

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Environmental Resources

BOARD AGENDA # B-8

Urgent Routine

AGENDA DATE May 19, 2015

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Introduce, Waive the Reading, and Adopt, as an Urgency Measure, an Ordinance Amending Provisions of the Water Conservation Program (Chapter 14.12) to Strengthen Water Conservation Measures Related to Landscape Irrigation and Outdoor Water Use

STAFF RECOMMENDATIONS:

1. Find and determine that the subject ordinance is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as an action by a regulatory agency to protect natural resources pursuant to CEQA Guidelines section 15307, and authorize the Director of Environmental Resources to file a Notice of Exemption with the Clerk-Recorder.
2. Find and determine that reduced supply of potable water due to extended drought conditions in Stanislaus County and throughout California poses an immediate threat to the health, safety, and welfare of County residents, which requires adoption of this ordinance as an urgency measure that will take effect immediately.

(Continued on Next Page)

FISCAL IMPACT:

The revised ordinance may result in the need for additional enforcement activities by the Department of Environmental Resources. If additional temporary staffing becomes necessary to handle the workload, the Department will request an adjustment in appropriations at a future date and will cover the cost through its existing fund balance.

BOARD ACTION AS FOLLOWS:

No. 2015-225

On motion of Supervisor Monteith, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION: INTRODUCED, ADOPTED, AND WAIVED THE READING OF ORDINANCE C.S. 1164

ATTEST: 
ELIZABETH A. KING, Assistant Clerk

Approval to Introduce, Waive the Reading, and Adopt, as an Urgency Measure, an Ordinance Amending Provisions of the Water Conservation Program (Chapter 14.12) to Strengthen Water Conservation Measures Related to Landscape Irrigation and Outdoor Water Use

STAFF RECOMMENDATIONS (CONTINUED):

3. Introduce, Waive the Reading, and Adopt, as an Urgency Measure, an ordinance amending provisions of the Water Conservation Program (Chapter 14.12) to regulate landscape irrigation and outdoor water use.

DISCUSSION:

The State of California, including the County of Stanislaus, is experiencing the worst recorded drought in California's history. With snowpack water content at a record low level of five percent of average for April 1st, major reservoir storage shrinking each day as a percentage of their daily average measured over the last several decades, and groundwater levels continuing to decline, urgent action is needed to strengthen the conservation of water. On April 1, 2015, Governor Edmund G. Brown, Jr., initiated the first ever statewide mandatory water reductions in Executive Order No. B-29-15 with the intention of saving water through increased enforcement to prevent waste, streamlining the State's drought response and investing in new technologies that will assist the State of California to become more drought resilient, and importantly, imposes mandatory conservation of potable water use.

In response to the Governor's Executive Order, the State Water Resources Control Board (Water Board) issued on May 5, 2015, Resolution No. 2015-0032 (Emergency Order) to adopt an emergency regulation for statewide urban water conservation efforts. The Emergency Order is included as Attachment 1. The proposed ordinance is being revised to conform with that Emergency Order.

The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:

- Irrigation with potable water of ornamental turf on public street medians is prohibited; and
- Irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

These are in addition to the existing restrictions that prohibit:

- Using potable water to wash sidewalks and driveways;
- Allowing runoff when irrigating with potable water;
- Using hoses with no shutoff nozzles to wash cars;
- Using potable water in decorative water features that do not recirculate the water;
- Irrigating outdoors during and within 48 hours following measureable rainfall; and
- Restaurants from serving water to their customers unless the customer requests it.

