



RESOLUTION NO. 2015-02

DECLARING A DROUGHT EMERGENCY AND IMPLEMENTING WATER CONSERVATION MEASURES AS MANDATED BY THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS, California Water Code section 71642 authorizes the governing body of a municipal water district to find the existence or threat of a drought emergency or other threatened or existing water shortage, and that finding is prima facie evidence of the fact or matter so found, and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding is made by the board by resolution or ordinance; and

WHEREAS, pursuant to Water Code section 71640, the City may restrict the use of City-supplied water during the drought emergency or other water shortage condition and may prohibit the wastage of district water or the use of district water during such periods for any purpose other than household uses or other restricted uses as the District determines to be necessary; and

WHEREAS, on April 1, 2015, the Governor of the State of California issued Executive Order B-29-15 that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable water usage through February 28, 2016;

WHEREAS, the Governor's Executive Order acknowledged that California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with reduced flows in the state's rivers and shrinking supplies in underground water basins; and

WHEREAS, the Governor's Executive Order also noted that the distinct possibility exists that current drought will stretch into a fifth straight year in 2016 and beyond; and

WHEREAS, in 1977, having declared a water shortage emergency, the City Council adopted Ordinance 160 § 1, 1977 adding Chapter 13.08 Water Rationing; and

WHEREAS, a water shortage emergency condition prevails in the area served by the area, due to conditions prevailing throughout the state of California and in the service area of the city; and

WHEREAS, on March 12, 2014, the City Council appointed Council members Dwight Miller and Jack West to serve as the Water Committee and work with city staff in the event water conservation/rationing measures are necessary in the future; and

WHEREAS, City staff has taken measures to account for and reduce water use and the water committee has determined it appropriate to put into force and effect the Water Rationing Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Trinidad City Council, as follows:

1. Pursuant to Water Code section 71642, and for the reasons set forth herein, the City Council finds the existence or threat of a drought and declares that drought emergency prevails; and
2. Pursuant to Trinidad Municipal Code 13.08, the City Council may adopt restrictions and prohibitions on the delivery and consumption of water within the service area so that the water supply can be conserved for the greater public benefit. To comply with State regulations and 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. 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;
 - c. The application of potable water to driveways and sidewalks; and
 - d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;
 - e. The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
 - f. The irrigation with potable water outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements; and
 - g. Limiting outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days a week on Saturdays and Wednesdays.
3. Pursuant to Trinidad Municipal Code 13.08, the water committee and the City Manager (in place of the Police Chief) have the duty and are authorized to enforce the provisions of the chapter. Violations and penalties are provided by the Water Rationing codes. Staff has been directed to provide public education about the prohibited water uses, water conservation and the drought conditions.
4. Pursuant to Water Code section 71641 and Government Code section 6061, the City of Trinidad shall publish in a newspaper of general circulation any ordinance setting forth the restrictions, prohibitions, and exclusions determined by the City to be necessary under Water Code section 71640; and
5. This drought emergency or water shortage condition shall be presumed to continue unchanged unless and until a contrary finding is made by the board by resolution or ordinance; and
6. The City Council requests that federal and state agencies provide financial and other assistance to residents, water suppliers, water rights holders, ranchers, farmers, business owners and any local governments who are harmed by the drought emergency in its territorial limits to help them mitigate the effects of the persistent drought conditions.

PASSED AND ADOPTED BY THE TRINIDAD CITY COUNCIL of Humboldt County of the State of California on Wednesday, May 13, 2015.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the Trinidad City Council by the following vote:

Ayes:	West, Miller, Fulkerson, Baker, Winnett
Noes:	None
Absent:	None
Abstain:	None

Attest:



Gabriel Adams
Trinidad City Clerk



Julie Fulkerson
Mayor