

Department of Water and Power



the City of Los Angeles

ANTONIO R. VILLARAIGOSA
Mayor

Commission
LEE KANON ALPERT, *President*
EDITH RAMIREZ, *Vice President*
WALLY KNOX
FORESCEE HOGAN-ROWLES
JONATHAN PARFREY
BARBARA E. MOSCHOS, *Secretary*

H. DAVID NAHAI,
Chief Executive Officer and General Manager

July 22, 2009

The Honorable City Council
City of Los Angeles
Room 395, City Hall
Los Angeles, California 90012

Dear Members:

Subject: Amendments to Emergency Water Conservation Ordinance

Pursuant to Charter Section 240, enclosed for approval by your Honorable Body is Resolution No. 010-042, adopted by the Board of Water and Power Commissioners (Board) on July 21, 2009, approved as to form and legality by the City Attorney, which proposes amendments to the City of Los Angeles Emergency Water Conservation Ordinance to augment and clarify prohibited uses of water, provide an alternate compliance method for large landscape customers, and authorize LADWP to establish a variance process for hardship circumstances. As directed by the Board, transmitted to you are supporting documents.

If there are any questions regarding this item, please contact Ms. Winifred Yancy, Manager – Government and Neighborhood Relations, at (213) 367-0025, or Mr. Thomas Erb at (213) 367-0873.

Sincerely,

Barbara E. Moschos
Board Secretary

BEM:rg

Enclosures: LADWP Resolution
Board Letter

(Ordinance transmitted under separate cover)

Water and Power Conservation ... a way of life

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c/enc: Mayor Antonio Villaraigosa
Ms. Jan C. Perry, Chair, Energy and the Environment Committee
Mr. Gerry F. Miller, Chief Legislative Analyst
Mr. Raymond P. Ciranna, Interim City Administrative Officer
Mr. Rafael Prieto, Legislative Analyst, CLA
Mr. William R. Koenig, Chief Administrative Analyst
Ms. Winifred Yancy
Mr. Thomas Erb

WHEREAS, the City of Los Angeles Emergency Water Conservation Ordinance (Ordinance) contained in Los Angeles Municipal Code §§121.00 through 121.11 was last amended in August 2008; and

WHEREAS, the City of Los Angeles Board of Water and Power Commissioners (Board) is committed to fulfill its obligations by ensuring sustainable sources of water for the future; and

WHEREAS, the Emergency Water Conservation Ordinance outlines prohibited uses of water, defines phases of conservation, and establishes financial penalties for non-compliance; and

WHEREAS, the Los Angeles Department of Water and Power (LADWP) has prepared proposed amendments to the Ordinance; and

WHEREAS, the proposed amendments clarify prohibited uses and authorize LADWP to establish a variance process for hardship circumstances.

NOW, THEREFORE BE IT RESOLVED, that this Board recommends that the Council of the City of Los Angeles adopt an Ordinance in words and figures substantially as follows, to wit:

ORDINANCE NO. _____

An ordinance amending Chapter XII, Article I of the Los Angeles Municipal Code to clarify prohibited uses and modify certain water conservation requirements of the Water Conservation Plan of the City of Los Angeles.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 121.03 of the Municipal Code is amended to read:

SEC. 121.03. DEFINITIONS

The following words and phrases, whenever used in this article, shall be construed as defined in this section unless from the context a

different meaning is intended or unless a different meaning is specifically defined within individual sections of this article:

- a. **“Article”** means the ordinance providing for **“The Emergency Water Conservation Plan of the City of Los Angeles”**.
- b. **“Baseline Water Usage”** means the amount of water used for the same period during Fiscal Year 2006-2007. The Baseline Water Usage for Customers without a water usage history prior to 2007 shall be calculated pursuant to a Department water budget.
- c. **“Billing Unit”** means the unit amount of water used to apply water rates for purposes of calculating commodity charges for customer water usage and equals one hundred (100) cubic feet or seven hundred forty-eight (748) gallons of water.
- d. **“City”** means The City of Los Angeles.
- e. **“City Council”** means The Council of The City of Los Angeles.
- f. **“Conservation Phase”** means that level of mandatory water conservation presently required from customers pursuant to this article.
- g. **“Customer”** means any person, persons, association, corporation or governmental agency supplied or entitled to be supplied with water service by the Department.
- h. **“Department”** means the Department of Water and Power.
- i. **“Drip Irrigation”** means an efficient and targeted form of irrigation in which water is delivered in drops directly to the plants roots where no emitter produces more than four (4) gallons of water per hour.
- j. **“Gray Water”** means a customer’s second or subsequent use of water supplied by the Department on the customer’s premises, such as the use of laundry or bathing water for other purposes.
- k. **“His”** as used herein includes masculine, feminine or neuter, as appropriate.
- l. **“Irrigate”** means any exterior application of water, other than for firefighting purposes, dust control, or as process water, including but not limited to the watering of any vegetation whether it be natural or planted.

- m. **“Large Landscape Area”** means an area of vegetation at least three acres in size supporting a business necessity or public benefit uses such as parks, golf courses, schools, and cemeteries, and includes without limitation Schedule F and Provision M rate customers.
- n. **“Mayor”** means the Mayor of The City of Los Angeles
- o. **“Notice to the Department”** means written communication documenting compliance with all requirements and directed to the Department.
- p. **“Officer”** means every person designated in Section 200 of the Los Angeles City Charter as an officer of The City of Los Angeles.
- q. **“Potable Water”** means water supplied by the Department which is suitable for drinking and excludes recycled water from any source.
- r. **“Private Golf Course”** means a facility with a business license where play is restricted to members and their guests, and does not include personal use facilities such as backyard golf greens or courses.
- s. **“Process Water”** means water used to manufacture, alter, convert, clean, heat, or cool a product, or the equipment used for such purpose; water used for plant and equipment washing and for transporting of raw materials and products; and water used for community gardens, or to grow trees, plants, or turf for sale or installation.
- t. **“Recycled Water”** means water which as a result of treatment of wastewater, is suitable for a direct beneficial use, or a controlled use as approved by the California Department of Public Health.
- u. **“Section”** means a section of this article unless some other ordinance or statute is specifically mentioned.
- v. **“Single pass cooling systems”** means equipment where water is circulated only once to cool equipment before being disposed.
- w. **“Sports Fields”** means a public or private facility supporting a business necessity or public benefit use that provides turf areas as a playing surface for individual and team sports, and does not include a facility on a residential property.