Approval to Introduce, Waive the Reading, and Adopt, as an Urgency Measure, an Ordinance Amending Provisions of the Water Conservation Program (Chapter 14.12) to Strengthen Water Conservation Measures Related to Landscape Irrigation and Outdoor Water Use

In recognition of the severity of the statewide drought situation and in an effort to align local, regional, and State efforts with regards to the emergency drought, staff recommends that the Board of Supervisors consider amending the existing Stanislaus County Water Conservation regulation (Ordinance 14.12, Water Conservation). If adopted, the changes would be permanent until the ordinance is modified. This ordinance was originally adopted in 1990 (in the midst of the historic 1987-1992 statewide drought) and last modified in 2004, after a short, two-year drought had occurred. The ordinance applies to all unincorporated areas within the County's jurisdiction. The primary purpose of the amended ordinance would be to incorporate the Water Board's Emergency Resolution and to change the time and days of the week that outdoor water use would be allowed. Essentially the ordinance would be amended to reflect that outdoor water use would only be allowed to occur two days per week, which aligns with the majority of the nine local cities as summarized below, and only during the hours between 7:00 p.m. and 9:00 a.m. The amended ordinance is included as Attachment 2.

Jurisdiction	Current # of Water Days	Proposed Change	Effective Date	Restricted Watering Hours
Ceres	3 days/week	2 days/week	June 1, 2015	Noon – 7 pm
Hughson	3 days/week	N/A	N/A	Noon – 7 pm
Modesto	2 days/week	N/A	N/A	9 am – 7 pm
Newman	7 days/week	2 days/week	June 25, 2015	1 pm – 6 pm
Oakdale	4 days/week	N/A	N/A	10 am – 7 pm
Patterson	2 days/week	N/A	N/A	N/A
Riverbank	4 days/week	2 days/week	Asking residents to voluntarily comply	Noon – 7 pm
Turlock	2 days/week	N/A	N/A	6 am – 9 pm Weekdays; 12 pm – 12 am Weekends
Waterford	2 days/week	N/A	N/A	11 am – 7 pm
Stanislaus Co.	3 days/week	2 days/week	May 19, 2015	9 am – 7 pm

Additionally, inter-departmental County staff are presently developing a county-wide facilities implementation strategy to align with the Water Board's Emergency Resolution. This will involve developing an inventory of all County-owned properties and irrigated landscape parcels and compiling these locations into a single comprehensive map. All water utility source suppliers will be identified in order to conform with those utilities' specific water shortage rules. All facilities (indoor and outdoor) will be evaluated for their water system efficiency from which various response mechanisms will be identified

Approval to Introduce, Waive the Reading, and Adopt, as an Urgency Measure, an Ordinance Amending Provisions of the Water Conservation Program (Chapter 14.12) to Strengthen Water Conservation Measures Related to Landscape Irrigation and Outdoor Water Use

with the intent to conserve as much water as possible. The costs of such projects and maintenance programs will be evaluated for their optimum overall effectiveness with respect to their potential water savings benefit. Much of the focus of this effort will be directed toward large outdoor irrigated turfgrass landscaped properties. The Planning and Community Development Department is also evaluating the prohibitions that apply to new construction to ensure compliance.

POLICY ISSUE:

The recommended actions support the Board's priorities of A Safe Community, A Healthy Community, the Efficient Delivery of Public Services, A Well Planned Infrastructure System, and a Strong Local Economy by providing adequate protection of one of the County's most valuable natural resources.

STAFFING IMPACT:

Existing staff within the Department of Environmental Resources will continue to enforce the County's Water Conservation Program. If necessary, part-time extra help labor will be brought on to handle the enforcement workload.

CONTACT INFORMATION:

Jami Aggers, Director of Environmental Resources	Telephone: 209-525-6770
Walter Ward, Water Resources Manager	Telephone: 209-525-6710

ATTACHMENTS:

1. State Water Resources Control Board Resolution
2. Amended Ordinance

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2015-0032**

**TO ADOPT AN EMERGENCY REGULATION FOR
STATEWIDE URBAN WATER CONSERVATION**

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order

(April 2014 Proclamation) to strengthen the State's ability to manage water and habitat effectively in drought conditions, and called on all Californians to redouble their efforts to conserve water. The April 2014 Proclamation finds that the continuous severe drought conditions present urgent challenges across the State, including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity, if drought conditions continue into 2015. The April 2014 Proclamation also suspends the environmental review required by the California Environmental Quality Act to allow the emergency regulation and other actions to take place as quickly as possible;

