

RESOLUTION NO. 4086

A RESOLUTION TO RESCIND RESOLUTION NO. 4042 AND 4054 CONTINUING THE PROCLAIMED WATER CONSERVATION EMERGENCY AND ESTABLISHING NEW WATER RESTRICTIONS

WHEREAS, California is in a third consecutive year of dry conditions, resulting in drought conditions throughout most of the State, worse than the drought of 2015; and

WHEREAS, snowpack and rain were insufficient during the winter months and drought conditions continue as of the 2022/2023 water year; and

WHEREAS, on March 28, 2022, the governor issued an executive order for local water agencies to activate drought contingency plans; and

WHEREAS, the City of Coalinga is solely dependent on surface water provided through the Central Valley Project under the City's contract with the United States Bureau of Reclamation (USBR); and

WHEREAS, USBR notified the City on April 1, 2022, that the City must decrease its water usage to Public Health and Safety (PHS) needs only, effective April 1, 2022; and

WHEREAS, the City's water requirements exceed the PHS-calculated volume and therefore the City must demonstrate extraordinary water conservation according to the Water Shortage Contingency Plan; and

WHEREAS, On July 1, 2021 the City Council proclaimed a Water Conservation Emergency; and

WHEREAS, the City Council has determined that extreme conservation must continue through the summer months of 2022 as the City approaches the highest point of water use; and

NOW, THEREFORE LET IT BE RESOLVED by the City of Council of the City of Coalinga as follows:

1. Resolution No. 4042, a resolution placing a moratorium on swimming pool, spa, hot tub, decorative fountains, or water features is hereby rescinded; and
2. Resolution No. 4054, a resolution establishing water shortage regulations is hereby rescinded; and
3. The Water Conservation Emergency Proclamation is hereby continued for the City of Coalinga until the Council removes such proclamation by subsequent resolution; and,
4. The City Shall impose additional water restrictions and penalties beyond those provided in Section 6-4C.07 of the City's Municipal Code (Exhibit A).

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Coalinga held on the 5th day of May 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Mayor/Mayor Pro-Tem

ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A

City of Coalinga Water Conservation Emergency Restrictions

Effective May 5, 2022 (Until Repealed by Resolution)

As of May 5, 2022, the City Council of Coalinga has extended its Water Conservation Emergency Proclamation for all Coalinga water customers. The following water restrictions are mandatory because of extreme, drought-related water shortages from the United States Bureau of Reclamation.

Water Conservation Emergency Restrictions

- No water customer shall sprinkle, water, or irrigate any shrubbery, trees, lawns, grass, groundcovers, plants, vines, gardens, vegetables, flowers, or any other landscaped or vegetated areas on between the hours of 9:00 a.m. and 6:00 p.m. This provision shall not apply to equestrian and livestock businesses, dairies, nurseries, golf courses, or other water-dependent industries.
- Residential addresses ending in an EVEN number may use water on Tuesday, and Friday.
- Residential addresses ending in an ODD number and Non-Residential (irrespective of address) may use water on Wednesday and Saturday; and
- NO irrigation shall occur on Sundays, Mondays, and Thursdays.

Additional Restrictions

- No restaurants or other public place which serves food shall serve drinking water to any customer unless expressly requested by the customer.
- Hand-held hose washing is prohibited for sidewalks, walkways, driveways, parking areas, patios, porches, and verandas.
- Water landscaping so that “more than incidental runoff” flows into a road, sidewalk, or parking lot.
- Decorative fountains must recirculate water.

Penalties

- No water customer of the City shall knowingly use, or permit the use of, water in a manner contrary to any provisions of this resolution, or in an amount in excess of that use permitted by the provisions of this resolution.
- Unless otherwise provided, any water customer violating any restriction shall be guilty of an infraction, and each day or portion thereof such violation is in existence shall be a new and separate offense.
 - Any water customer determined to be guilty of a first-time violation shall be issued as a warning
 - For a second violation during any period of declared water conservation emergency an infraction, punishable by a fine not more than one hundred dollars (\$100.00).
 - For a third violation during any period of declared water conservation emergency an infraction, punishable by a fine not more than five hundred dollars (\$500.00).

- For a fourth violation during any period of declared water conservation emergency an infraction, punishable by a fine not more than one thousand dollars (\$1,000.00), and placement of a flow restrictor. In addition, the City may discontinue water services.
- In addition to the above remedies, the City Manager or his or her designee is empowered, to enforce any or all of the following penalties:
 1. Place a flow restricting device upon the water service;
 2. Lock off of a water meter; o Remove a water meter;
 3. Shut off the service connection.
- All costs or expenses incurred by the City for enforcement of this section shall be borne by the water customer. No water service shall be limited or discontinued until the City Manager or his or her designee provides a written notice of intent to so limit or discontinue such service and the reasons for such decision, and further, provides such water customer notice of the right to request an administrative review and hearing pursuant to the procedures set forth in Section 6-4.26 of the Municipal Code, except that any reference to "citation" in that section shall instead be deemed a reference to a "notice of intent" as described in this section. A written notice of intent shall be provided either by first class mail, by personal service on the water customer, or by posting said notice in a conspicuous place on the property wherein the violation occurred. Notwithstanding any other provision of this Code, there shall be no right to further administrative review or appeal.