Sec. 2. Subsection B of Section 121.07 of the Municipal Code is amended to read:

B. The Department shall monitor and evaluate the projected supply and demand for water by its customers monthly, and shall recommend to the Mayor and Council by concurrent written notice the extent of the conservation required by the customers of the Department in order for the Department to prudently plan for and supply water to its customers. The Mayor shall, in turn, independently evaluate such recommendation and notify the Council of the Mayor's determination as to the particular phase of water conservation, Phase I through Phase VI, that should be implemented. Thereafter, the Mayor may, with the concurrence of the Council, order that the appropriate phase of water conservation be implemented in accordance with the applicable provisions of this article. Said order shall be made by public proclamation and shall be published one time only in a daily newspaper of general circulation and shall become effective immediately upon such publication. The prohibited water uses for each phase shall take effect with the first full billing period commencing on or after the effective date of the public proclamation by the Mayor.

In the event the Mayor independently recommends to the Council a phase of conservation different from that recommended by the Department, the Mayor shall include detailed supporting data and the reasons for the independent recommendation in the notification to the Council of the Mayor's determination as to the appropriate phase of conservation to be implemented.

Sec. 3. Subsection 1 of Subsection A of Section 121.08 of the Municipal Code is amended to read:

1. No customer of the Department shall use a water hose to wash any paved surfaces including, but not limited to, sidewalks, walkways, driveways, and parking areas, except to alleviate immediate safety or sanitation hazards. This section shall not apply to Department-approved water conserving spray cleaning devices. Use of water pressure devices for graffiti removal are exempt. A simple spray nozzle does not qualify as a water conserving spray cleaning device.

Sec. 4. Subsection 7 of Subsection A of Section 121.08 of the Municipal Code is amended to read:

7. No customer of the Department shall water or irrigate lawn, landscape, or other vegetated areas between the hours of 9:00 a.m. and 4:00 p.m. During these hours, public and private golf course greens and tees and professional sports fields may be irrigated, in order to maintain play areas and accommodate event schedules. Supervised testing or repairing of irrigation systems is allowed anytime with proper signage.

Sec. 5. Subsection 8 of Subsection A of Section 121.08 of the Municipal Code is amended to read:

8. All irrigating of landscape with potable water using spray head sprinklers and bubblers shall be limited to no more than ten (10) minutes per watering day per station. All irrigating of landscape with potable water using standard rotors and multi-stream rotary heads shall be limited to no more than fifteen (15) minutes per cycle and up to two (2) cycles per watering day per station. Exempt from these landscape irrigation restrictions are irrigation systems using very low-flow drip-type irrigation when no emitter produces more than four (4) gallons of water per hour and micro-sprinklers using less than fourteen (14) gallons per hour. This provision does not apply to Schedule F water customers or water service that has been granted the General Provision M rate adjustment under the City's Water Rates Ordinance, subject to the customer having complied with best management practices for irrigation approved by the Department. The 9:00 a.m. to 4:00 p.m. irrigation restriction shall apply unless specifically exempt as stated in subsection 7, above.

Sec. 6. Subsection 13 of Subsection A of Section 121.08 of the Municipal Code is amended to read:

13. No Large Landscape Areas shall have irrigation systems without rain sensors that shut off the irrigation systems. Large

Landscape Areas with approved weather-based irrigation controllers registered with the Department are in compliance with this requirement.

Sec. 7. Subsection 14 of Subsection A of Section 121.08 of the Municipal Code is deleted.

Sec. 8. Subsection 1 of Subsection B of Section 121.08 of the Municipal Code is amended to read:

1. **Prohibited Uses Applicable To All Customers.** Should Phase II be implemented, uses applicable to Phase I of this Section shall continue to be applicable, except as specifically provided below.

Sec. 9. Subsection 3 of Subsection B of Section 121.08 of the Municipal Code is added to read:

3. Upon written Notice to the Department, irrigation of Sports Fields may deviate from the non-watering days to maintain play areas and accommodate event schedules; however, to be eligible for this means of compliance, a Customer must reduce his overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days.

Sec. 10. Subsection 4 of Subsection B of Section 121.08 of the Municipal Code is added to read:

4. Upon written Notice to the Department, Large Landscape Areas may deviate from the non-watering days by meeting the following requirements: 1) must have approved weather-based irrigation controllers registered with the Department (eligible weather-based irrigation controllers are those approved by the Metropolitan Water District of Southern California or the Irrigation Association Smart Water Application Technologies (SWAT) initiative); 2) must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days; and 3) must use recycled water if it is available from LADWP.

Sec. 11. Subsection 5 of Subsection B of Section 121.08 of the Municipal Code is amended to read:

5. These provisions do not apply to drip irrigation supplying water to a food source or to hand-held hose watering of vegetation, if the hose is equipped with a self-closing water shut-off device, which is allowed every day during Phase III except between the hours of 9:00 a.m. and 4:00 p.m.

Sec. 12. Subsection 1 of Subsection C of Section 121.08 of the Municipal Code is amended to read:

1. **Prohibited Uses Applicable To All Customers.** Should Phase III be implemented, uses applicable to Phases I and II of this Section shall continue to be applicable, except as specifically provided below.

Sec. 13. Subsection 3 of Subsection C of Section 121.08 of the Municipal Code is added to read:

3. Upon written Notice to the Department, irrigation of Sports Fields may deviate from the non-watering days to maintain play areas and accommodate event schedules; however, to be eligible for this means of compliance, a Customer must reduce his overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days.

