

**ORDINANCE NO. 1768 N.C. (2d)**

**AN ORDINANCE OF THE CITY OF VALLEJO  
AMENDING CHAPTER 11.54 OF THE VALLEJO MUNICIPAL CODE  
RELATED TO WASTEFUL WATER USE PROHIBITION**

**WHEREAS**, on April 7, 2017, Governor Edmund G. Brown, Jr. issued Executive Order B-40-17 directing the State Water Resources Control Board (SWRCB) to rescind portions of the State's existing drought emergency regulations that require mandatory conservation standards for urban water agencies and to continue the portions prohibiting wasteful water practices; and

**WHEREAS**, on April 26, 2017, the SWRCB adopted Resolution No. 2017-0024, partially repealing the regulation for statewide urban water conservation, including those portions requiring mandatory conservation standards; and

**WHEREAS**, the water use restrictions previously adopted by Council in May 2015 and included in Ordinance No. 1708 N.C. (2d) should be revised to remove watering restrictions rescinded by the State, while retaining those that prohibit wasteful water practices; and

**WHEREAS**, retaining enforcement through the administrative citation procedure will support the efficient use of the City's water resources.

**THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Section 11.54.030 – Regulations and restrictions on water use – of the Vallejo Municipal Code is amended and shall read as follows:

- A. To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with the term or condition in a permit issued by a state or federal agency:
1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
  2. The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
  3. The application of potable water to driveways and sidewalks;
  4. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;
  5. The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
  6. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafés, cafeterias, bars, or other public places where food or drink are served and/or purchased;

7. The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development as adopted by the city;
  8. Allowing potable water to escape from breaks within the customer's plumbing system for more than thirty-six hours after the customer is notified or discovers the break.
  9. The use of potable water for construction, compaction, dust control, street or parking lot sweeping, or building wash down where nonpotable or recycled water is available in sufficient quantities.
  10. The use of single-pass cooling systems;
  11. The use of nonrecirculating systems in new conveyor car wash facilities.
- B. To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

**SECTION 2.** Section 11.54.050 – Drought restrictions - of the Vallejo Municipal Code is hereby repealed in its entirety.

**SECTION 3.** Section 11.54.060 – Enforcement and penalties - of the Vallejo Municipal Code is amended and shall read as follows:

Violations of any provision of Section 11.54.030 shall be enforced as follows:

- A. For a first violation, the customer shall receive a notice of violation.
- B. For a second violation, the customer shall receive an administrative citation with a fine of two hundred dollars.
- C. For a third violation, the customer shall receive an administrative citation with a fine of five hundred dollars.
- D. Administrative citations shall be issued pursuant to chapter 1.15.

#### **SECTION 4. SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect and be in full force thirty (30) days from and after its final passage.

FIRST READ at a regular meeting of the Council of the City of Vallejo held on the 11th day of July 2017 and finally passed and adopted at a regular meeting of the Council held on the 25th day of July 2017, by the following vote:

AYES: Mayor Sampayan, Vice-Mayor McConnell, Councilmembers Malgapo, Meissner, Sunga and Verder-Aliga  
NOES: None  
ABSENT: Councilmember Dew-Costa  
ABSTAIN: None

  
BOB SAMPAYAN, MAYOR

ATTEST:

  
DAWN G. ABRAHAMSON, CITY CLERK