2. The April 2014 Proclamation refers to the Governor's Proclamation No. 1-17-2014, issued on January 17, 2014, declaring a drought State of Emergency to exist in California due to severe drought conditions (January 2014 Proclamation). The

January 2014 Proclamation finds that dry conditions and lack of precipitation present urgent problems to drinking water supplies and cultivation of crops, which put farmers' long-term investments at risk. The conditions also threaten the survival of animals and plants that rely on California's rivers, including many species in danger of extinction. The January 2014 Proclamation also calls on all Californians to reduce their water usage by 20 percent;

3. On December 22, 2014, in light of the continued lack of rain, Governor Brown issued Executive Order B-28-14, which extends the California Environmental Quality Act suspension through May 31, 2016 for Water Code section 13247 and certain activities identified in the January 2014 and April 2014 proclamations;

4. On April 1, 2015, Governor Brown issued a new Executive Order that directs the State Water Board to impose restrictions on urban water suppliers to achieve a statewide

25 percent reduction in potable urban usage through February 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems; along with other directives;

5. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";

6. On July 15, 2014, the State Water Board adopted an emergency regulation to support water conservation (Resolution No. 2014-0038), and that regulation became effective July 28, 2014 upon approval by the Office of Administrative Law (OAL);

7. On March 17, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation (Resolution No. 2015-0013), which became effective March 27, 2015 upon approval by OAL;

8. The current emergency regulation has supported Californians' water conservation efforts, with over 125 billion gallons saved from August 2014 through March 2015; however, statewide water use is only nine percent less than the same months in 2013. Achieving a 25 percent reduction in use will require even greater conservation efforts across the state. In particular, many communities must dramatically reduce their outdoor water use;

9. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes will survive while receiving a decreased amount of water;

10. Although urban water suppliers have placed restrictions on outdoor watering, the State Water Board continues to receive reports of excessive outdoor water use;

11. Water conservation is the easiest, most efficient and most cost-effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available later in the season or next year, reducing the likelihood of even more severe water shortages should the drought continue;

12. Education and enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;

13. Public information and awareness is critical to achieving conservation goals, and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>);

14. Many California communities are facing social and economic hardship due to this drought. The rest of us can make adjustments to our water use, including landscape choices that conserve even more water;

15. The California Constitution declares, at article X, section 2, that the water resources of the state must be put to beneficial use in a manner that is reasonable and not wasteful. Relevant to the current drought conditions, the California Supreme Court has clarified that "what may be a reasonable beneficial use, where water is present in excess of all needs, would not be a reasonable beneficial use in an area of great scarcity and great need. What is a beneficial use at one time may, because of changed conditions, become a waste of water at a later time." (*Tulare Dist. v. Lindsay Strathmore Dist.* (1935) 3 Cal.2d 489, 567.) In support of water conservation, the legislature has, through Water Code section 1011, deemed reductions in water use due to conservation as equivalent

to reasonable beneficial use of that water. Accordingly, this regulation is in furtherance of article X, section 2 during this drought emergency. This temporary emergency regulation is not to be used in any future administrative or judicial proceedings as evidence or finding of waste and unreasonable use of any individual water user or water supplier subject to this regulation, and are not to affect or otherwise limit any rights to water conserved under applicable law, including without limitation, water conserved consistent with Water Code section 1011;

16. Directive two of the Governor's April 1, 2015 Executive Order directs the State Water Board to consider the relative per capita usage of each urban water supplier's service area and require that areas with high per capita use achieve proportionally greater reductions than areas with low per capita use;

17. On April 7, 2015, the State Water Board issued a draft framework proposing increasing levels of required water reduction based upon residential per capita per day use

(R-GPCD) for the proposed regulation, and solicited public comments. The Board received over 300 comments on the framework, primarily relating to the levels of required water reduction;