Sec. 14. Subsection 4 of Subsection C of Section 121.08 of the Municipal Code is added to read:

4. Upon written Notice to the Department, Large Landscape Areas may deviate from the non-watering days by meeting the following requirements: 1) must have approved weather-based irrigation controllers registered with the Department (eligible weather-based irrigation controllers are those approved by the Metropolitan Water District of Southern California or the Irrigation Association Smart Water Application Technologies (SWAT) initiative); 2) must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days; and 3) must use recycled water if it is available from the Department.

Sec. 15. Subsection 5 of Subsection C of Section 121.08 of the Municipal Code is added to read:

5. These provisions do not apply to drip irrigation supplying water to a food source or to hand-held hose watering of vegetation, if the hose is equipped with a self-closing water shut-off device, which is allowed every day during Phase III except between the hours of 9:00 a.m. and 4:00 p.m.

Sec. 16. Subsection 1 of Subsection D of Section 121.08 of the Municipal Code is amended to read:

1. **Prohibited Uses Applicable to All Customers.** Should Phase IV be implemented, uses applicable to Phases I, II, and III of this Section shall continue to be applicable, except as specifically provided below.

Sec. 17. Subsection 3 of Subsection D of Section 121.08 of the Municipal Code is amended to read:

3. No washing of vehicles allowed except at commercial car wash facilities.

Sec. 18. Subsection 5 of Subsection D of Section 121.08 of the Municipal Code is added to read:

5. Upon written Notice to the Department, irrigation of Sports Fields may deviate from the specific non-watering days and be granted one additional watering day (for a total of 2 days allowed). To be eligible for this means of compliance, a Customer must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional ten percent from the Customer Baseline Water Usage within 30 days.

Sec. 19. Subsection 6 of Subsection D of Section 121.08 of the Municipal Code is added to read:

6. Upon written Notice to the Department, Large Landscape Areas may deviate from the specific non-watering days and be granted one additional watering day (for a total of 2 days allowed) by meeting

the following requirements: 1) must have approved weather-based irrigation controllers registered with the Department (eligible weather-based irrigation controllers are those approved by the Metropolitan Water District of Southern California or the Irrigation Association Smart Water Application Technologies (SWAT) initiative); 2) must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional ten percent from the Customer Baseline Water Usage within 30 days; and 3) must use recycled water if it is available from the Department.

Sec. 20. Subsection 7 of Subsection D of Section 121.08 of the Municipal Code is added to read:

7. These provisions do not apply to drip irrigation supplying water to a food source or to hand-held hose watering of vegetation, if the hose is equipped with a self-closing water shut-off device, which is allowed every day during Phase IV except between the hours of 9:00 a.m. and 4:00 p.m.

Sec. 21. Subsection 1 of Subsection E of Section 121.08 of the Municipal Code is amended to read:

1. **Prohibited Uses Applicable To All Customers.** Should Phase V be implemented, uses applicable to Phases I, II, III, and IV of this Section shall continue to be applicable, except as specifically provided below.

Sec. 22. Subsection H of Section 121.08 of the Municipal Code is added to read:

H. VARIANCE. If, due to unique circumstances, a specific requirement of this section would result in undue hardship to a Customer using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water uses, then the Customer may apply for a variance from the requirements. Unique circumstances include, but are not limited to, physical disabilities which prevent compliance with the Water Conservation Plan. The Department shall adopt procedures for variance applications, review, and decision.

Sec. 23. Subsection D of Section 121.10 of the Municipal Code is amended to read:

D. Recycled Water and Gray Water. The provisions of this article shall not apply to the use of Recycled Water or Gray Water, provided that such use does not result in excess water flow or runoff onto the adjoining sidewalk, driveway, street, gutter, or ditch. This provision shall not be construed to authorize the use of Gray Water if such use is otherwise prohibited by law.

Sec. 24. Subsection E of Section 121.10 of the Municipal Code is amended to read:

E. Large Landscape Areas. Large Landscape Areas that have multiple irrigation system stations can deviate from prescribed non-watering days if their systems include weather-based irrigation controllers, and each irrigation station is limited to the number of days prescribed in this ordinance.

Sec. 25. Subsection F of Section 121.10 of the Municipal Code is added to read:

F. Hillside Burn Areas. The provisions of this article shall not apply to hillside areas recovering from fire that have been replanted for erosion control. To qualify for this exemption, a Customer must obtain verification from the agency requiring erosion control measures. The duration of the exemption is limited to, either, one growing cycle, one year, or establishment of the vegetation, whichever is the lesser time period.

Sec. 26. URGENCY CLAUSE.

The Council of the City of Los Angeles hereby finds and declares that there exists within this City a current water shortage and the likelihood of a continuing water shortage into the immediate future and that as a result there is an urgent necessity to take legislative action through the exercise of the police power to protect the public peace, health and safety of this City from a public disaster or calamity. Therefore, this Ordinance shall take effect immediately upon publication.

Sec. 27. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUL 21 2009.

JUNE A. LAGMAY, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By _____
S. David Hotchkiss
Assistant City Attorney

Date _____

File No. _____

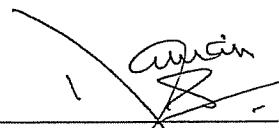
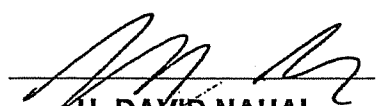
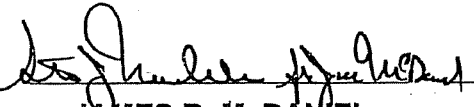
I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held

APPROVED AS TO FORM AND LEGALITY
CARMEN A. TRUTANICH, CITY ATTORNEY

JUL 18 2009
BY S. David Hotchkiss
S. DAVID HOTCHKISS
ASSISTANT CITY ATTORNEY

Bonnie E. Morales
Secretary

LADWP BOARD APPROVAL LETTER

TO: BOARD OF WATER AND POWER COMMISSIONERS	DATE: July 16, 2009
<div style="display: flex; justify-content: space-around; align-items: flex-end;"><div style="text-align: center;"> _____ RAMAN RAJ Chief Operating Officer</div><div style="text-align: center;"> _____ H. DAVID NAHAI Chief Executive Officer and General Manager</div></div> <div style="margin-top: 20px;"> _____ JAMES B. McDANIEL Senior Assistant General Manager – Water System</div>	SUBJECT: <p style="text-align: center;">Proposed Amendments to the City of Los Angeles Emergency Water Conservation Ordinance</p> FOR COMMISSION OFFICE USE:
CITY COUNCIL APPROVAL REQUIRED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	IF YES, BY WHICH CITY CHARTER SECTION: 240

PURPOSE

Transmitted for your approval are proposed amendments to the City of Los Angeles Emergency Water Conservation Ordinance (Ordinance). The proposed Ordinance amendments augment and clarify prohibited uses of water, require concurrent notification to the Mayor and City Council of any recommended phases of conservation by the City of Los Angeles Board of Water and Power Commissioners (Board), and provide authority for the Board to develop a variance process for unique hardship circumstances. Attached is a track change version of the current Ordinance with the proposed amendments.

BACKGROUND

On June 4, 2008, your Board approved amendments to the Ordinance to expand prohibited uses of water, establish new phases of conservation, and increase financial penalties for non-compliance. These amendments were approved by the City Council on August 8, 2008, and signed by Mayor Antonio R. Villaraigosa on August 14, 2008.

In response to water supply conditions, on February 17, 2009, your Board recommended implementation of Phase III of the Ordinance. The Mayor concurred, and the City Council approved the action on April 21, 2009. Phase III restrictions went into effect on June 1, 2009, limiting outdoor irrigation to two days per week.

On Tuesday, July 7, 2009, your Board deferred taking action on some proposed amendments to the Ordinance that were intended to clarify some of the prohibited uses. The Los Angeles Department of Water and Power (LADWP) staff was directed to redraft language in reply to the discussion topics. Pursuant to your Board's request, LADWP staff have modified the proposed amendment language to be more restrictive for alternative means of compliance. The new language still provides the needed flexibility for operations but includes an additional requirement that the customer be at least three acres in size and save more water than required by the current conservation level.

PROPOSED ORDINANCE AMENDMENTS

Among the proposed amendments to the Emergency Water Conservation Ordinance are:

- Requiring concurrent notification to the Mayor and City Council of any recommended phases of conservation.
- Clarifying watering needs for community gardens and food sources.
- Modifying prohibited uses to recognize irrigation requirements for low-water emitting sprinklers, large-turf applications, and sports fields.
- Providing for necessary irrigation for hillside burn areas to prevent soil erosion.
- Providing for LADWP to establish a variance process for unique hardship circumstances.

In response to the discussion at the July 7, 2009 Board meeting, the following revisions for large irrigation customers are proposed:

- Increasing water conservation requirements for large irrigation customers who chose to take advantage of alternate means of compliance. In Phase III, they must conserve an additional 5 percent, in Phase IV, an additional 10 percent above the Board-required conservation savings.
- Increasing the size of parcels to be considered a large landscape customer to a minimum of three acres.
- Providing a baseline of Fiscal Year 2006-2007 water use to be used to verify water savings for large landscape customers.
- Revising the process to qualify for alternate means of compliance by requiring customers to submit documentation of compliance with all requirements to LADWP.

The amended Ordinance will go into effect immediately upon approval by the City Council.

FISCAL IMPACT STATEMENT

None.

PRE-AWARD CHECKLIST

Not applicable since LADWP will be implementing the Ordinance and as a governmental agency is exempt from these business practices.

CHARTER SECTION 1022 FINDINGS AND BASIS THEREOF

These amendments are not a contract for labor/professional services and do not involve labor bargaining work.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), it has been determined that amending the Emergency Water Conservation Ordinance is exempt pursuant to the General Exemption described in the CEQA Guidelines Section 15061(b)(3). This General Exemption applies in situations where it can be seen that there is no possibility that the activity in question will have a significant effect on the environment.

RECOMMENDATION

It is requested that your Honorable Board adopt the accompanying resolution, approved as to form and legality by the City Attorney, recommending to the Mayor and City Council adoption of proposed amendments to the City of Los Angeles Emergency Water Conservation Ordinance. The Mayor's Office has granted an ED-4 Waiver.

TME:lsf

Attachment

c: H. David Nahai
Raman Raj
Richard M. Brown
Aram Benyamin
James B. McDaniel
Cecilia K.T. Weldon
Jeffery L. Peltola
Maria Sison-Roces
Thomas M. Erb
Penny M. Falcon

PROPOSED REVISIONS – 7/165/09

ORDINANCE NO. _____

An ordinance amending Chapter XII, Article I of the Los Angeles Municipal Code to ~~establish additional~~clarify prohibited uses of water and ~~eliminate~~modify certain water rationing conservation requirements of the Water Conservation Plan of the City of Los Angeles.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Chapter XII, Article I, of the Los Angeles Municipal Code is amended in its entirety to read:

ARTICLE I EMERGENCY WATER CONSERVATION PLAN

SEC. 121.00. SCOPE AND TITLE.

This article shall be known as The Emergency Water Conservation Plan of the City of Los Angeles.

SEC. 121.01. DECLARATION OF POLICY.

It is hereby declared that because of the conditions prevailing in the City of Los Angeles and in the areas of this State and elsewhere from which the City obtains its water supplies, the general welfare requires that the water resources available to the City be put to the maximum beneficial use to the extent to which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interests of the people of the City and for the public welfare.

SEC. 121.02. DECLARATION OF PURPOSE.

The purpose of this article is to provide a mandatory water conservation plan to minimize the effect of a shortage of water to the customers of the City and, by means of this article, to adopt provisions that will significantly reduce the consumption of water over an extended period of time, thereby extending the available water required for the customers of the City while reducing the hardship of the City and the general public to the greatest extent possible, voluntary conservation efforts having proved to be insufficient.

SEC. 121.03. DEFINITIONS

The following words and phrases, whenever used in this article, shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined within individual sections of this article:

- a. **"Article"** means the ordinance providing for **"The Emergency Water Conservation Plan of the City of Los Angeles"**.
- b. **"Baseline Water Usage"** means the amount of water used for the same period during Fiscal Year 2006-2007. The Baseline Water Usage for Customers without a water usage history prior to 2007 shall be calculated pursuant to a Department water budget.
- c. **"Billing Unit"** means the unit amount of water used to apply water rates for purposes of calculating commodity charges for customer water usage and equals one hundred (100) cubic feet or seven hundred forty-eight (748) gallons of water.
- d. **"City"** means The City of Los Angeles.
- e. **"City Council"** means The Council of The City of Los Angeles.
- f. **"Conservation Phase"** means that level of mandatory water conservation presently required from customers pursuant to this article.
- g. **"Customer"** means any person, persons, association, corporation or governmental agency supplied or entitled to be supplied with water service by the Department.
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- k. **"His"** as used herein includes masculine, feminine or neuter, as appropriate.

- l. **“Irrigate”** means any exterior application of water, other than for firefighting purposes, dust control, or as process water, including but not limited to the watering of any vegetation whether it be natural or planted.
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- n. **“Mayor”** means the Mayor of The City of Los Angeles
- o. **“Notice to the Department”** means written communication documenting compliance with all requirements and directed to the Department.
- p. **“Officer”** means every person designated in Section 200 of the Los Angeles City Charter as an officer of The City of Los Angeles.
- q. **“Potable Water”** means water supplied by the Department which is suitable for drinking and excludes recycled water from any source.
- r. **“Private Golf Course”** means a facility with a business license where play is restricted to members and their guests, and does not include personal use facilities such as backyard golf greens or courses.
- s. **“Process Water”** means water used to manufacture, alter, convert, clean, heat, or cool a product, or the equipment used for such purpose; water used for plant and equipment washing and for transporting ~~the~~ of raw materials and products; and water used for community gardens, or to grow trees, or plants, or turf for sale or installation.
- t. **“Recycled Water”** means water which as a result of treatment of wastewater, is suitable for a direct beneficial use, or a controlled use as approved by the California Department of Public Health.
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- v. **“Single pass cooling systems”** means equipment where water is circulated only once to cool equipment before being disposed.
- w. **“Sports Fields”** means a public or private facility supporting a business necessity or public benefit use that provides turf areas as a playing surface for individual and team sports, and does not include a facility on a residential property.

SEC. 121.04. AUTHORIZATION.

The various officers, boards, departments, bureaus and agencies of the City are hereby authorized and directed to immediately implement the applicable provisions of this article upon the effective date hereof.

SEC. 121.05. APPLICATION.

The provisions of this article shall apply to all customers and property served by the Department of Water and Power wherever situated, and shall also apply to all property and facilities owned, maintained, operated or under the jurisdiction of the various officers, boards, departments, bureaus or agencies of the City.

SEC. 121.06. WATER CONSERVATION PHASES.

A. No customer of the Department of Water and Power shall make, cause, use, or permit the use of water from the Department for any residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this article. The waste or unreasonable use of water is prohibited.

B. For the purposes of this article a use of water by a tenant or by an employee, agent, contractor or other acting on behalf of a customer whether with real or ostensible authority shall be imputed to the customer. Nothing contained in this article shall limit the remedies available to a customer under law or equity for the actions of a tenant, agent, contractor or other acting on behalf of a customer.

SEC. 121.07. CONSERVATION PHASE IMPLEMENTATION.

A. Notwithstanding any other provisions of this article, the provisions of Section 121.08A, Phase I, Prohibited Uses applicable to all customers, shall take effect immediately upon the effective date of this article, shall be permanent and shall not be subject to termination pursuant to the provisions of this article providing for the termination of a conservation phase.

B. The Department shall monitor and evaluate the projected supply and demand for water by its customers monthly, and shall recommend to the Mayor and Council by concurrent written notice the extent of the conservation required by the customers of the Department in order for the Department to prudently plan for and supply water to its customers. The Mayor shall, in turn, independently evaluate such recommendation and notify the Council of the Mayor's determination as to the particular phase of water conservation, Phase I through Phase VI, that should be implemented. Thereafter, the Mayor may, with the concurrence of the Council, order that the appropriate phase of water conservation be implemented in accordance with the applicable provisions of this article. Said order shall be made by public proclamation

and shall be published one time only in a daily newspaper of general circulation and shall become effective immediately upon such publication. The prohibited water uses for each phase shall take effect with the first full billing period commencing on or after the effective date of the public proclamation by the Mayor.

In the event the Mayor independently recommends to the Council a phase of conservation different from that recommended by the Department, the Mayor shall include detailed supporting data and the reasons for the independent recommendation in the notification to the Council of the Mayor's determination as to the appropriate phase of conservation to be implemented.

C. Phase Termination

1. At such time as the Department reports an April 1 forecast of annual Owens Valley and Mono Basin Runoff equal to or exceeding 110 percent of normal and the Metropolitan Water District officially states that the sum of its Colorado River and State Water Project supplies exceeds 100 percent of projected demand, the Mayor shall forthwith recommend to the Council the termination of any customer curtailment phase then in effect. Said recommendation to terminate shall take effect upon concurrence of the Council.

2. The provisions of Subsection C1 above shall not preclude the Department on the basis of information available to it from recommending to the Mayor the termination of a water conservation phase then in effect. The Mayor shall forward said recommendation to the Council and it shall take effect upon concurrence by the Council.

SEC. 121.08. WATER CONSERVATION PHASES.

A. PHASE I

Prohibited Uses Applicable To All Customers.

1. No customer of the Department shall use a water hose to wash any ~~hard or paved surfaces including, but not limited to, sidewalks, walkways, driveways, and parking areas, except that, flammable or other dangerous substances may be, if otherwise permitted by law, disposed of by direct hose-flushing for the benefit of public health and safety to alleviate immediate safety or sanitation hazards.~~ This section shall not apply to Department-approved water conserving spray cleaning devices. Use of water pressure devices for graffiti removal are exempt. A simple spray nozzle does not qualify as a water conserving spray cleaning device.

2. No customer of the Department shall use water to clean, fill or

maintain levels in decorative fountains, ponds, lakes, or similar structures used for aesthetic purposes unless such water is part of a recirculating system.

