

BEFORE
THE BOARD OF SUPERVISORS
OF THE COUNTY OF MADERA
STATE OF CALIFORNIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 13.55.025 OF THE MADERA COUNTY CODE, PERTAINING TO WATER SHORTAGES

WHEREAS, on January 17, 2014, the Governor of California proclaimed a state of emergency in the State of California due to the current drought conditions. The Governor's proclamation called for all Californians to voluntarily reduce their water usage by 20 percent; and also called upon local urban water suppliers and municipalities to implement their local water shortage contingency plans immediately; and

WHEREAS, on January 28, 2014, the Board of Supervisors adopted Resolution No. 2014-009, proclaiming existence of a local drought emergency in Madera County. Extremely dry weather conditions have persisted since 2012 and may continue beyond this year and more regularly into the future. The prolonged drought poses threats to County operated Special Districts' ability to adequately serve its customers with a reliable water supply; and

WHEREAS, California is experiencing its worst drought since record-keeping began in the mid 19th century; and

WHEREAS, Madera County is experiencing record dry conditions, with 2014 projected to become the driest year on record; and

WHEREAS, the County's available water supplies have dipped to alarming levels, indicated by: reduced snowpack for this time of the year; reservoirs within Madera County have very low water levels for this time of year; the San Joaquin River, have significantly reduced surface water flows; and groundwater levels throughout the County have dropped significantly; and

WHEREAS, dry conditions and lack of precipitation present urgent problems: drinking water supplies are at risk in many unincorporated communities through Madera County; fewer crops can be cultivated and farmers' long-term investments are put at risk; low-income communities heavily dependent on agricultural employment will suffer heightened unemployment and economic hardship; animals and plants that rely on the water supplies will be threatened; and the risk of wildfires is greatly increased; and

WHEREAS, due to the existing unprecedented drought conditions, it will be necessary to waive the 30 day requirement and make the ordinance effective immediately upon adoption. This ordinance must go into effect immediately as an emergency ordinance for the preservation of the public health and safety.

Now, therefore, the Board of Supervisors of the County of Madera, State of California, ordains as follows:

SECTION 1

Section 13.55.025 of the Madera County Code is amended to read in its entirety as follows:

13.55.025 - Additional rules and regulations during periods of water shortage

If the County Engineer determines that the water conservation measures set forth in Section 13.55.020 are inadequate or are likely to be inadequate to prevent water shortages from occurring in a particular County Service Area or Maintenance District, the County Engineer may take any or all of the following additional temporary measures to protect the health and safety of the persons within the Service Area or Maintenance District:

13.55.025.1 - Stage 1 Conditions – defined as the currently existing conditions under the average water year, where there is continuous decrease of the water table due to weather conditions and overdraft pumping. The following prohibitions are in effect during Stage 1:

- A. All the water conservation provisions indicated in Section 13.55.020.
- B. Violations of the water conservation provisions indicated in Section 13.55.020 shall be enforced as indicated in Section 13.55.040.

- C. Water leaks must be repaired as soon as possible. Water leaks that adversely affect the water system may require the service to be shut off until the repair is made.

Agency Actions:

- A. Voluntary water conservation measures are requested.
- B. Mail annual Consumer Confidence Reports to Special Districts customers.
- C. Provide Water Conservation Ordinance with new service request to Special Districts customers.
- D. Mail annual water leak detection and repair information to Special Districts customers.
- E. Special Districts staff will respond to and enforce violations of Water Conservation Ordinance.

13.55.025.2 - Stage 2 Conditions – Defined as potential moderate water shortage, where weather forecasts predict a long period of drought conditions accompanied by deteriorating ground water conditions. The target reduction in water usage for this stage is 5% to 10%. The following prohibitions are in effect during Stage 2:

- A. All the Stage 1 prohibitions, described above.
- B. Enhanced enforcement of the Water Conservation Ordinance, enforcement of Water Conservation Ordinance will be a priority for Special Districts Staff.

Agency Actions: In addition to all Stage 1 actions, the following actions will also be performed.

- A. Special Districts staff will prioritize responding to and enforcing violations of Water Conservation Ordinance.
- B. Perform public outreach campaign to increase public awareness of prolonged drought conditions and Four Stage conservation plan.
- C. Reduce outdoor water use of County facilities by 5% to 10%.
- D. Special Districts staff will monitor and record well productions weekly.
- E. Provide quarterly mailings to Special Districts customers with monthly well production figures, to provide customer awareness and encourage conservation.