18. On April 18, the State Water Board issued draft regulatory language for public comment based on the April 7 framework and the comments received. The draft regulatory language reflected careful consideration of all comments including those directed at the levels of required reduction. Again, the Board received close to 300 comments;

19. On April 28, 2015, the State Water Board issued a final version of draft regulatory language for comment, followed on April 29 by a formal public notice that it would consider the adoption of the emergency regulation at the Board's regularly-scheduled May 5 and 6, 2015 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;

20. As discussed above, the State Water Board is adopting the emergency regulation because of the continuing emergency drought conditions, the need for prompt action to prevent the waste and unreasonable use of water and to promote conservation, and the specific actions called for in the Governor's April 1, 2015 Executive Order; and

21. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain the enforcement discretion in enforcing the regulation to the extent authorized. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 866 and re-adopts sections 863, 864, and 865, as appended to this resolution as an emergency regulation;

2. State Water Board staff will submit the regulation to OAL for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or the Executive Director's designee may make such changes;
4. This regulation shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulation due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulation and its effect. These updates shall include information regarding the progress of the Building Standards Commission, Department of Housing and Community Development, and other state agencies in the adoption and implementation of emergency regulations or other requirements that implement increased outdoor irrigation efficiency for new construction. These regulations and other requirements will extend existing efficiency standards for new construction to the outdoor environment and ensure that California's new homes are constructed to meet the growing demand with the most efficient standards;
6. The State Water Board directs staff to condition funding upon compliance with the emergency regulation, to the extent feasible;
7. The State Water Board directs staff to work with DWR and the Save Our Water campaign to disseminate information regarding the emergency regulation; and
8. The State Water Board directs staff to update the electronic reporting portal to include data fields for the new reporting required by the emergency regulation.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board shall work with DWR, the Public Utilities Commission, and other agencies to support urban water suppliers' actions to implement rates and pricing structures to incent additional conservation, as required by directive eight in the Governor's April 1, 2015 Executive Order. The Fourth District Court of Appeal's recent Decision in *Capistrano Taxpayer Association Inc. v. City of San Juan Capistrano* (G048969) does not foreclose the use of conservation-oriented rate structures;
10. The State Water Board calls upon water suppliers to:
 - a. ensure that adequate personnel and financial resources exist to implement conservation requirements not only for 2015, but also for another year of drought should it occur. Water suppliers that face budget shortfalls due to reduced sales should take immediate steps to raise necessary revenues in a way that actively promotes continued conservation;
 - b. expedite implementation of new conservation programs by minimizing internal review periods and utilizing emergency authorities, as appropriate;

c. consider the relative water use and conservation practices of their customers and target those with higher water use to achieve proportionally greater reductions than those with low use;

d. minimize financial impacts to low-income customers;

e. preserve safe indoor water supplies in areas with very low R-GPCD and where necessary to protect public health and safety;

f. promote low-water use methods of preserving appropriate defensible space in fire-prone areas, consistent with local fire district requirements;

g. educate customers on the preservation of trees;

h. promote on-site reuse of water; and

i. promptly notify staff of the supplier's need for an alternate method of compliance pursuant to resolved paragraph 16.

11. The State Water Board calls upon all businesses within California's travel and tourism sectors to inform visitors of California's dire drought situation and actions visitors should take to conserve water;

12. The State Water Board commends wholesale water agencies that have set aggressive conservation targets for their retail water suppliers;

13. The State Water Board commends water suppliers that have made investments to boost drought-resistant supplies, such as advanced treated recycled water and desalination. Those investments help to make communities more resilient in the face of drought;

14. The State Water Board commends the many water suppliers that have already surpassed their 20x2020 conservation targets. Long-term conservation efforts are critical to maintaining economic and social well-being, especially in light of the impacts of climate change on California's hydrology;

15. During this drought emergency, heightened conservation that extends urban resilience is necessary. The State Water Board's focus is primarily on immediate reductions in outdoor water use. Some short-term conservation efforts, such as landscape conversions and installation of efficient appliances, will also support long-term conservation objectives, and are encouraged wherever possible;

