

**Ordinance No. 1636(17)**

**An Ordinance of the City Council of the City of Lompoc  
Amending Lompoc Municipal Code Subdivision 13.04.060 A.  
Relating To Prohibitions and Restrictions On the Use of Water**

**WHEREAS**, the City of Lompoc (City) has had no water waste restrictions since 1990, due to cyclical droughts in California; and

**WHEREAS**, the City's no water waste restrictions are found in Section 13.04.060 of the Lompoc Municipal Code (LMC); and

**WHEREAS**, California's recent drought, which spanned water years 2012 through 2016 included the driest four-year statewide precipitation on record (2012-2015); and

**WHEREAS**, on January 17, 2014, Governor Brown declared a drought emergency; and

**WHEREAS**, beginning in water year 2017 (October 1, 2016 through September 30, 2017), many parts of California began to emerge from a record-breaking drought due to record rainfalls in the 2016-2017 rain year; and

**WHEREAS**, the City of Lompoc received 22.13 inches of rainfall in the 2016-2017 rain year; and

**WHEREAS**, on April 7, 2017, Governor Brown ended the drought state of emergency in most of California; and

**WHEREAS**, the Governor modified some of the State's no water waste restrictions in Executive Order B-40-17 and retained some of the restrictions in Executive Order B-37-16 and previous orders; and

**WHEREAS**, the City needs to amend LMC section 13.04.060, concerning prohibitions and restrictions on the use of water, to align with Executive Orders B-40-17 and B-37-16 and previous orders that are still in place; and

**WHEREAS**, the Governor eliminated the two days per week watering restriction and the restriction on serving water to customers at restaurants and other businesses that serve water, without the customers requesting water; and

**WHEREAS**, the Governor retained restrictions, which are not part of LMC section 13.04.060: the application of potable water to outdoor landscapes during and within 48 hours of measurable rainfall and the use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system; and

**WHEREAS**, the City has a requirement to use recycled water for dust control and compaction during development; however, the City does not have a current permit for recycled water; and

**WHEREAS**, the requirement for use of recycled water should be amended to only require it when the entity performing the work has access to recycled water; and

**WHEREAS**, the City has determined it is in the best interest of the City and the inhabitants of the City to amend the prohibitions and restrictions on the use of water.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The foregoing Recitals are declared as true and correct and adopted into the terms of this Ordinance by this reference.

**SECTION 2.** LMC subdivision 13.04.060 A, is hereby amended to read as follows:

- A. In the use of water supplied by the City, no person shall waste water. As used herein, the term “waste” means:
1. The use of potable water for outdoor landscapes between the hours of 10:00 a.m. and 4:00 p.m., or in such a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures;
  2. The use of potable water to wash sidewalks, walkways, driveways, parking lots, open ground or other hard surfaced areas by direct application; provided, that flammable or other similar dangerous substances may be washed from those areas by direct hose flushing for the benefit of public health and safety; and provided, further, that the prohibition in this subdivision shall not apply to commercial steam cleaning;
  3. Allowing potable water to escape from breaks within the customer’s plumbing system for more than eight hours after the customer is notified or discovers the break;
  4. Washing a vehicle with a hose without a positive shutoff nozzle;
  5. The use of potable water for dust control at construction sites when the entity performing the work has access to recycled water.
  6. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
  7. The use of potable water for outdoor landscapes during and within 48 hours of measurable rainfall

**SECTION 3.** This Ordinance shall be effective thirty (30) days after its adoption.

This Ordinance was introduced on August 15, 2017, and duly adopted by the City Council of the City of Lompoc at its duly noticed regular meeting on [insert date], 2017, by the following electronic vote:

PASSED AND ADOPTED this \_\_\_ day of \_\_\_ 2017, by the following electronic vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

\_\_\_\_\_  
Bob Lingl, Mayor  
City of Lompoc

Attest:

\_\_\_\_\_  
Stacey Haddon, City Clerk  
City of Lompoc