

## **ORDINANCE NO. 2021-08**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA AND THE BOARD OF DIRECTORS OF THE HESPERIA WATER DISTRICT, CALIFORNIA, AMENDING TITLE 14, CHAPTER 14.02 OF THE HESPERIA MUNICIPAL CODE, RELATED TO WATER USE, WATER CONSERVATION AND WATER SHORTAGE PLAN**

**WHEREAS**, Assembly Bill (AB) 1668 and Senate Bill (SB) 606 established guidelines for efficient water use and implementation of new standards intended to achieve long term conservation and provide water supply reliability to adapt to longer, more intense droughts experienced in California; and

**WHEREAS**, AB 1668 and SB 606 required the creation of new efficiency standards for indoor and outdoor use and leaks as well as establishes requirements for drought planning and water efficiency reporting; and

**WHEREAS**, various components of water management planning are accomplished through an Urban Water Management Plan (UWMP); and

**WHEREAS**, the Hesperia Water District (District) Board of Directors accepted the Hesperia Water District 2020 Urban Water Management Plan on August 3, 2021; and

**WHEREAS**, California Water Code (CWC) Section 350 et seq. authorizes the District to restrict the use of District water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the unreasonable use or waste of District water for any purpose other than household uses or such other restricted uses as may be determined to be necessary and may prohibit use of such water during such periods for specific uses which the District may from time to time find to be nonessential; and

**WHEREAS**, CWC Section 350 et seq. authorizes the District to prescribe and define by ordinance those restrictions, prohibitions, and exclusions it may determine to be necessary in restricting the use of District water during threatened or existing water shortages; and

**WHEREAS**, in connection with AB 1668 and SB 606, CWC 16032 related to Urban Water Management Planning, requires urban water suppliers to adopt a water shortage contingency plan containing certain elements such as consistency with six standard water shortage levels; and

**WHEREAS**, Title 14, Chapter 14.04, Sections 14.04.160 and 14.04.170 contains regulations related to water use, water conservation and water shortage plan; and

**WHEREAS**, amendments to Chapter 14.04, Sections 14.04.160 and 14.04.170 are required consistent with AB 1668, SB 606, and CWC 16032; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

**NOW THEREFORE**, THE HESPERIA CITY COUNCIL AND HESPERIA WATER DISTRICT BOARD OF DIRECTORS DOES ORDAIN AS FOLLOWS:

Section 1. All of the facts set forth in the foregoing recitals are true, correct and are adopted as findings.

Section 2. Title 14, Chapter 14.04 of the Hesperia Municipal Code is hereby amended by replacing 14.04.160 and 14.04.170 as set forth in Exhibit "A," attached hereto.

Section 3. Title 14, Chapter 14.04 containing the regulations related to Water Service shall remain in full force and effect, excepting any changes noted in Exhibit "A" attached hereto.

Section 4. The City Council of the City of Hesperia and the Board of Directors of the Hesperia Water District hereby declares that should any provision, section, paragraph, sentence, or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words shall remain in full force and effect.

Section 5. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 6. The City Clerk shall certify to the adoption of the Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution 2007-101.

**ADOPTED AND APPROVED** this 21<sup>st</sup> day of December 2021.

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Brigit Bennington, Mayor

ATTEST:

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Melinda Sayre  
City Clerk