

Town of Yountville

Ordinance Number 22-505

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE AMENDING CHAPTERS 13.08, 13.20, AND 13.24 OF TITLE 13 OF THE YOUNTVILLE MUNICIPAL CODE RELATED TO THE WATER SYSTEM, WATER CONSERVATION, AND WATER SHORTAGE EMERGENCIES

Now, therefore, the Town Council of the Town of Yountville does ordain as follows:

SECTION 1. CODE AMENDMENT: Section 13.08.020 of Chapter 13.08 of Title 13 of the Yountville Municipal Code is hereby amended to read as follows:

13.08.020 Adoption of rules and regulations by resolution.

The Council may adopt rules and regulations not in conflict with this division governing the operation of the water system and the supply of water to its customers by resolution. A violation of any such rule or regulation shall be a “code violation” under Chapter 8.05 of this code and subject to administrative enforcement thereunder, in addition to any other enforcement remedies available under law and this code

SECTION 2. CODE AMENDMENT: Section 13.20.020 of Chapter 13.20 of Title 13 of the Yountville Municipal Code is hereby amended to read as follows:

13.20.020 Prohibitions and limitations.

- A. No customer or person shall waste water. For the purposes of this chapter, “waste” means:
1. Use of water for decorative fountains where the water is not recirculated;
 2. Washing cars, boats, trailers, aircraft or other vehicles by hose without a shutoff nozzle except commercial or fleet vehicle washing facilities operated at fixed locations;
 3. Watering lawns or gardens in a manner which result in runoff in gutter or other waterway, or excessive overspray of patio, driveway, walk, or street;
 4. Withdrawing water from fire hydrants, except for fire fighting, fire fighting training, and water system maintenance purposes;
 5. Use of water for cleaning streets during or following construction activities; flushing storm drains; and flow testing for fire sprinkler design except as approved by the Town Engineer;

6. Use of water for grading, dust control, street, pipeline, or similar construction. Only reclaimed water may be used for the foregoing activities except as allowed by the Town Engineer.
- B. In emergency situations only, water for hauling may be supplied at a Town designated location upon prior approval from the Town Engineer. Tanker trucks hauling for domestic use must be certified to carry potable water. Hauled water may be supplied to existing customers only.
- C. All projects for which the Planning Department requires approved landscape plans must adhere to the Town's Water Efficient Landscape Standards in order to obtain plan approval.
- D. Draining and refilling of swimming pools shall be permitted only as needed for the purpose of pool repair or to correct a severe chemical imbalance. Draining and refilling of decorative ponds and lakes shall be permitted only as needed for the purpose of lining the bottom to prevent absorption.
- E. Residential customers shall use no more than 164,250 gallons of water per year.
- F. Commercial or industrial customers shall use no more than gallons of water per year.
- G. All leaks, breaks, or other malfunctions in a customer's or person's plumbing or distribution system shall be repaired within forty-eight hours of notification by the Town unless other arrangements are made with the Town.

SECTION 3. CODE AMENDMENT: Section 13.20.030 of Chapter 13.20 Title 13 of the Yountville Municipal Code is hereby amended to read as follows:

13.20.030 Water use guidelines.

All persons are encouraged to use the following water conservation guidelines:

- A. Establish procedures in the home and business to recycle water where possible;
- B. Install water saving devices in existing facilities including low flow showerheads, faucet aerators, ULF toilets, and appliances;
- C. Refrain from additional irrigation and unnecessary use of water, such as car washing, when the temperature exceeds 90° Fahrenheit;
- D. All customers are encouraged to limit the expansion or installation of new water-using appliances, plumbing, or improvements, such as lawns, landscaping, pools, sprinkler irrigation systems, wash-down equipment, larger washing machines, or garbage disposal units;
- E. All persons are encouraged to place an increased emphasis on fire protection;

- F. All schools, social and professional groups, churches, etc., are encouraged to discuss water conservation as a regular agenda item and to forward worthwhile suggestions to the Town for consideration and implementation;
- G. All public facilities are encouraged to establish the following water program: hand watering where appropriate for plants and shrubs, use shutoff nozzles on hoses used for hand watering, maintenance watering of lawns and fields a maximum of 40 minutes per week, night watering of fields and lawns between 6:00 p.m. and 10:00 a.m. ~~7:00 p.m. and 8:00 a.m.~~;
- H. Restaurants shall be encouraged to supply water to patrons only upon request.

SECTION 4. CODE AMENDMENT: Sections 13.20.070, 13.20.080, 13.20.090, 13.20.100, and 13.20.110 of Chapter 13.20 of Title 13 of the Yountville Municipal Code are hereby repealed.

SECTION 5. CODE AMENDMENT: Section 13.20.060 of Chapter 13.20 of Title 13 of the Yountville Municipal Code is hereby amended to read as follows:

13.20.060 Enforcement.

- A. A violation of any provision of this chapter shall be subject to administrative enforcement under Chapter 8.05 of this code in addition to any other enforcement remedies available under law and this code.
- B. A violation of any provision of this chapter shall constitute a public nuisance which may be abated and/or enjoined pursuant to law and this code.
- C. After providing at least 15 days' notice thereof, the Town may install a flow restricting device on the meter of any customer exceeding the allotments in Section 13.20.020, subdivisions (E) and (F). The device shall restrict flow to the average daily allotment under those subdivisions. The customer shall pay a fee equal to the Town's actual costs related to the purchase, installation, monitoring, and removal of the device, which shall be established by resolution of the Town Council and may be included on the bill issued pursuant to Section 13.40.010.

SECTION 6. CODE AMENDMENT: Sections 13.24.090 and 13.24.100 of Chapter 13.24 of Title 13 of the Yountville Municipal Code are hereby repealed.

SECTION 7. CODE AMENDMENT: Section 13.24.080 of Chapter 13.24 of Title 13 of the Yountville Municipal Code is hereby amended to read as follows:

13.24.080 Enforcement.

- A. A violation of any provision of this chapter shall be subject to administrative enforcement under Chapter 8.05 of this code in addition to any other enforcement remedies available

under law and this code.

- B. A violation of any provision of this chapter shall constitute a public nuisance which may be abated and/or enjoined pursuant to law and this code.
- C. After providing at least 15 days' notice thereof, the Town may install a flow restricting device on the meter of any customer whose use violates the provisions of this chapter to ensure compliance with this chapter. The customer shall pay the Town's actual costs related to the purchase, installation, monitoring, and removal of the device, which shall be established by resolution of the Town Council and may be included on the bill issued pursuant to Section 13.40.010.

SECTION 8. CEQA: The Town Council has considered all of the evidence in the record, including the staff report, the testimony received during the meeting on the matter held by the Town Council, and hereby determines that this Ordinance is exempt from review under the California Environmental Quality Act (CEQA). Pursuant to section 15061(b)(3) of the CEQA Guidelines, CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Ordinance will not result in a significant foreseeable environmental impact.

SECTION 9. Severability: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 10. Certification and Effective Date: The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. This ordinance will take immediate effect upon its adoption pursuant to Water Code section 376. Within ten days following adoption, this ordinance will be published at least once in a newspaper of general circulation that is published and circulated in the Town of Yountville and/or posted in three public places in the Town of Yountville.

INTRODUCED by the Town Council at a regular meeting held on the 18th day of January 2022.

PASSED AND ADOPTED by the Town Council at a regular meeting held on the ___ day of _____ 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John F. Dunbar, Mayor

ATTEST:

Eddy Gomez
Town Clerk

Gary B. Bell
Town Attorney