16. The State Water Board recognizes that some commercial and industrial customers, while accounting for a significant portion of total use in a service area, have already taken steps to significantly reduce their water consumption and cannot further reduce their use without substantial impacts. However, the Board also recognizes that in many areas there are significant opportunities for reductions in water use by industries and commercial enterprises that have yet to take action, especially those with large areas of non-functional turf. The Board directs staff to respond promptly upon receipt of any request for alternate enforceable methods of compliance. If the supplier believes the conservation standard is unachievable due to firm commercial and industrial water use

and residential use reductions that would affect public health and safety, it should provide any supporting information or documentation for an alternate method of compliance; and

17. Some water suppliers have called for further refinement of the tiers to reflect a range of factors that contribute to water use, including but not limited to temperature, lot size, and income. Others have called for an approach that provides greater recognition for early investments in conservation, the development of local, drought resistant water supplies, and health and safety needs. These suggestions and many others are important considerations in the development of a more comprehensive, and long term, conservation framework. The State Water Board directs staff to work with stakeholders on a thoughtful process to devise options for extended and expanded emergency regulations should the drought continue into 2016.

AN URGENCY ORDINANCE RELATED TO WATER CONSERVATION

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. For the reasons set forth in the Action Agenda Summary accompanying this ordinance, and based on the evidence and testimony presented at the hearing on the ordinance, the Board of Supervisors finds and determines that reduced supply of potable water due to extended drought conditions in Stanislaus County and throughout California poses an immediate threat to the health, safety and welfare of County residents, which requires adoption of this ordinance as an urgency measure that will take effect immediately.

Section 2. Section 14.12.020 of the Stanislaus County Code is amended to read as follows:

"The following water conservation program, within the unincorporated area of the county or which is otherwise subject to the jurisdiction or control of the county, shall be as follows:

"A. No outdoor water use between 9:00 a.m. and 7:00 p.m. on any day.

"B. Dwellings or establishments with odd number street addresses shall water only on Wednesdays and Sundays.

"C. Dwellings or establishments with even number street addresses shall water only on Tuesdays and Saturdays.

"D. No outdoor water use on Mondays, Thursdays and Fridays, and no outdoor irrigation during and within 48 hours following measurable rainfall.

"E. Hosing concrete or paved areas, buildings, sidewalks, and paved parking lots is prohibited.

"F. Car washing is subject to the above-cited limitations with the use of a positive shutoff nozzle.

"G. Restaurants are prohibited from serving water to customers unless the customer requests it.

"H. Water must not be wasted and must be retained on-site and not allowed to escape to roads or streets.

"I. New landscaping shall comply with modern methods, keeping water conservations as a goal, and in accordance with the California State Water Resources Control Board Resolution No. 2015-0032 (May 5, 2015)."

Section 3. This ordinance shall take effect immediately from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2015, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Terrance Withrow, Chair of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:
Christine Ferraro Tallman
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By _____
Deputy

APPROVED AS TO FORM:

By 
John P. Doering
County Counsel

ORDINANCE NO. C.S. 1164

AN URGENCY ORDINANCE RELATED TO WATER CONSERVATION

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. For the reasons set forth in the Action Agenda Summary accompanying this ordinance, and based on the evidence and testimony presented at the hearing on the ordinance, the Board of Supervisors finds and determines that reduced supply of potable water due to extended drought conditions in Stanislaus County and throughout California poses an immediate threat to the health, safety and welfare of County residents, which requires adoption of this ordinance as an urgency measure that will take effect immediately.

Section 2. Section 14.12.020 of the Stanislaus County Code is amended to read as follows:

"The following water conservation program, within the unincorporated area of the county or which is otherwise subject to the jurisdiction or control of the county, shall be as follows:

"A. No outdoor water use between 9:00 a.m. and 7:00 p.m. on any day.

"B. Dwellings or establishments with odd number street addresses shall water only on Wednesdays and Sundays.

"C. Dwellings or establishments with even number street addresses shall water only on Tuesdays and Saturdays.