3. No restaurant, hotel, café, cafeteria or other public place where food is sold, served or offered for-sale, shall serve drinking water to any person unless expressly requested.

4. No customer of the Department shall permit water to leak from any pipe or fixture on the customer's premises; failure or refusal to affect a timely repair of any leak of which the customer knows or has reason to know shall subject said customer to all penalties provided herein for a prohibited use of water.

5. No customer of the Department shall wash a vehicle with a hose if the hose does not have a self-closing water shut-off or device attached to it or otherwise allow a hose to run continuously while washing a vehicle.

6. No customer of the Department shall irrigate during periods of rain.

7. No customer of the Department shall water or irrigate lawn, landscape, or other vegetated areas between the hours of 9:00 a.m. and 4:00 p.m. ~~provided further that commercial nurseries holding a current City Business Tax Registration Certificate shall be exempt from the provisions of this subsection.~~ During these hours, public and private golf course greens and tees and professional sports fields may be irrigated, in order to maintain play areas and accommodate event schedules. Supervised testing or repairing of irrigation systems is allowed anytime with proper signage.

8. All irrigating of landscape with potable water using spray head sprinklers and bubblers shall be limited to no more than ten (10) minutes per watering day per station, or shall be limited to no more than fifteen (15) minutes per cycle. ~~And All irrigating of landscape with potable water using stream rotator-type or gear driven standard rotors and multi-stream rotary heads sprinklers shall be limited to no more than fifteen (15) minutes per cycle and up to two (2) cycles per watering day per station. for stream rotator type or gear driven sprinklers.~~ Exempt from these landscape irrigation restrictions are irrigation systems using very low-flow drip-type irrigation when no emitter produces more than four (4) gallons of water per hour and micro-sprinklers using less than fourteen (14) gallons per hour. All irrigating of landscape with potable water using stream-rotator type or gear-driven sprinklers shall be limited to no more than fifteen (15) minutes per watering day per station, or shall be limited to no more than ten (10) minutes per watering day per station for all other types of sprinklers. Exempt from these landscape irrigation restrictions are irrigation systems using very low-flow drip-type irrigation when no emitter produces more than two (2) gallons of water per hour. ~~This provision does not apply to Schedule F water customers or~~

water service that has been granted the General Provision M rate adjustment under the City's Water Rates Ordinance, subject to the customer having complied with best management practices for irrigation approved by the Department. The 9:00 a.m. to 4:00 p.m. irrigation restriction shall apply unless specifically exempt as stated in subsection 7, above.

9. No customer of the Department shall water or irrigate any lawn, landscape, or other vegetated area in a manner that causes or allows excess or continuous water flow or runoff onto an adjoining sidewalk, driveway, street, gutter or ditch.

10. No installation of single pass cooling systems shall be permitted in buildings requesting new water service.

11. No installation of non-recirculating systems shall be permitted in new conveyor car wash and new commercial laundry systems.

12. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each bathroom using clear and easily understood language. The Department shall make suitable displays available.

13. ~~No large landscape areas, such as parks and open fields,~~ shall have irrigation systems without rain sensors that shut off the irrigation systems. Large Landscape Areas with approved weather-based irrigation controllers registered with the Department are in compliance with this requirement.

~~14. The prohibited uses set forth in this subsection do not apply to Gray Water. This provision shall not be construed to authorize the use of Gray Water if such use is otherwise prohibited by law.~~

B. PHASE II

1. **Prohibited Uses Applicable To All Customers.** Should Phase II be implemented, uses applicable to Phase I of this Section 421.08 shall continue to remain in effect be applicable, except as specifically provided below.

2. **Non-Watering Days.** No landscape irrigation shall be permitted on any day other than Monday, Thursday, or Saturday.

3. Upon written Notice to the Department, irrigation of Sports Fields may deviate from the non-watering days to maintain play areas and accommodate event schedules; however, to be eligible for this means of

compliance, a Customer must reduce his overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days.

4. Upon written Notice to the Department, Large Landscape Areas may deviate from the non-watering days by meeting the following requirements: 1) must have approved weather-based irrigation controllers registered with the Department (eligible weather-based irrigation controllers are those approved by the Metropolitan Water District of Southern California or the Irrigation Association Smart Water Application Technologies (SWAT) initiative); 2) must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days; and 3) must use recycled water if it is available from the Department.

53. These provisions do not apply to drip irrigation supplying water to a food source or to hand-held hose watering of vegetation, if the hose is equipped with a self-closing water shut-off or device, which is allowed every day during Phase II except between the hours of 9:00 am and 4:00 pm.

C. PHASE III

1. **Prohibited Uses Applicable To All Customers.** Should Phase III be implemented, uses applicable to Phases I and II of this Section 421.08 shall continue to remain in effect be applicable, except as specifically provided below.

2. **Non-Watering Days.** No landscape irrigation shall be permitted on any day other than Monday or Thursday.

3. Upon written Notice to the Department, irrigation of Sports Fields may deviate from the non-watering days to maintain play areas and accommodate event schedules; however, to be eligible for this means of compliance, a Customer must reduce his overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days.

4. Upon written Notice to the Department, Large Landscape Areas may deviate from the non-watering days by meeting the following requirements: 1) must have approved weather-based irrigation controllers registered with the Department (eligible weather-based irrigation controllers are those approved by the Metropolitan Water District of Southern California or the Irrigation Association Smart Water Application Technologies (SWAT) initiative); 2) must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional five percent from the Customer Baseline Water Usage within 30 days; and 3) must use recycled water if it is available from the Department.

5. These provisions do not apply to drip irrigation supplying water to a food source or to hand-held hose watering of vegetation, if the hose is equipped with a self-closing water shut-off device, which is allowed every day during Phase III except between the hours of 9:00 a.m. and 4:00 p.m.

D. PHASE IV

1. **Prohibited Uses Applicable to All Customers.** Should Phase IV be implemented, uses applicable to Phases I, II, and III of this Section 121.08 shall continue to be applicable, except as specifically provided below remain in effect.

