

ORDINANCE NUMBER O- 20699 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 04 2016

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 7, DIVISION 38 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 67.3802, 67.3803, AND 67.3805, ALL RELATING TO EMERGENCY WATER REGULATIONS.

WHEREAS, the City’s Emergency Water Regulations were last modified on June 29, 2015, by San Diego Ordinance No. 20517, to reflect State mandates; and

WHEREAS, on May 9, 2016, Governor Brown issued Executive Order B-37-16, directing actions aimed at using water wisely, reducing water waste, and improving water use efficiency; and

WHEREAS, the Executive Order B-37-16 directed the State Water Resources Control Board (SWRCB) to permanently prohibit practices that waste potable water and adjust emergency water conservation regulations through January 2017, in recognition of differing water supply conditions across the state; and

WHEREAS, on May 18, 2016, the SWRCB adopted amendments to its emergency regulations; and to be consistent with the SWRCB emergency regulations, the San Diego Municipal Code (SDMC) Sections 67.3802, 67.3803, and 67.3805 need to be amended; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 6, Article 7, Division 38 of the SDMC is amended by amending sections 67.3802, 67.3803, and 67.3805 to read as follows:

§ 67.3802 Definitions

Cascading through Grower [No change in text.]

Measurable Rainfall means a period during and within 48 hours after rainfall of 1/8 of an inch or more recorded at the nearest reporting weather station for the customer.

Metropolitan through Water Conservation [No change in text.]

§ 67.3803 Water Waste Prohibitions

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 a term or condition in a permit issued by a state or federal agency:

- (a) 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.
- (b) through (e) [No change in text.]
- (f) Using 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.
- (g) [No change in text.]
- (h) Serving drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served or purchased.

- (i) Operating a hotel or motel without providing guests the option of choosing not to have towels and linens laundered daily, or operating a hotel or motel without prominently displaying notice of this option in each guestroom using clear and easily understood language.
- (j) [No change in text.]
- (k) The irrigation with potable water of ornamental turf on public street medians.
- (l) 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.
- (m) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall.

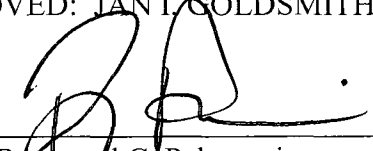
§ 67.3805 Drought Response Level 1 – Drought Watch Condition

- (a) [No change in text.]
- (b) (1) through (6) [No change in text.]

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Raymond C. Palmucci
Deputy City Attorney


RCP:mt:bas
July 1, 2016
Or.Dept:Public Utilities
Doc. No.: 1305848_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 26 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/3/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 7,
DIVISION 38 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 67.3802, 67.3803 AND 67.3805, ALL
RELATING TO EMERGENCY WATER REGULATIONS.

§ 67.3802 Definitions

The following words and phrases whenever used in this Division will have the meaning defined in this section:

Cascading Fountain through *Grower* [No change in text.]

Measurable Rainfall means a period during and within 48 hours after rainfall of 1/8 of an inch or more recorded at the nearest reporting weather station for the customer.

Metropolitan through *Potted Plant* [No change in text.]

~~*Rain Event* means a period during or within 48 hours after measurable precipitation of 1/8 an inch or more recorded at the nearest reporting weather station for the customer.~~

Recreational Fountain through *Water Conservation* [No change in text.]

§ 67.3803 Water Waste Prohibitions

~~The following restrictions will be in effect at all times.~~

To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions are prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- (a) ~~A customer shall not allow water to leave the customer's property by drainage onto adjacent properties or public or private roadways or streets or gutters due to excessive irrigation and/or uncorrected leaks.~~
- (a) 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.
- (b) through (e) [No change in text.]
- (f) ~~Vehicle washing shall only be done in a commercial car wash or using a hose with an automatic shutoff nozzle or hand held container.~~
- (f) Using 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.
- (g) [No change in text.]
- (h) ~~Restaurants and other food establishments shall only serve and refill water upon request.~~
- (h) Serving drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served or purchased.

- (i) ~~Guests in hotels, motels, and other commercial lodging establishments shall be provided the option of not laundering towels and linens daily.~~
- (i) Operating a hotel or motel without providing guests the option of choosing not to have towels and linens laundered daily, or operating a hotel or motel without prominently displaying notice of this option in each guestroom using clear and easily understood language.
- (j) [No change in text.]
- (k) The irrigation with potable water of ornamental turf on public street medians.
- (l) 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.
- (m) The application of potable water to outdoor landscapes during and within 48 hours after *measurable rainfall*.

§ 67.3805 Drought Response Level 1 – Drought Watch Condition

- (a) [No change in text.]
- (b) [No change in text.]
- (1) through (6) [No change in text.]
- (7) ~~Irrigation is prohibited during a *rain event*.~~

RCP:mt:bas
July 1, 2016
Dept.: Public Utilities
Doc. No.: 1315911_2

Passed by the Council of The City of San Diego on JUL 26 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 04 2016

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Janette G. [Signature]*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 12 2016

AUG 04 2016

, and on

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Janette G. [Signature]*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20699