

ORDINANCE AMENDING CHAPTER 7.71 TO PROVIDE FOR MEASUREMENT AND REPORTING OF WATER USE BY SMALL PUBLIC WATER SYSTEMS

WHEREAS, on January 17, 2014, under the authority of the California Emergency Services Act, Governor Edmund G. Brown, Jr., issued a proclamation of a state of emergency throughout the State of California based on drought conditions; and

WHEREAS, on April 25, 2014, the Governor issued a proclamation of a continued state of emergency based on continued drought conditions; and

WHEREAS, the drought conditions that formed the basis of the Governor's emergency proclamations continue to exist; and

WHEREAS, on April 1, 2015, the Governor signed an Executive Order mandating restrictions in uses of potable water based on continued drought conditions; and

WHEREAS, on May 5, 2015, the State Water Resources Control Board adopted emergency regulations to achieve the targets in the Executive Order; and

WHEREAS, on January 28, 2014, the Santa Cruz County Board of Supervisors adopted a resolution declaring a state of drought for Santa Cruz County and urged all County residents to reduce water usage by 20%; and

WHEREAS, Santa Cruz County Code Chapter 7.71 establishes minimum requirements for safe practice in the production and delivery of water for domestic use from water systems serving more than four but fewer than 200 connections; and

WHEREAS, in order to quantify water usage from water systems governed by Chapter 7.71 and determine whether goals for reduction of water usage are being met, it is necessary to require installation of measuring devices to record water produced and delivered by such systems; and

WHEREAS, this action is categorically exempt from CEQA pursuant to Section 15307 (Class 7) of Title 14 of the Code of Regulations of the State of California, relating to actions for the protection of natural resources; and

WHEREAS, the Water Advisory Commission has reviewed and recommends approval of the proposed increased water use requirements,

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 7.71.020 of the Santa Cruz County Code is hereby amended to read as follows:

7.71.020 Applicability.

Except as otherwise provided in this chapter, this chapter shall apply to all water systems within the unincorporated area of the County, except the following:

- (A) Water systems owned and operated by public entity water districts;
- (B) Water systems which are subject to direct regulation by the State Water Resources Control Board Division of Drinking Water or which have more than 199 connections;
- (C) Water systems which neither serve nor are ultimately intended to serve more than four residential users (service connections). (See Chapter 7.73 SCCC for regulations applicable to individual water systems serving four or fewer residential users.) [Ord. 4213 § 2, 1992].

SECTION II

Chapter 7.71 of the Santa Cruz County Code, Water Systems, is hereby amended by adding Sections 7.71.130 and 7.71.140, as follows:

7.71.130 Water Use Measurement and Reporting.

(A) By October 1, 2015, the owner/operator of a water system governed by this chapter shall cause to be installed measuring devices to record the total amount of water produced and delivered by the system from all sources.

- (1) By January 15, 2016, each owner/operator of a water system shall submit a report to the Health Officer or their designee, which indicates the total monthly water production by the water system, for each month during the period of October 1 through December 31, 2015. Each owner/operator shall also report the monthly water production for each month during the period of July 1, 2013 through September 30, 2015, if that information is available.
- (2) Thereafter, by January 15 of each year, each owner/operator of a water system shall submit a report to the Health Officer or their designee, which indicates the total monthly water production by the system, for each month during the preceding calendar year.

(B) By October 1, 2017, all water systems governed by this chapter, except state small water systems with less than 15 connections, shall cause to be installed individual measuring devices to measure the water used by each service connection. By January 15, 2016, the owner/operator of a water system shall submit a report to the Health Officer describing the plan and schedule for installing measurement devices for each service connection.

(C) The Health Officer may establish specific technical requirements for installation of measurement devices and reporting of water use.

7.71.140 Violations.

(A) In the event of a violation of the provisions of this chapter or the conditions of any permit issued under this chapter, the water system operator shall be given notice of such violation and a reasonable time for its correction.

(B) Whenever the Health Officer determines that the violation has not been corrected by the time given for correction, the water system operator shall be subject to a violation reinspection fee, the amount to be established by resolution of the Board of Supervisors.

SECTION III

This ordinance shall take effect on the 31st day after the date of final passage.

PASSED AND ADOPTED this ____ day of _____, 2015, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Attest: _____
Clerk of the Board

Chair of the Board of Supervisors

Approved as to form:

J. Miller
County Counsel