2. **Non-Watering Days.** No landscape irrigation shall be permitted on any day other than Monday.

3. **No washing of vehicles allowed** except at commercial car wash facilities.

4. **No filling of residential swimming pools and spas with potable water.**

5. Upon written Notice to the Department, irrigation of Sports Fields may deviate from the specific non-watering days and be granted one additional watering day (for a total of 2 days allowed). To be eligible for this means of compliance, a Customer must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional ten percent from the Customer Baseline Water Usage within 30 days.

5.6. Upon written Notice to the Department, Large Landscape Areas may deviate from the specific non-watering days and be granted one additional watering day (for a total of 2 days allowed) by meeting the following requirements: 1) must have approved weather-based irrigation controllers registered with the Department (eligible weather-based irrigation controllers are those approved by the Metropolitan Water District of Southern California or the Irrigation Association Smart Water Application Technologies (SWAT) initiative); 2) must reduce overall monthly water use by the Department Board-adopted degree of shortage plus an additional ten percent from the Customer Baseline Water Usage within 30 days; and 3) must use recycled water if it is available from the Department.

7. These provisions do not apply to drip irrigation supplying water to a food source or to hand-held hose watering of vegetation, if the hose is equipped with a self-closing water shut-off device, which is allowed every day during Phase IV except between the hours of 9:00 a.m. and 4:00 p.m.

E. PHASE V

1. **Prohibited Uses Applicable To All Customers.** Should Phase V be implemented, uses applicable to Phases I, II, III, and IV of this Section 121.08 shall continue to be applicable, except as specifically provided below remain in effect.

2. Non-Watering Days. No landscape irrigation allowed.

F. PHASE VI

1. **Prohibited Uses Applicable To All Customers.** Phases I, II, III, IV, and V of Section 121.08 shall continue to remain in effect.

2. **Additional Prohibited Uses -** The Board of Water and Power Commissioners is hereby authorized to implement additional prohibited uses of water based on the water supply situation. Any additional prohibition shall be published at least once in a daily newspaper of general circulation and shall become effective immediately upon such publication and shall remain in effect until cancelled.

G. EXCEPTION. The prohibited uses of water provided for by Subsections A, B, C, D, E, and F of this section are not applicable to the uses of water necessary for public health and safety or for essential government services such as police, fire, and other similar emergency services.

H. VARIANCE. If, due to unique circumstances, a specific requirement of this section would result in undue hardship to a Customer using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water uses, then the Customer may apply for a variance from the requirements. Unique circumstances include, but are not limited to, physical disabilities which prevent compliance with the Water Conservation Plan. The Department shall adopt procedures for variance applications, review, and decision.

SEC. 121.09 FAILURE TO COMPLY.

A. Penalties – water meters smaller than two inches (2”). It shall be unlawful for any Customer of the Department to fail to comply with any of the provisions of this article. Notwithstanding any other provision of the Los Angeles Municipal Code, the penalties set forth herein shall be exclusive and not cumulative with any other provisions of this Code. The penalties for failure to comply with any of the provisions of this article shall be as follows:

1. For the first violation by any customer of any of the provisions of Subsection A, B, C and D of Section 121.08, the Department shall issue a written notice of the fact of such violation to the customer.

2. For a second violation by any customer of any of the provisions of Subsection A, B, C and D of Section 121.08 within the preceding twelve (12) calendar months, a surcharge in the amount of one hundred dollars (\$100.00) shall be added to the customer's water bill.

3. For a third violation by any customer of any of the provisions of Subsection A, B, C and D of Section 121.08 within the preceding twelve (12) calendar months, a surcharge in the amount of two hundred dollars (\$200.00) shall be added to the customer's water bill.

4. For a fourth and any subsequent violation by a customer of any of the provisions of Subsection A, B, C and D of Section 121.08 within the preceding twelve (12) calendar months, a surcharge in the amount of three hundred dollars (\$300.00) shall be added to the customer's water bill.

5. After a fifth or subsequent violation, the Department may install a flow restricting device of one gallon per minute (1 GPM) capacity for services up to one and one-half inch (1-1/2") size and comparatively sized restrictors for larger services or terminate a customer's service, in addition to the financial surcharges provided for herein. Such action shall be taken only after a hearing held by the Department where the customer has an opportunity to respond to the Department's information or evidence that the customer has repeatedly violated this article or Department rules regarding the conservation of water and that such action is reasonably necessary to assure compliance with this article and Department rules regarding the conservation of water.

Any such restricted or terminated service may be restored upon application of the customer made not less than forty-eight (48) hours after the implementation of the action restricting or terminating service and only upon a showing by the customer that the customer is ready, willing and able to comply with the provisions of this article and Department rules regarding the conservation of water. Prior to any restoration of service, the customer shall pay all Department charges for any restriction or termination of service and its restoration as provided for in the Department's rules governing water service, including but not limited to payment of all past due bills and fines.

B. Penalties – water meters two inches (2") and larger. It shall be unlawful for any customer of the Department to fail to comply with any of the

provisions of this article. Notwithstanding any other provision of the Los Angeles Municipal Code, the penalties set forth herein shall be exclusive and not cumulative with any other provisions of this Code. The penalties for failure to comply with any of the provisions of this article shall be as follows:

1. For the first violation by any customer of any of the provisions of Subsection A, B, C and D of Section 121.08, the Department shall issue a written notice of the fact of such violation to the commercial or industrial customer.

2. For a second violation by any customer of any of the provisions of Subsection A, B, C and D of Section 121.08 within the preceding twelve (12) calendar months, a surcharge in the amount of two hundred dollars (\$200.00) shall be added to the customer's water bill.

3. For a third violation by any customer of any of the provisions of Subsection A, B, C and D of Section 121.08 within the preceding twelve (12) calendar months, a surcharge in the amount of four hundred dollars (\$400.00) shall be added to the customer's water bill.

4. For a fourth and any subsequent violation by a customer of any of the provisions of Subsection A, B, C and D of Section 121.08 within the preceding twelve (12) calendar months, a surcharge in the amount of six hundred dollars (\$600.00) shall be added to the customer's water bill.

