficiency standard.

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

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

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

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

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

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

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

(10) No Installation of Single Pass Cooling Systems: Installation of Single
Pass Cooling Systems is prohibited in buildings requesting new water service.
(11) No Installation of Non-re-circulating Water Systems in Commercial Car Wash and Laundry Systems: Installation of non-re-circulating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.

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

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

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

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

Section 10-210. Level of Water Shortage:

(1) Level 1 Water Supply Shortage

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

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

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

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

(2) Level 2 Water Supply Shortage

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

(b) Additional Conservation Measures: In addition to the prohibited uses
of water identified in Section 10.208, the following additional water conservation
requirements apply during a declared Level 2 Water Supply Shortage:

(i) Watering Days: Watering or irrigating of lawn, landscape or other
vegetated area with Potable Water is limited to two (2) days per week during
the months of April through October on a schedule established and posted by
the City of Inglewood. During the months of November through March,
watering or irrigating of lawn, landscape or other vegetated area with
Potable Water is limited to no more than one (1) day per week on a schedule
established and posted by the City of Inglewood. This provision does not
apply to landscape irrigation zones that exclusively use very low flow drip
type irrigation systems when no Emitter produces more than two (2) gallons
of water per hour. This provision also does not apply to watering or
irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

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

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

(3) Level 3 Water Supply Shortage

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

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

(i) No Watering or Irrigating: Watering or irrigating of lawn, landscape or other vegetated area with Potable Water is prohibited. This restriction does not apply to the following categories of use, unless the City of Inglewood has determined that Recycled Water is available and may be applied to the use:
* Maintenance of vegetation, including trees and shrubs, that are watered using a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device;

* Maintenance of existing landscape necessary for fire protection;

* Maintenance of existing landscape for soil erosion control;

* Maintenance of plant materials identified to be rare or essential to the well-being of protected species;

* Maintenance of landscape within active public parks and playing fields, day care centers, golf course greens, and school grounds, provided that such irrigation does not exceed two (2) days per week according to the schedule and time restrictions established in this Article;

* Actively irrigated environmental mitigation projects.

(ii) Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the plumbing or distribution systems must be repaired within twenty-four (24) hours of notification by the City of Inglewood unless other arrangements are made with the City of Inglewood.

(iii) Limited Potable Water Service: Upon declaration of a Level 3 Water Supply Shortage, limited new Potable Water service will be provided, limited temporary meters or permanent meters will be provided, and no ability to serve or provide Potable Water service (such as, will-serve letters, certificates, or letters of availability) will be issued, except under the following circumstances:

* A valid, unexpired construction permit and/or building permit has been issued for the project; or

* The project is necessary to protect the public health, safety,
and welfare; or

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

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

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

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

Section 10-211. Hardship Waiver.

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

(2) Written Finding: The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a Person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.
(a) Application: Application for a waiver must be on a form prescribed by the City of Inglewood and accompanied by a non-refundable processing fee in an amount set by City of Inglewood resolution.

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

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

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

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

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

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

Section 10-212 Penalties and Violations

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

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

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

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

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

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

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

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

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

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

Section 213 Notice and Hearing

(1) The City of Inglewood will issue a Notice of Violation by mail or personal delivery at least ten (10) days before taking enforcement action. Such notice must describe the violation and the date by which corrective action must be taken. A customer may appeal the Notice of Violation by filing a written notice of appeal with the Director of Public Works no later than the close of business on the day before the date scheduled for enforcement action. Any Notice of Violation not timely appealed will be final. Upon receipt of a timely appeal, a hearing on the appeal will be scheduled before the Director of Public Works or his designee within twenty-one (21) calendar days, and the City of Inglewood will mail written notice of the hearing date to the customer at least ten (10) days before the date of the hearing.
(2) Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the City of Inglewood may take appropriate steps to prevent the unauthorized use of water as appropriate to the nature and extent of the violations and the current declared water Level condition.

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

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

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

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

(b) Both surface water and ground water supply is continuously depleting due to dry weather conditions requiring reduction in consumption; and

(c) 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

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

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

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

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

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

SECTION 3. The City Council hereby declares that the provisions of this Ordinance are severable, and if for any reason a court of competent jurisdiction shall hold any sentence, paragraph or section of this ordinance to be invalid, or if any provision of this ordinance be invalidated by the enactment of a state or federal statute, such judicial decision or statute enactment shall not affect the validity of the remaining parts of this ordinance.
SECTION 4. This ordinance shall take effect and be in full force immediately upon the final passage and adoption thereof, as provided in the Inglewood City Charter.

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

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

JAMES T. BUTTS, JR.
James T. Butts, Jr.,
Mayor

ATTEST:

YVONNE HORTON
Yvonne Horton
City Clerk