City of LYNWOOD
A City Meeting Challenges
11330 BULLIS ROAD
LYNWOOD, CALIFORNIA 90262
(310) 603-0220

ALL-AMERICA CITY

February 10, 2010

State of California
Department of Water Resources
P.O. BOX 942836
Sacramento, CA 94236-0001

RE: Adoption of Water Conservation and Water Efficient Landscape Ordinances

Dear Sir or Madam:

This is to notify your department that the City of Lynwood has adopted the following ordinances:

| | |
|---|---|
| No. 1618 – Water Conservation | Adopted - September 15, 2009 |
| No. 1623 – Water Efficient Landscape | Adopted - December 1, 2009 |

Copies there of are enclosed. Each ordinance became effective thirty (30) days after adoption.

Sincerely,

G. Daniel Ojeda

G. Daniel Ojeda, P.E.
Public Works Director/City Engineer

Cc: Metropolitan Water District of Southern California
Central Basin Municipal Water District

# ORDINANCE NO. 1618

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNWOOD REPLACING SECTION 14-11 (WATER CONSERVATION), OF CHAPTER 14, OF THE LYNWOOD MUNICIPAL CODE IN ITS ENTIRETY**

**WHEREAS,** the purpose of this ordinance is to modify water conservation regulations and water shortage contingency measures consistent with the State law; and

**WHEREAS,** California is entering its third consecutive year of drought; and

**WHEREAS,** the City's policy is to promote conservation and efficient use of water; and

**WHEREAS,** mandatory conservation will begin replacing voluntary efforts at the local government level; and

**WHEREAS,** cities must begin implementing local efforts through partnerships, ordinances, and tiered rate systems in order to meet pending state requirements and qualify for much-needed funding through the Metropolitan Water District; and

**WHEREAS,** The Metropolitan Water District (MWD) Board of Directors has adopted a policy requiring cities in its jurisdiction to have a water conservation ordinance in place by June 30, 2009, as a prerequisite for funding through the Public Sector Program (PSP) and Enhanced Conservation Program (ECP); and

**WHEREAS,** this ordinance has been determined to be Categorically Exempt pursuant to Section 15308, Class 8 of the California Environmental Quality Act (CEQA);

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNWOOD DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 14-11 (WATER CONSERVATION)**

**Sub Sections:**

**14-11.10 Procedures for Determination/Notification of Water Supply Shortage.**
**14-11.11 Level 3 Alternate Provisions.**
**14-11.12 Hardship Waiver.**
**14-11.13 Penalties and Violations.**
**14-11.14 Severability.**

**Section 1.** Section 14-11 (Water Conservation), of Chapter 14 of the Lynwood Municipal Code is replaced in its entirety to read as follows:

**14-11.1 Title.**

This section will be known as the City of Lynwood Water Conservation and Water Supply Shortage Program.

**14-11.2 Findings.**

A. A reliable minimum supply of potable water is essential to the public health, safety and welfare of the people and economy of the City of Lynwood and Southern California region.

B. Southern California is a semi-arid region and is largely dependent upon imported water supplies. A growing population, climate change, environmental concerns, and other factors in other parts of the State of and western United States, make the region highly susceptible to water supply reliability issues.

C. Careful water management that includes active water conservation measures not only in times of drought, but at all times, is essential to ensure a reliable minimum supply of water to meet current and future water supply needs.

D. Article XI, Section 7 of the California Constitution declares that a City or County may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws.

E. Article X, Section 2 of the California Constitution declares that the general welfare requires that water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof.

F. California Water Code Section 375 authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.

G. The adoption and enforcement of a water conservation and supply shortage program is necessary to manage the City's potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortages within the City. Such program is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare.

**14-11.3 Declaration of Purpose and Intent.**

A. The purpose of this section is to establish a water conservation and supply shortage program that will reduce water consumption within the City of Lynwood through conservation, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, and maximize the efficient use of water

within the City of Lynwood to avoid and minimize the effect and hardship of water shortage to the greatest extent possible.

B. This section establishes permanent water conservation standards intended to alter behavior related to water use efficiency for non-shortage conditions and further establishes three levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies.