5. After a fifth or subsequent violation, the Department may install a flow restricting device or terminate a customer's service, in addition to the financial surcharges provided for herein. Such action shall be taken only after a hearing held by the Department where the customer has an opportunity to respond to the Department's information or evidence that the customer has repeatedly violated this article or Department rules regarding the conservation of water and that such action is reasonably necessary to assure compliance with this article and Department rules regarding the conservation of water.

Any such restricted or terminated service may be restored upon application of the customer made not less than forty-eight (48) hours after the implementation of the action restricting or terminating service and only upon a showing by the customer that the customer is ready, willing and able to comply with the provisions of this article and Department rules regarding the conservation of water. Prior to any restoration of service, the customer shall pay all Department charges for any restriction or termination of service and its restoration as provided for in the Department's rules governing water service, including but not limited to payment of all past due bills and fines.

C. Notice. The Department shall give notice of each violation to the customer committing such violation as follows:

1. For any violation of the provisions of Section 121.08 the Department may give written notice of the fact of such violation to the customer personally, by posting a notice at a conspicuous place on the customer's premises, or by United States mail, First Class, postage prepaid addressed to the customer's billing address.

2. If the penalty assessed is, or includes, the installation of a flow restrictor or the termination of water service to the customer, notice of the violation shall be given in the following manner:

(a) By giving written notice thereof to the customer personally; or

(b) If the customer is absent from or unavailable at either his place of residence or his place of business, by leaving a copy with some person of suitable age and discretion at either place, and sending a copy through the United States mail, First Class postage prepaid, addressed to the customer at his place of business, residence, or such other address provided by the customer for bills for water or electric service if such can be ascertained; or

(c) If such place of residence, business or other address cannot be ascertained, or a person of suitable age or discretion at any such place cannot be found, then by affixing a copy in a conspicuous place on the property where the failure to comply is occurring and also by delivering a copy to a person of suitable age and discretion there residing, or employed, if such person can be found, and also sending a copy through the United States mail, First Class, postage prepaid, addressed to the customer at the place where the property is situated as well as such other address provided by the customer for bills for water or electric service if such can be ascertained.

Said notice shall contain, in addition to the facts of the violation, a statement of the possible penalties for each violation and statement informing the customer of his right to a hearing on the violation.

D. Hearing. Any customer who disputes any penalty levied pursuant to this section shall have a right to a dispute determination conducted pursuant

to the Department's Rules Governing Water and Electric Service. Any customer dissatisfied with the Department's dispute determination may appeal that determination within 15 days of issuance to the Board of Water and Power Commissioners, or to a designated hearing officer at the election of the Board. The provisions of Sections 19.24, 19.25, 19.26 and Sections 19.29 through 19.39 of the Los Angeles Administrative Code shall apply to such appeals. All defenses, both equitable and legal, may be asserted by a customer in the appeal process. The decisions of the Board of Water and Power Commissioners shall become final at the expiration of 45 calendar days, unless the Council acts within that time by a majority vote to bring the action before it or to waive review of the action. If the Council timely asserts jurisdiction, the Council may, by a majority vote, amend, veto or approve the action of the Board of Water and Power Commissioners within 21 calendar days of voting to bring the matter before it, or the action of the Board of Water and Power Commissioners shall become final. If the City Council asserts jurisdiction over the matter and acts within 21 calendar days of voting to bring the matter before it, the City Council's action shall be the final decision.

E. Reservation of Rights. The rights of the Department hereunder shall be cumulative to any other right of the Department to discontinue service. All monies collected by the Department pursuant to any of the surcharge provisions of this article shall be deposited in the Water Revenue Fund as reimbursement for the Department's costs and expenses of administering and enforcing this article.

SEC. 121.10. GENERAL PROVISIONS.

A. Enforcement. The Department of Water and Power shall enforce the provisions of this article.

B. Department to Give Effect to Legislative Intent. The Department shall provide water to its customers in accordance with the provisions of this article, and in a manner reasonably calculated to effectuate the intent hereof.

C. Public Health and Safety Not to be Affected. Nothing contained in this article shall be construed to require the Department to curtail the supply of water to any customer when, in the discretion of the Department, such water is required by that customer to maintain an adequate level of public health and safety; provided further that a customer's use of water to wash the customer's property immediately following the aerial application of a pesticide, such as Malathion, shall not constitute a violation of this article.

D. Reclaimed-Recycled Water and Gray Water. The provisions of this article shall not apply to the use of ~~reclaimed-Recycled w~~Water or Gray

Water, provided that such use does not result in excess water flow or runoff onto the adjoining sidewalk, driveway, street, gutter, or ditch. This provision shall not be construed to authorize the use of Gray Water if such use is otherwise prohibited by law.

E. Large Turf Customers Landscape Areas. Large turf customers Landscape Areas such as parks and golf courses that have multiple irrigation system stations can deviate from prescribed non-watering days if their systems include weather-based irrigation controllers, and each irrigation station is limited to the number of days prescribed in this ordinance.

F. Hillside Burn Areas. The provisions of this article shall not apply to hillside areas recovering from fire that have been replanted for erosion control. To qualify for this exemption, a Customer must obtain verification from the agency requiring erosion control measures. The duration of the exemption is limited to, either, one growing cycle, one year, or establishment of the vegetation, whichever is the lesser time period.

SEC. 121.11. SEVERABILITY.

If any section, subsection, clause or phrase in this article or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of the article or the application of such provision to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have passed this article and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

Sec. 2. URGENCY CLAUSE.

The Council of the City of Los Angeles hereby finds and declares that there exists within this City a ~~potential-current~~ water shortage and the likelihood of a ~~serious-continuing~~ water shortage into the immediate future and that as a result there is an urgent necessity to take legislative action through the exercise of the police power to protect the public peace, health and safety of this City from a public disaster or calamity. Therefore, this Ordinance shall take effect immediately upon publication.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE A. LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By _____
S. DAVID HOTCHKISS
Assistant City Attorney

Date _____

File No. _____