

**ORDINANCE No. 660**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORNING DECLARING A STAGE TWO DROUGHT CONDITION AND AMENDING, IN PART, CHAPTER 13.14 OF THE CORNING MUNICIPAL CODE ESTABLISHING WATER USE REGULATIONS TO BE EFFECTIVE DURING A STAGE TWO DROUGHT CONDITION**

The City Council of the City of Corning does ordain as follows:

**SECTION 1-AMENDMENT**

Section 13.14.030 entitled, "Stage II – Mandatory twenty-five percent reduction" is amended to read in its entirety as follows:

**13.14.030 Stage II – Mandatory Reduction of Outdoor Irrigation of Ornamental Landscapes or Turf with Potable Water**

- A.** All customers must reduce their consumption in accordance with the following provisions:
1. All customers must limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week;
  2. Outdoor irrigation shall be limited to between the hours of 8:00 p.m. and 8:00 a.m.
  3. Upon a customer's violation of Section 13.14.030 (A)(1) or (2) the Public Works Director for the City of Corning shall provide an advisory letter of the violation. Every subsequent violation occurring in the following 12-month period shall be assessed a penalty of \$50.00 per day for each violation.
- B.** New water service connections may be granted by the Public Works Director upon the condition that the water shall be used for internal purposes, or if used outside the onsite structure for landscaping, it shall be used to irrigate landscape features that are drought tolerant (xeriscape) plants until drought conditions are lifted. The following consumption conditions will be applicable:
1. New service will be limited to eleven thousand gallons of water per month, and such water will be charged at the current rates in effect.
  2. A penalty of \$50.00 per day for each and every day the eleven thousand gallon allotment is exceeded and where water usage continues to occur by the customer in that given month;
- C.** Water service to landscape maintenance districts, parks, cemeteries and other services which fall in this category will be required to comply with the same restrictions as the other customers. Notwithstanding this directive, the City Council for the City of Corning may find and declare that a particular property is temporarily exempt from compliance with the provision of this Section where the following is determined:
1. That the property is presently bound to abide by the water conservancy measures imposed by the City of Corning;
  2. That the property is accessible to the general public; and
  3. That by granting a temporary exemption of the water conservation measures imposed in this Section, a substantial benefit is derived to the general public accessing such property.

D. Water service for construction projects will be handled on a case-by-case basis. A written request detailing the needs, time of use, etc., will be required and reviewed by staff. Final approval for services in this category (construction projects) will be granted by the Director of Public Works. Services in this category will be monitored on a project basis.

#### **SECTION 2-IMPLEMENTING STAGE TWO WATER CONSERVATION CONDITIONS**

**BE IT FURTHER ORDAINED** that the City of Corning declares the current situation to be a Stage II water conservancy period, and to the extent the terms and provisions of this Ordinance are inconsistent or in conflict with the terms and provisions of any prior City Ordinance, Resolution, Rule or Regulation, the terms of this Ordinance shall prevail, and inconsistent and conflicting provisions of prior Ordinances, Resolutions, Rules and Regulations shall be suspended during the effective period of this Ordinance.

#### **SECTION 3-REPORTING**

**BE IT FURTHER ORDAINED** that the City of Corning, California shall report, in a form satisfactory to the State confirms compliance that the distributor limited outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week (23 California Code Regulations § 865(f)(2)), or other mandatory measures intended to achieve a 25% reduction in water consumption relative to the amount consumed in 2013;

#### **SECTION 4-ADDITIONAL MEASURES BY THE STATE OF CALIFORNIA**

**BE IT FURTHER ORDAINED** that in the event the State adopts mandatory water conservation measures requiring implementation by the City during a water shortage emergency, and such State mandate measures require additional water conservation actions beyond the City's currently enforceable conservation measures, such State-mandated measures shall automatically be deemed to be fully incorporated and part of this Ordinance and enforceable by the City.

**BE IT FURTHER ORDAINED** that if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be unconstitutional or invalid.

#### **SECTION 5-ADDITIONAL PURPOSE AND AUTHORITY**

The purpose of this Ordinance is to modify the Water Conservation Ordinance to amend Chapter 13.14 (in part) of the Corning Municipal Code and to implement the Emergency Drought Regulations imposed by State Water Resources Control Board Resolution 2015-0032. This Ordinance is necessary to protect the supply of water for human consumption, sanitation and fire protection.

#### **SECTION 6-PUBLICATION AND EFFECTIVE DATE**

Pursuant to Government Code Section 36933, this Ordinance, or a summary hereof, shall be published at least five (5) days prior to adoption and within fifteen (15) days after its adoption together with the names of the Council Members voting for and against it, in a newspaper of general circulation published and printed in Tehama County and circulated in the City of Corning. This Ordinance shall take effect thirty (30) days after its adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Corning on **May 26, 2015**, and adopted at a regular meeting of the City Council of the City of Corning to be held on **June 9, 2015** by the following vote:

**AYES: Strack, Dickison, Linnet, Cardenas and Smith**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

  
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**Gary R. Strack, Mayor**

**ATTEST:**

  
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**Lisa M. Linnet, City Clerk**

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**STATE OF CALIFORNIA**

**COUNTY OF TEHAMA**

**CITY OF CORNING**

I, Lisa M. Linnet, City Clerk of the City of Corning do hereby certify that the foregoing is a true and correct copy of Ordinance No. 660 This Ordinance was introduced at a regular meeting of the City Council of the City of Corning held on May 26, 2015 and adopted at a regular meeting of the City Council of the City of Corning held on June 9, 2015 by the votes listed on the attached copy of the Ordinance. Ordinance No. 660 was published in a newspaper of general circulation within the required legal time lines.

**ATTEST:**

  
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**Lisa M. Linnet, City Clerk**