**14-11.4 Definitions.**

A. The following words and phrases whenever used in this chapter have the meaning defined in this section:

1. "City" means the City of Lynwood.
2. "Person" means any natural person or persons, corporation, public or private entity, governmental agency or institution, or any other user of water provided by the City.
3. "Landscape Irrigation System" means an irrigation system with pipes, hoses, spray heads, or sprinkling devices that are operated by hand or through an automated system.
4. "Large Landscape Areas" means a lawn, landscape, or other vegetated area, or combination thereof, equal to more than one (1) acre of irrigable land.
5. "Single Pass Cooling Systems" means equipment where water is circulated only one to cool equipment before being disposed.
6. "Potable Water" means water which is suitable for drinking.
7. "Recycled Water" means the reclamation and reuse of non-potable water for beneficial use.
8. "Billing Unit" means the unit of water used to apply water rates for purposes of calculating water charges for a persons water usage and equals one hundred (100) cubic feet or seven hundred forty-eight (748) gallons of water.

**14-11.5 Application.**

A. The provisions of this section apply to any person in the use of any potable water provided by the City.

B. The provisions of this section do not apply to uses of water necessary to protect public health and safety or for essential government services, such as police, fire and other similar emergency services.

C. The provisions of this section do not apply to the use of recycled water, with the exception of subsection 14-11.6 (A).

D. The provisions of this section do not apply to the use of water by commercial nurseries and commercial growers to sustain plants, trees, shrubs, crops or other vegetation intended for commercial sale.

E. This section is intended solely to further the conservation of water. It is not intended to implement any provision of federal, state, or local statues, ordinances, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on any storm water ordinances and storm water management plan.

**14-11.6 Permanent Water Conservation Requirements- Prohibition Against Waste.**

The following water conservation requirements are effective at all times and are permanent. Violations of this subsection will be considered waste and an unreasonable use of water.

A. Limits on Watering Hours: Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 9 a.m. and 6 p.m. Pacific Standard Time on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

B. Limit on Watering Duration: Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes watering per day per station. This part B of subsection 14-11.6 does not apply to landscape irrigation systems that exclusively use very low-flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour and weather based controllers or stream rotor sprinklers that meet a 70% efficiency standard.

C. No Excessive Water Flow or Runoff: Watering or irrigating of any lawn, landscape or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.

D. No Washing Down Hard or Paved Surfaces: Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device or a low-volume, high pressure cleaning machine equipped to recycle any water used.

E. Obligation to Fix Leaks, Breaks or Malfunctions: Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonable been discovered and corrected and in no event more than 3 days of receiving notice from the City is prohibited.

F. Re-circulating Water Required for Water Fountains and Decorative Water Features: Operating a water fountain or other decorative water feature that does not use re-circulated water is prohibited.

G. Limits on Washing Vehicles: Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. This part G of subsection of 14-11.6 does not apply to any commercial car washing facility.

H. Drinking Water Served Upon Request Only: Eating or drinking establishments, including but not limited to a restaurant, hotel, café, cafeteria, bar, club or other public place where food or drinks are sold, served, or offered for sale, are prohibited from providing drinking water to any person unless expressly requested.

I. Commercial Lodging Establishments Must Provide Option to Not Launder Linen Daily: Hotels, motels, and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.

J. No Installation of Single Pass Cooling Systems: Installation of single pass cooling systems is prohibited in buildings requesting new water service.

K. No Installation of Non-re-circulating in Commercial Car Wash and Laundry Systems: Installation of no-re-circulating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.

L. Restaurants Required to Use Water Conserving Dish Wash Spray Valves: Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.

**14-11.7 Level 1 Water Supply Shortage.**

A. A Level 1 Water Supply Shortage exists when the City determines, in its sole discretion, that due to drought or other water supply reductions, a water supply shortage exists and a consumer demand reduction of up to 10% is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the City of a Level 1 Water Supply Shortage condition, the City will implement the mandatory Level 1 conservation measures identified in this subsection. The type of event that may prompt the City to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.

B. Additional Water Conservation Measures: In addition to the prohibited uses of water identified in subsection 14-11.6, the following water conservation requirements apply during a declared Level 1 Water Supply Shortage:

1. Limits on Watering Days: Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to three days per week on a schedule established and posted by the City. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the City. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

2. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within

seventy-two (72) hours of notification by the City unless other arrangements are made with the City.

3. Other Prohibited Uses: The City may implement other prohibited water uses as determined by the City, after notice to customers.

