

ORDINANCE NO. 22-0359

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLVANG, CALIFORNIA, REVISING TITLE 9, SECTION 9-3D-3.B.1.B OF THE SOLVANG MUNICIPAL CODE REGARDING WATER PENALTIES FOR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WATER USERS

WHEREAS, the City Council finds that as various water supply conditions change, and State and Federal regulations may change, it is necessary and beneficial from time to time to update and revise the Solvang Municipal Code; and

WHEREAS, the City Council finds that due to periodic severe drought in California, the drought regulations contained in Title 9 of the Solvang Municipal Code require modification; and

WHEREAS, the City Council desires to ensure adequate water supply to the residents and businesses of the City of Solvang during times of drought, and to implement fair and reasonable regulations to safeguard the City’s limited water resources; and

WHEREAS, the City Council has reviewed the matter and finds it to be beneficial to the health, safety and general welfare of the community.

NOW, THEREFORE, the people of the chartered City of Solvang do ordain as follows:

SECTION 1. Title 9, Section 9-3D-3.B.1.b of the Solvang Municipal Code is hereby revised to read as follows:

1b. Commercial/industrial/institutional customer water usage penalties shall be as follows:

0-80% of usage compared to same month in benchmark year	No penalty. Current water rate
>80% of usage compared to the same month in benchmark year	Penalty= 2.0x current rate, and one time warning
Second month and each additional month over	\$1,000 penalty

SECTION 2. If any section, subsection, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction or preempted by State or Federal legislation, such decision or legislation shall not affect the validity of the remaining provisions of this ordinance.

SECTION 3. This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA guidelines, and the City’s environmental procedures, and has been found to be exempt pursuant to § 15061(b)(3) (general rule) of the CEQA Guidelines, because the City Council hereby finds with certainty that there is no possibility the passage of this Ordinance will have a significant effect on the environment.

SECTION 4. Solvang is a Charter City and has adopted its own rules for summarizing and posting ordinances once they are adopted. A summary of this ordinance will be prepared by the City Clerk. The summary will be posted in three locations after adoption as directed in the Solvang Municipal Code. A true and correct copy of the full ordinance together with a record of the vote of each council member shall be kept by the City Clerk.

INTRODUCED at a regular meeting of the City Council held on the 27th day of June 2022 and **PASSED, APPROVED, AND ADOPTED** on this 11th day of July, 2022

DocuSigned by:

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Charlie Uhrig, Mayor

APPROVED AS TO FORM:

DocuSigned by:

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Dave Fleishman, City Attorney

ATTEST:

DocuSigned by:

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Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that the foregoing Ordinance No. 22-0359 was duly introduced at a regular meeting of the City Council held on the 27th day of June, 2022, and was duly adopted at a regular meeting of said City Council held on the 11th day of July 2022, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said Ordinance was adopted by the following vote:

AYES: INFANTI, ORONA, THOMAS, UHRIG

NOES: NONE

ABSTAIN: NONE

ABSENT: CLARKE

DocuSigned by:

Annamarie Porter

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Annamarie Porter, City Clerk