13.55.025.3 - Stage 3 Conditions – Defined as serious water shortage where, in addition to prolonged drought conditions, ground water table has declined to the point where existing municipal wells may potentially break suction. The target reduction in water usage for this stage is 10% to 25%. The following prohibitions are in effect during Stage 3:

- A. All the Stage 2 prohibitions, described above.
- B. Outdoor water use limited to 2 days per week based on street addresses.
- C. Even number street addresses shall water only on Wednesdays and Sundays subject to the time restrictions set forth above.
- D. Odd number street addresses shall water only on Tuesdays and Saturdays subject to the time restrictions set forth above.
- E. No outdoor watering on Mondays, Thursdays and Fridays.
- F. Increased enforcement of the Water Conservation Ordinance.

Agency Actions: In addition to all Stage 2 actions, the following actions will also be performed.

- A. Eliminate water use for fire hydrant flushing, other than absolutely necessary for maintenance.
- B. Reduce outdoor water use and irrigation at selected County parks and facilities, which would not create hazards to users.
- C. Increased enforcement of the Water Conservation Ordinance, hire additional extra help staff to increase enforcement of the Water Conservation Ordinance.
- D. The Board of Supervisors will adopt a resolution temporarily increasing penalties by \$25, respectively, to \$75, \$125, and \$175.
- E. Special Districts staff will monitor and record well productions weekly, and compare to Stage 1 Conditions. Targeted 10% to 25% reductions will be verified.
- F. Weekly water use reports will be forwarded to County Engineer, Public Works Director, County Administrative Officer, and Board Chairman.
- G. Conduct public information campaign with regular media stories, public service announcements, and quarterly mailings to increase public awareness of the severity of the drought.
- H. Publicize Stage 4 Conditions reduction requirements, which will become necessary if conditions worsen.

13.55.025.4 - Stage 4 Conditions – defined as critical emergency shortage, where customer demands and minimum water system pressures cannot be met. The target reduction in water usage for this stage is 25% to 50%. The following prohibitions are in effect during Stage 4:

- A. All the Stage 3 prohibitions, described above.
- B. Outdoor water use shall be prohibited.
- C. Hot tubs and pools shall be filled only with water transported from outside the Service Area or Maintenance District.
- D. Increased enforcement of the Water Conservation Ordinance, hire additional extra help staff to increase enforcement of Water Conservation Ordinance.
- E. The Board of Supervisors will adopt a resolution temporarily increasing the metered surcharge rates for Service Areas or Maintenance Districts that are on metered rates.
- F. The Board of Supervisors will adopt a resolution temporarily increasing penalties by \$10, respectively, to \$85, \$135, and \$185.

Agency Actions: In addition to all Stage 3 actions, the following actions will also be performed.

- A. Discontinue irrigation of outdoor areas at County parks and facilities.
- B. Implement Special Districts Emergency Water Shortage Plan. This may include placing signs in the district indicating water shortage and prohibit outside watering, delivery of boil water notices and chlorinating the water system due to low pressures.

- C. Delivery of bottled water to Special Districts customers in districts with water systems that cannot provide adequate water production.
- D. Special Districts shall seek emergency funding from California Department of Public Health.
- E. Review Special Districts revenues and evaluate rate increases to fund system improvements.
- F. Increased enforcement of the Water Conservation Ordinance, hire additional extra help staff to increase enforcement of Water Conservation Ordinance.
- G. The Board of Supervisors will adopt a resolution temporarily increasing the metered surcharge rates for Service Areas or Maintenance Districts that are on metered rates.
- H. The Board of Supervisors will adopt a resolution temporarily increasing penalties by \$10, respectively, to \$85, \$135, and \$185.
- I. Special Districts staff will monitor and record well productions weekly, and compare to Stage 1 Conditions. Targeted 25% to 50% reductions will be verified.
- J. Weekly water use reports will be forwarded to County Engineer, Public Works Director, County Administrative Officer, Board Chairman, and Water Shortage Committee.
- K. Board of Supervisors will consider establishing Water Shortage Committee comprised of County Engineer, Public Works Director, County Administrative Officer, Board Chairman, Environmental Health Director, Public Health Director, and Sheriff.

SECTION 2 This Ordinance must go into effect immediately as an urgency ordinance for the preservation of the public health and safety for the reasons set forth above.

SECTION 3 This Ordinance shall take effect and be in full force immediately upon its passage.

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The foregoing Ordinance was adopted this _____ day of _____,
2014, by the following roll call vote:

Supervisor Nevarez voted: _____

Supervisor Rogers voted: _____

Supervisor Farinelli voted: _____

Supervisor Rodriguez voted: _____

Supervisor Wheeler voted: _____

Chairman, Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

Approved as to Legal Form:
COUNTY COUNSEL

By 