**14-11.8 Level 2 Water Supply Shortage.**

A. A Level 2 Water Supply Shortage exists when the City determines, in its sole discretion, that due to drought or other supply reductions, a water supply shortage exists and a consumer demand reduction of up to 15% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration by the City of a Level 2 Water Supply Shortage condition, the City will implement the mandatory Level 2 conservation measures identified in this subsection.

B. Additional Conservation Measures: In addition to the prohibited uses of water identified in subsections 14-11.6 and 14-11.7, the following additional water conservation requirements apply during a declared Level 2 Water Supply Shortage.

1. Watering Days: Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two days per week on a schedule established and posted by the City. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the City. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

2. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within forty-eight (48) hours of notification by the city unless other arrangements are made with the City.

3. Limits on Filling Ornamental Lakes or Ponds: Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this ordinance.

4. Limits on Washing Vehicles: Using water to wash or clean a vehicle, including but not limited to, any automobile, truck, van, bus motorcycle, boat or trailer, whether motorized or not, is prohibited except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, by high pressure/low volume wash systems, or at a commercial car washing facility that utilizes a re-circulating water system to capture or reuse water.

5. Limits on Filling Residential Swimming Pools and Spas: Refilling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.

6. Other Prohibited Uses: The City may implement other prohibitions on water uses as determined by the City, after notice to customers.

C. Other Conservation Measures at Level 2. The City, in its discretion and in accordance with applicable laws, may implement the following conservation measures for a Level 2 Water Supply Shortage in addition to those set forth in Subsection 14-11.8 (B) above:

1. Water Allocations/ Water Budget: The City may establish a water allocation for property served by the City using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. The City must provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the City customarily mails the billing statement for fees or charges for on-going water service.

Following the effective date of the water allocation as established by the City, any person that uses water in excess of the allocation will be subject to a penalty in the amount of $2.50 for each billing unit of water in excess of the allocation or an amount established by the Resolution of City Council whichever is greater. The penalty for excess water usage will be cumulative to any other remedy or penalty that may be imposed for violation of this Ordinance.

2. Water Supply Shortage Rates: During a Level 2 Water Supply Shortage condition, the City may increase water rates, other than Tier 1 Lifeline rates of 15 units per residential household.

3. Mandatory Percentage Use Reductions: During a Level 2 Water Supply Shortage condition, all customers will be required to reduce water consumption by a percentage determined by the City.

**14-11.9 Level 3 Water Supply Shortage- Emergency Condition.**

A. A Level 3 Water Supply Shortage condition is also referred to as an "Emergency" condition. A Level 3 condition exists when the City declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that more than a 40% consumer demand reduction in consumer demand is necessary to make more efficient use of water and respond to existing water conditions to ensure sufficient supplies for human consumption, sanitation and fire protection. Upon the declaration of a Level 3 Water Supply Shortage Emergency condition, the City will implement the mandatory Level 3 conservation measures identified in this subsection. The City must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

B. Additional Conservation Measures: In addition to the prohibited uses of water identified in subsections 14-11.6, 14-11.7, and 14-11.8, the following water conservation requirements apply during a declared Level 3 Water Supply Shortage Emergency:

1. No Watering or Irrigating: Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction does not apply to the

following categories of use unless the City has determined that recycled water is available and may be lawfully applied to the use:

i. Maintenance of vegetation, including trees and shrubs, that are watered using a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or a very low-flow drip type irrigation system when no emitter produces more than two (2) gallons of water per hour subject to the hour restrictions in subsection 14-11.6 (A);
ii. Maintenance of existing landscape necessary for fire protection;
iii. Maintenance of existing landscape for soil erosion control;
iv. Maintenance of plant materials identified to be rare or essential to the well being of rare animals:
v. Maintenance of landscape within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week according to the schedule established in subsection 14-11.8 (B) (1) and time restrictions in subsection 14-11.6 (A) and (B)
vi. Public Works projects and actively irrigated environmental mitigation projects.

2. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within twenty four (24) hours of notification by the City unless other arrangements are made with the City.

3. No new Potable Water Service: Upon declaration of a Level 3 Water Supply Shortage Emergency condition, no new potable water service will be provided, no new temporary meters or permanent meters will be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) will be issued, except under the following circumstances:

a. A valid, unexpired building permit has been issued for the project; or

b. The project is necessary to protect the public's health, safety, and welfare; or

c. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the City.

This provision does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.

d. Discontinue Service: The City, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.

e. Other Prohibited Uses: The City may implement other prohibited water uses as determined by the City, after notice to customers.

**14-11.10 Procedures for Determination/Notification of Water Supply Shortage.**

A. Declaration and Notification of Level 1 and 2 Water Supply Shortage: The existence of Level 1 and Level 2 Water Supply Shortage conditions may be declared by resolution of the City adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation requirements applicable to Level 1 or Level 2 conditions will take effect on the tenth day after the date the shortage level is declared. Within five days following the declaration of the shortage level, the City must publish a copy of the resolution in a newspaper used for publication of official notices. If the City establishes a water allocation, it must provide notice of the allocation by including it in the regular billing statement for fees or charges for ongoing water service. A water allocation will be effective on the fifth day following the date of mailing or at such later date as specified in the notice.

B. Declaration and Notification of Level 3 Water Supply Shortage: The existence of a Level 3 Water Supply Shortage Emergency condition may be declared in accordance with the procedures specified in Water Code Sections 351 and 352. The mandatory conservation requirements applicable to the Level 3 conditions will take effect on the tenth day after the date the shortage level is declared. Within five days following the declaration of the shortage level, the City must publish a copy of the Resolution in a newspaper used for the publication of official notices. If the City establishes a water allocation, it will provide notice of the allocation by including it in the regular billing statement or by any other mailing to the address to which the City customarily mails the billing statement or by any other mailing to the address to which the City customarily mails the billing statement for fees or charges for ongoing water service. A water allocation will be effective on the fifth day following the date of mailing or at such later date as specified in the notice.

**14-11.11 Level 3 Alternate Provisions.**

A. Commercial Car Wash Systems: Effective on January 1, 2011, all commercial conveyor car wash systems must have installed and operational re-circulating water systems, or must have secured a waiver of this requirement from the City.

B. Large Landscape Areas- Rain Sensors: Large landscape areas, such as parks, cemeteries, golf courses, school grounds, and playing fields, that use landscape irrigation systems to water or irrigate, must use landscape irrigation systems with rain sensors that automatically shut off such systems during periods of rain or irrigation timers which automatically use information such as evapotranspiration sensors to set an efficient water use schedule.

C. Construction Purposes: Recycled or non-potable water must be used for construction purposes when available.

D No New Annexations: Upon the declaration of a Level 3 Water Supply Shortage condition, the City will suspend consideration of annexations to its service area. This subsection does not apply to boundary corrections and annexations that will not result in any increased use of water.

E. Limits on Building Permits: The City may limit or withhold the issuance of building permits which require new or expanded water service, except to protect the

public health, safety and welfare, or in cases which meet the City's adopted conservation offset requirements.

F. Water Recycling Required if Alternative Available: The use of potable water, other than recycled water, is prohibited for specified uses after the City has provided to the customer an analysis showing that recycled water is a cost-effective alternative to potable water for such uses and the customer has had a reasonable time, as determined by the City Manager, to make the conversion to recycled water.

G. Water Recycling- New Service: Prior to the connection of any new water service, an evaluation must be done by the City to determine whether recycled water exists to supply all or some of the water needed and recycled water must be utilized to the extent feasible.

H. City Conservation Reports: Upon request of the City Manager, City Departments must prepare and submit quarterly reports on their water conservation efforts. The reports will be consolidated by the City Manager and reported to the City Council at a minimum of once a year.

I. Customer Water Conservation Reports: The City may, by written request, require all commercial, residential and industrial customers using twenty five thousand (25,000) or more billing units per year to submit a water conservation plan and to submit quarterly progress reports on such plan. The conservation plan must include recommendations for increased water savings, including increased water recycling based on feasibility, and the reports must include progress to date on implementation of such recommendations.

J. Reporting Mechanism- Hotline: The City will establish a water waste hotline for residents to report violation of this chapter.

**14-11.12 Hardship Waiver**

A. Undue and Disproportionate Hardship: if, due to unique circumstances, a specific requirement of this section would result in undue hardship to a person 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 users, then the person may apply for a waiver to the requirements as provided in this subsection.

B. Written Finding: The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person 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 use due to specific and unique circumstances of the user or the user's property.

1. Application: Application for a waiver must be on a form prescribed by the City and accompanied by a non-refundable processing fee in an amount of five hundred dollars ($500) or as established by the Resolution by the City Council whichever is greater.

