

COUNCIL AGENDA – SEPTEMBER 2, 2014

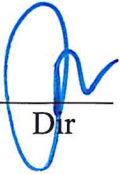


SUBJECT: SECOND READING – ORDINANCE 1816, ADDING SECTION 25-5.1 TO THE PORTERVILLE MUNICIPAL CODE REGARDING ENFORCEMENT OF ADOPTED WATER CONSERVATION PLAN

SOURCE: ADMINISTRATIVE SERVICES DEPARTMENT/CITY CLERK DIVISION

COMMENT: Ordinance No. 1816, An Ordinance of the City Council of the City of Porterville Adding Section 25-5.1 to Chapter 25, Article I, Division 1 of the Porterville Municipal Code Regarding Enforcement of Adopted Water Conservation Plan, was given first reading on August 19, 2014, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1816, waive further reading, and adopt said Ordinance.

ATTACHMENT: Ordinance No. 1816

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| Dir | Approp./ Funded | CM |

Item No. 11

ORDINANCE NO. 1816

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ADDING SECTION 25-5.1 TO CHAPTER 25, ARTICLE I, DIVISION 1 OF THE
PORTERVILLE MUNICIPAL CODE REGARDING ENFORCEMENT OF
ADOPTED WATER CONSERVATION PLAN

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS
FOLLOWS:

Section 1. Code Amendment. Section 25-5.1 IS hereby added to Chapter 25, Article I, Division 1 of the Porterville Municipal Code, to read as follows:

Section 25-5.1. City Water Conservation Plan.

The City Council has adopted by Resolution its Water Conservation Plan which sets forth water conservation phases and conservation measures including mandatory restrictions on water usage by property owners and water consumers. Violation of the measures in effect, currently and as may be amended by Resolution from time-to-time, pursuant to the applicable phase of Water Conservation Plan, shall be enforceable as set forth per any applicable remedy provisions in this Municipal Code, including but not limited to Chapter 1, Sections 1-9 and 1-10; Chapter 2, Article XIV; and/or Chapter 25, Article I. The City's Water Conservation Plan is deemed to be the City's "Water Shortage Contingency Plan" per applicable State law.

Section 2. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 3. Effective Date. This Ordinance shall take effect thirty days after adoption as provided by Porterville Charter Section 12.

Section 4. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

PASSED, APPROVED AND ADOPTED, this 2nd day of September, 2014.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk