

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO 2022-19**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON RESTRICTING
WATER USE PER THE STATE WATER RESOURCES CONTROL BOARD
EMERGENCY REGULATIONS, A MEASURE NECESSARY FOR THE IMMEDIATE
PROTECTION OF HEALTH AND SAFETY AND FOR COMPLIANCE WITH STATE LAW**

WHEREAS, the City Council of the City of Hughson has provided for water shortages in Chapter 13.08.34 of Title 13 of the Hughson Municipal Code ("HMC"), pertaining prohibitions on wasting water, authority to declare a water shortage emergency, and additional mandatory measures and restrictions; and

WHEREAS, Chapter 13.08.34(F)(3) of Title 13 of the HMC authorizes the City Council to prohibit by resolution additional activities during a duly declared water shortage emergency where such prohibitions are found necessary for the immediate protection of health and safety or are required by State law; and

WHEREAS, California is in a third consecutive year of dry conditions resulting in continuing drought in all parts of the State; and

WHEREAS, the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS, on April 12, 2021, May 10, 2021, July 9, 2021 and October 19, 2021, the Governor of the State of California proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS, on March 28, 2022, the Governor of the State of California issued Executive Order N-7-22 in response to the ongoing drought and following the driest first three months of a year in the State's recorded history ordered the State Water Resources Control Board (Water Board) to consider adopting emergency regulations with strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining "non-functional turf" (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.

WHEREAS, on May 24, 2022, the State Board adopted Emergency Conservation Regulations imposing restrictions on all urban water producers intended to achieve the Governor's stated goals in Executive Order N-7-22; and

WHEREAS, Chapter 13.08.34(C) of Title 13 of the HMC currently restricts irrigation of outdoor landscaping to no more than three days per week.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson finds, in accordance with Chapter 13.08.34(F)(3) of Title 13 of the HMC, that additional limitations on the irrigation of outdoor landscaping are necessary for the immediate protection of health and safety and are required by State law,

THEREFORE, IT IS FURTHER RESOLVED by the City Council of the City of Hughson that the following prohibitions shall become immediately effective upon adoption of this Resolution:

1. Irrigation of all exterior residential ornamental landscaping including, but not limited to, turf areas, open ground, crops, trees, grass, lawn, ground cover, shrubbery, or decorative plantings using an irrigation system, hose, or outdoor potable water faucet shall be allowed only two days a week as follows:

a. Odd-number addresses – Wednesdays and Sundays between the hours of 6:00 p.m. and 10:00 a.m.

b. Even-numbered addresses Tuesdays and Saturdays between the hours of 6:00 p.m. and 10:00 a.m.

2. The use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites, with the exception of:

a. Ensuring the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

b. An urban water supplier may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40% of reference evapotranspiration.

3. The following potable water uses are prohibited:

a. The application of potable water to outdoor landscapes in a manner that causes more than incidental 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 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 use of potable water for washing sidewalks, driveways, buildings, structures, patios, parking lots, or other hard-surfaced areas, except in cases where health and safety are at risk;

- d. The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public;
- e. The use of potable water for decorative fountains or the filling or topping-off of decorative lakes or ponds, with exceptions for those decorative fountains, lakes, or ponds that use pumps to recirculate water and only require refilling to replace evaporative losses;
- f. The application of water to irrigate turf and ornamental landscapes during and within 48 hours after measurable rainfall of at least one-fourth of one inch of rain. In determining whether measurable rainfall of at least fourth of one inch of rain occurred in a given area, enforcement may be based on records of the National Weather Service, the closest CIMIS station to the parcel, or any other reliable source of rainfall data available to the entity undertaking enforcement of this subdivision; and
- g. The use of potable water for irrigation of ornamental turf on public street medians.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regularly scheduled meeting on this 13th day of June, 2022, by the following roll call vote;

AYES: MAYOR CARR, BAWANAN, BUCK, RUSH, HILL

NOES: NONE.

ABSTENTIONS: NONE.

ABSENT: NONE.

APPROVED:


GEORGE CARR, Mayor

ATTEST:


ASHTON GOSE, Deputy City Clerk