"D. No outdoor water use on Mondays, Thursdays and Fridays, and no outdoor irrigation during and within 48 hours following measurable rainfall.

"E. Hosing concrete or paved areas, buildings, sidewalks, and paved parking lots is prohibited.

"F. Car washing is subject to the above-cited limitations with the use of a positive shutoff nozzle.

"G. Restaurants are prohibited from serving water to customers unless the customer requests it.

"H. Water must not be wasted and must be retained on-site and not allowed to escape to roads or streets.

"I. New landscaping shall comply with modern methods, keeping water conservations as a goal, and in accordance with the California State Water Resources Control Board Resolution No. 2015-0032 (May 5, 2015)."

Section 3. This ordinance shall take effect immediately from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor Monteith, seconded by Supervisor O'Brien, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the 19th day of May, 2015, by the following called vote:

AYES: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow

NOES: Supervisors: None

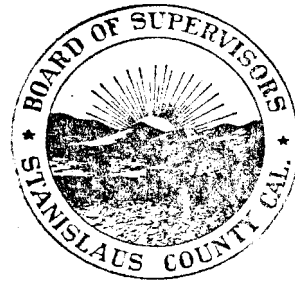
ABSENT: Supervisors: None



Ferrance Withrow, Chair of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:
Christine Ferraro Tallman
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Elizabeth King
Deputy



APPROVED AS TO FORM:

By John P. Doering
County Counsel

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

May 26, 2015

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

May 26th, 2015

(By Electronic Facsimile Signature)

Cynthia A. Williams

STANISLAUS COUNTY
ORDINANCE NO. C.S. 1164

AN URGENCY ORDINANCE RELATED TO WATER CONSERVATION. THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. For the reasons set forth in the Action Agenda Summary accompanying this ordinance, and based on the evidence and testimony presented at the hearing on the ordinance, the Board of Supervisors finds and determines that reduced supply of potable water due to extended drought conditions in Stanislaus County and throughout California poses an immediate threat to the health, safety and welfare of County residents, which requires adoption of this ordinance as an urgency measure that will take effect immediately.

Section 2. Section 14.12.020 of the Stanislaus County Code is amended to read as follows: "The following water conservation program, within the unincorporated area of the county or which is otherwise subject to the jurisdiction or control of the county, shall be as follows:

"A. No outdoor water use between 9:00 a.m. and 7:00 p.m. on any day.
"B. Dwellings or establishments with odd number street addresses shall water only on Wednesdays and Sundays.

"C. Dwellings or establishments with even number street addresses shall water only on Tuesdays and Saturdays.

"D. No outdoor water use on Mondays, Thursdays and Fridays, and no outdoor irrigation during and within 48 hours following measurable rainfall.

"E. Hosing concrete or paved areas, buildings, sidewalks, and paved parking lots is prohibited.

"F. Car washing is subject to the above cited limitations with the use of a positive shutoff nozzle.

"G. Restaurants are prohibited from serving water to customers unless the customer requests it.

"H. Water must not be wasted and must be retained on site and not allowed to escape to roads or streets.

"I. New landscaping shall comply with modern methods, keeping water conservations as a goal, and in accordance with the California State Water Resources Control Board Resolution No. 2015-0032 (May 5, 2015)."

Section 3. This ordinance shall take effect immediately from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor Monteth, seconded by Supervisor O'Brien, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the 19th day of May, 2015, by the following called vote: AYES: Supervisors: O'Brien, Chiesa, Monteth, De Martini and Chairman Withrow; NOES: Supervisors: None; ABSENT: Supervisors: None. /s/ Terrence Withrow, Chair of the Board of Supervisors of the County of Stanislaus, State of California. ATTEST: Christine Ferraro Tallman Clerk of the Board of Supervisors of the County of Stanislaus, State of California, By Elizabeth A. King, Asst. Clerk. APPROVED AS TO FORM: By John P. Doering, County Counsel.
Pub Dates May 26, 2015