2. Supporting Documentation: The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

3. Required Findings for Waiver: An application for a waiver will be denied unless the Director of Public Works finds, based on the information provided in the

application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the City or its Agent, all of the following:

i. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;
ii. That because of special circumstances applicable to the property or its use, the strict application of this section would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;
iii. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the City to effectuate the purpose of this section and will not be detrimental to the public interest; and
iv. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

4. Approval Authority: The City Manager or the Director of Public Works must act upon any completed application no later than ten (10) business days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property during the period of the mandatory water supply shortage condition. The decision of the City Manager or Water Division Manager will be final.

**14-11.13 Penalties and Violations.**

A. Misdemeanor: Any violation of this section may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days, or by a fine not exceeding one thousand dollars ($1,000) or as established by Resolution of the City Council whichever is greater, or by both.

B. Civil Penalties: Civil penalties for failure to comply with any provisions of the Ordinance are as follows:

1. First Violation: The City will issue a written warning and deliver a copy of this Ordinance by certified mail.

2. Second Violation: A second violation within the preceding twelve (12) calendar months is punishable by a fine not to exceed one hundred dollars ($100) or as established by Resolution of the City Council whichever is greater.

3. Third Violation: A third violation within the preceding twelve (12) calendar months is punishable by a fine not to exceed two hundred and fifty ($250) or as established by Resolution of the City Council whichever is greater .

4. Fourth and Subsequent Violations: A fourth and any subsequent violation is punishable by a fine not to exceed five hundred ($500) or as established by Resolution of the City Council whichever is greater

i. Water Flow Restrictor: In addition to any fines, the City may install a services water flow restrictor device of approximately one gallon

per minute capacity for services up to one and one-half inch size and comparatively sized restrictors for larger services after written notice of intent to install a flow restrictor for a minimum of forty eight (48) hours.

ii. Termination of Service: In addition to any fines and the installation of a water flow restrictor, the City may disconnect and/or terminate a customer's water service.

C. Cost of Flow Restrictor and Disconnecting Service: A person or entity that violates this Ordinance is responsible for payment of the City's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the City's schedule of charges then in effect. This charge for installing or removing a flow restriction device will be set at one hundred dollars ($100) each or as established by Resolution of the City Council whichever is greater. The charge for installing and/or removing any flow restricting device must be paid to the City before the device is removed. Nonpayment will be subject to the same remedies as nonpayment of basic water rates.

D. Separate Offenses: Each day that violation of this Ordinance occurs is a separate offense.

E. Notice and Hearing:

1. The City will issue a Notice of Violation by certified mail or personal delivery at least ten (10) days before taking enforcement action. Such notice must describe the violation and the date by which corrective action must be taken. A customer may appeal the Notice of Violation by filing a written notice of appeal with the City no later than the close of business on the day before the date scheduled for enforcement action. Any Notice of Violation not timely appealed will be final. Upon receipt of a timely appeal, a hearing on the appeal will be scheduled, and the City will mail written notice of the hearing date to the customer at least ten (10) days before the date of the hearing.

2. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the City may take appropriate steps to prevent the unauthorized use of water as appropriate to the nature and extent of the violations and the current declared water Level condition.

**14-11.14 Severability.**

If any subsection, sentence, clause or phrase in this section is for any reason held invalid, the validity of the remainder of the section will not be affected. The City Council hereby declares it would have passed this section and each subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more subsections, sentences, clauses, or phases or is declared invalid.

**Section 2.** This Ordinance shall take effect thirty (30) days after its final passage by the City Council.

**Section 3.** The City Clerk of the City of Lynwood is hereby directed to certify to the passage and adoption of this Ordinance and to cause it to be published or posted as required by law.

First read at a regular meeting of the City Council held on the 1st day of September, 2009 and adopted and ordered published at a regular meeting of said Council on the 15th day of September, 2009.

**PASSED, APPROVED and ADOPTED this 15th day of September, 2009.**

Maria T. Santillan
Mayor

**ATTEST:**

Maria Quinonez
City Clerk

Roger L. Haley
City Manager

**APPROVED AS TO FORM:**

Fred Galante
City Attorney

**APPROVED AS TO CONTENT:**

G. Daniel Ojeda, P.E.
Director of Public Works/City Engineer

**STATE OF CALIFORNIA** )
) §
**COUNTY OF LOS ANGELES** )

I, the undersigned, City Clerk of the City of Lynwood, do hereby certify that the above and foregoing Ordinance was duly adopted by the City Council of the City of Lynwood at its regular meeting held on the **15th** day of **September, 2009**.

**AYES:** **COUNCIL MEMBERS MORTON, RODRIGUEZ, CASTRO AND SANTILLAN**

**NOES:**

**ABSTAIN:**

**ABSENT:** **COUNCIL MEMBER FLORES**

Maria Quinonez, City Clerk

**STATE OF CALIFORNIA** )
) §
**COUNTY OF LOS ANGELES** )

I, the undersigned, City Clerk of the City of Lynwood, and Clerk of the City Council of said City, do hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No.**1618** in my office and that said Ordinance was adopted on the date and by the vote therein stated. Dated this **15th** day of **September, 2009**.

Maria Quinonez, City Clerk

# ORDINANCE NO. 1623

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNWOOD ADDING CHAPTER 25 – ARTICLE 45 (WATER EFFICIENT LANDSCAPE ORDINANCE) TO THE LYNWOOD MUNICIPAL CODE**

**WHEREAS,** the State of California has mandated by AB 1881 of the 2006 Legislative Session that a City by January 1, 2010 adopt a Water Efficient Landscape Ordinance; and

**WHEREAS,** the City has an existing Landscape Ordinance (Ord. No 1589) which Ordinance is somewhat similar to the form required by AB 1881 but does not meet the requirements of AB 1881 for the State Mandated Ordinance.

**WHEREAS,** the City is given the option of either adopting the State's Model Ordinance or adopting a City Ordinance similar and of equal terms; and

**WHEREAS,** the City has decided to adopt an Ordinance based on the State's Model Ordinance to replace the existing Ordinance No 1589 and to comply with the State Mandated Ordinance; and

**WHEREAS,** the purpose of said new Ordinance is to conserve water usage for irrigation of landscaping and to permit landscaping appropriate for the urban City of Lynwood; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNWOOD DOES HEREBY FIND, PROCLAIM, ORDER, AND RESOLVE AS FOLLOWS:**

## Chapter 25 – Article 45 Water Efficient Landscape Ordinance

### Section 25.45.1 Short Title.

This Article 45 of Chapter 25 shall be known and may be referred to herein as the Water Efficient Landscape Ordinance (Ordinance # 1623). Upon adoption of this Ordinance, the City's existing Ordinance No. 1589 shall hereby be rescinded.

### Section 25.45.2 Purpose.

(a) The State Legislature has found:

(1) That the waters of the state are of limited supply and are subject to ever increasing demands;

(2) That the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;

(3) That it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;

(4) That landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development; and

(5) That landscape design, installation, maintenance and management can and should be water efficient; and

(6) That Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.

(b) Consistent with these legislative findings, the purpose of this ordinance is to:

(1) Promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible;

(2) Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects;

(3) Establish provisions for water management practices and water waste prevention for existing landscapes;

(4) Use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;

(5) Promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;

(6) Encourage water purveyors to use economic incentives that promote the efficient use of water; and

(7) Establish guidelines, rules and regulations for use by the several departments which review development and redevelopment in the City as to landscaping and the efficient use of potable water to irrigate and maintain the landscaping;

(8) Demonstrate that the City supports the purposes of AB 1881 by adoption of this Ordinance.

(9) Provide such guidelines, rules, and regulations to replace existing City Ordinance No 1589 and to compliment other existing City Ordinances;

(10) Assist property owners in developing their property with landscaping that is water use efficient.

**Section 25.45.3 Applicability.**

(a) As of January 1, 2010, this ordinance shall apply to all of the following landscape projects:

(1) New construction and rehabilitated landscapes for public agency projects and private development projects with a landscape area equal to or

greater than 2,500 square feet requiring a building or landscape permit, plan check or design review;

(2) New construction and rehabilitated landscapes which are developer-installed in single-family and multi-family projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;

(3) New construction landscapes which are homeowner-provided and/or homeowner-hired in single-family and multi-family residential projects with a total project landscape area equal to or greater than 5,000 square feet requiring a building or landscape permit, plan check or design review;

(4) Existing landscapes limited to Sections 25.45.23, 25.45.24 & 25.45.25; and

(5) Cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 25.45.9, 25.45.16, and 25.45.17; and existing cemeteries are limited to Sections 25.45.23, 25.45.24, and 25.45.25.

(b) This ordinance does not apply to:

(1) Registered local, state or federal historical sites;

(2) Ecological restoration projects that do not require a permanent irrigation system;

(3) mined-land reclamation projects that do not require a permanent irrigation system; or

(4) Plant collections, as part of botanical gardens and arboretums open to the public.

(c) Administration: This Ordinance shall be administered by the Development Services Department of the City. Wherever the "City" is referred to herein this shall be interpreted to mean the City Development Services Department. The City Public Works Department is to provide technical information to the Development Services Department upon request of the Development Services Department. To assist applicants the City has compiled a library of various landscape books and other printed information such as the Sunset Western Landscape Book and the several publications listed herein.

(d) The City of Lynwood has previously adopted a Water Conservation Ordinance (Ordinance No. 1618) and a Landscape Ordinance (Ordinance No 1589). This Water Efficient Landscape Ordinance is to compliment the Water Conservation Ordinance and to replace the existing City Landscape Ordinance (Ordinance No 1589).

**Section 25.45.4 Definitions.**

The terms used in this ordinance have the meaning set forth below:

(a) "Affidavit" means a notarized certification by the applicant under this Ordinance that states that the applicants project was constructed as approved by the City. The form of the Affidavit will be provided by the City.

(b) "Applicant" means the owner of a property in the City and or his/her representative who applies to the City for approval for a landscape development and or landscape redevelopment pursuant to the requirements of this Ordinance. The applicant may complete the application or use the services of professionals or technicians or contractors to complete the application and to prepare the various documents needed to complete an application and to carry out the project. However, the applicant must compete any and all affidavits required for processing of the application and completion of the landscape project.

(c) "Applied water" means the portion of water supplied by the irrigation system to the landscape.

(d) "automatic irrigation controller" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.

(e) "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system. Requirements therefor are given in the City Water and Sewer Ordinance (Ord. No's 1305 and 1316).

(f) "Affidavit of Completion/Compliance" means the document required under Section 25.45.14

(g) "certified irrigation designer" means a person certified to design irrigation systems by an accredited academic institution a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.

(h) "certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.

(i) "check valve" or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

(j) "common interest developments" means community apartment projects, condominium projects, planned developments, and stock cooperatives per California Civil Code Section 1351.

(k) "conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year

(l) "drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(m) "ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

(n) "effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.

(o) "emitter" means a drip irrigation emission device that delivers water slowly from the system to the soil.

(p) "established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

(q) "establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth.

(r) "Estimated Total Water Use" (ETWU) means the total water used for the landscape as described in Section 25.45.9

(s) "ET adjustment factor" (ETAF) means a factor of 0.7, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape.

A combined plant mix with a site-wide average of 0.5 is the basis of the plant factor portion of this calculation. For purposes of the ETAF, the average irrigation efficiency is 0.71. Therefore, the ET Adjustment Factor is (0.7)=(0.5/0.71). ETAF for a Special Landscape Area shall not exceed 1.0. ETAF for existing non-rehabilitated landscapes is 0.8.

(t) "evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

(u) "flow rate" means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

(v) "hardscapes" means any durable material (pervious and non-pervious).

(w) "homeowner-provided landscaping" means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this ordinance, is a person who occupies the dwelling he or she owns. This excludes speculative homes, which are not owner-occupied dwellings.

(x) "hydrozone" means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

(y) "infiltration rate" means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

(z) "invasive plant species" means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. "Noxious weeds" means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained

at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

(aa) "irrigation audit" means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

(bb) "irrigation efficiency" (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this ordinance is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems.

(cc) "irrigation survey" means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.

(dd) "irrigation water use analysis" means an analysis of water use data based on meter readings and billing data.

(ee) "landscape architect" means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.

(ff) "landscape area" means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

(gg) "landscape contractor" means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

(hh) "Landscape Documentation Package" means the documents required under Section 25.45.8. The City will provide to applicant and to the public sample materials that will be required to be completed by an applicant to obtain City approval of a landscape project subject to this ordinance.

(ii) "landscape project" means total area of landscape in a project as defined in "landscape area" for the purposes of this ordinance, meeting requirements under Section 25.45.3.

(jj) "lateral line" means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

(kk) "local water purveyor" means the City of Lynwood Utility Services Division which provide retail potable water service to about 90% of the City and the Park Water Company which provides potable water services to about 10% of the City area in the Southeast part of the City.

