

5-19-15
P. Kraft

ORDINANCE NO. 2015-1274

AN URGENCY ORDINANCE OF THE CITY OF DELANO REPEALING CHAPTERS 13.04.110 AND 13.04.180 OF THE DELANO MUNICIPAL CODE, ADDING A NEW CHAPTER 13.04.110, ORDERING WATER CONSERVATION BY AN EVEN-ODD WATERING SCHEDULE WITH TWO DAYS PER WEEK OF OUTSIDE WATERING ONLY AND ADDING A NEW CHAPTER 13.04.180, ORDERING INCREASED FINES FOR VIOLATIONS

The City Council of the City of Delano, California, does ordain as follows:

Section 1(a) The City of Delano hereby repeals paragraph 13.04.110 of the Delano Municipal Code, adding the new Chapter 13.04.110:

13.04.110 Mandatory Conservation Schedule:

When ordered by a resolution, ordinance, or other action of the City Council, or upon declaration of emergency by the City of Delano, all consumers shall conserve water in accordance with the following schedule:

1. Customers with even-numbered addresses shall complete outside watering only on Sundays and Wednesdays.
2. Customers with odd-numbered addresses shall complete outside watering only on Saturdays and Tuesdays.
3. No water for outside purposes shall be used on Mondays, Thursdays, and Fridays.

The City Manager may make exceptions for non-residential uses upon written request and a finding that a health and safety issue would arise. Irrigation drip systems that effectively minimize irrigation use are exempt from this Chapter.

Section 1(b) The City of Delano hereby repeals paragraph 13.04.180 of the Delano Municipal Code, adding the new Chapter 13.04.180:

13.04.180 Violations:

Anyone who violates any provision of this chapter including but not limited to the wasting of water shall be guilty of an infraction punishable by:

1. A fine not to exceed fifty dollars for a first violation by residential customers; and
2. A fine not to exceed one hundred dollars for a second violation within a one-year time period for residential customers; and
3. A fine not to exceed two hundred dollars for a third violation within a one-year time period for residential customers; and
4. A fine not to exceed five hundred dollars for all non-residential customers for each violation.

Section 2: The City of Delano hereby finds that an emergency exists and hereby orders compliance with the above Chapter 13.04.110 until February 29, 2016.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause or phrase of this Ordinance in spite of the fact that any one or more or the same be declared unconstitutional or invalid.

Section 4. The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause this Ordinance or a summary thereof to be prepared according to law to be published in accordance with law in a newspaper of general circulation in the City.

PASSED AND ADOPTED this 18th day of May, 2015, by the following vote:

AYES: Chavez, Hill, Morris, Pascual, Vallejo

NOES: none

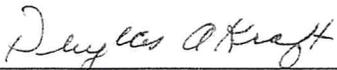
ABSENT: none

ABSTAIN: none



Rueben Pascual, Mayor
City of Delano, California

ATTEST:



Phyllis A. Kraft, City Clerk
City of Delano, California