(ll) "low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(mm) "main line" means the pressurized pipeline that delivers water from the water source to the valve or outlet.

(nn) "Maximum Applied Water Allowance" (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Sub-Section 14-14.9. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0.

(oo) "microclimate" means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

(pp) "mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

(qq) "mulch" means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

(rr) "new construction" means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

(ss) "operating pressure" means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

(tt) "overhead sprinkler irrigation systems" means systems that deliver water through the air (e.g., spray heads and rotors).

(uu) "overspray" means the irrigation water which is delivered beyond the target area.

(vv) "permit" means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.

(ww) "pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.

(xx) "plant factor" or "plant water use factor" is a factor , when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for low water use plants is 0 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the Department of Water Resources 2000 publication "Water Use Classification of Landscape Species".

(yy) "precipitation rate" means the rate of application of water measured in inches per hour.

(zz) "project applicant" means the individual or entity submitting a Landscape Documentation Package required under Section 25.45.8, to request a permit, plan check, or design review from the City. A project applicant may be the property owner or his or her designee.

(aaa) "rain sensor" or "rain sensing shutoff device" means a component which automatically suspends an irrigation event when it rains.

(bbb) "record drawing" or "as-builts" means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor or persons performing the landscape and irrigation system construction.

(ccc) "recreational area" means areas dedicated to active play such as parks, sports fields, and golf courses where turf provides a playing surface.

(ddd) "recycled water", "reclaimed water", or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

(eee) "reference evapotranspiration" or "ETo" means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per month, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated. The ETo for the City of Lynwood in inches per month is as follows:

| | |
|---|---|
| January | 2.2 |
| February | 2.7 |
| March | 3.7 |
| April | 4.7 |
| May | 5.5 |
| June | 5.8 |
| July | 6.2 |
| August | 5.9 |
| September | 5.0 |
| October | 3.9 |
| November | 2.6 |
| December | 1.9 |
| Annual Total | 50.1 |

(fff) "rehabilitated landscape" means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Sub-Section 14-14.3, and the modified landscape area is equal to or greater than 2,500 square feet, is 50% of the total landscape area, and the modifications are completed within one year.

(ggg) "runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

(hhh) "Soil Management Report" means the applicant will need to obtain information and data on the condition of the soil which is to in the area to be landscaped and to provide this information to the City in this report. The requirements of this report are identified in the City's Landscaped Documentation Package that will be provided by the City to applicants and the public.

(iii) "soil moisture sensing device" or "soil moisture sensor" means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

(jjj) "soil texture" means the classification of soil based on its percentage of sand, silt, and clay.

(kkk) "Special Landscape Area" (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

(lll) "sprinkler head" means a device which delivers water through a nozzle.

(mmm) "static water pressure" means the pipeline or municipal water supply pressure when water is not flowing. The information about static water pressure can be obtained by contacting the respective local water purveyor, the City of Lynwood Utility Services Division or the Park Water Company.

(nnn) "station" means a landscape area served by one valve or by a set of valves that operate simultaneously.

(ooo) "swing joint" means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

(ppp) "turf" means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

(qqq) "valve" means a device used to control the flow of water in the irrigation system.

(rrr) "water conserving plant species" means a plant species identified as having a low plant factor. The City will provide to applicant and to the public upon request landscape documentation packages with various required forms, worksheets, charts, affidavit form and related information.

(sss) "Water Efficient Landscape Worksheet" see Section 25.45.8 for form and listing of information thereon. The City will provide to applicant and to the public upon request a Landscape Documentation Package with various required forms , worksheets, charts, affidavit forms and related information. The City will provide compiled examples of worksheets.

(ttt) "water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use

hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

(uuu) "watering window" means the time of day irrigation is allowed.

(vvv) "WUCOLS" means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension, the Department of Water Resources and the Bureau of Reclamation, 2000.

**Section 25.45.5 Provisions for New Construction or Rehabilitated Landscapes.**

The City may designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. The City may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

**Section 25.45.6 Compliance with Landscape Documentation Package.**

(a) Prior to construction, the City shall:

(1) Provide the project applicant with the ordinance, guidelines, information, and procedures for permits, plan checks, or design reviews;
(2) Review the Landscape Documentation Package submitted by the project applicant;
(3) Approve or deny the Landscape Documentation Package;
(4) Issue a permit or approve the plan check or design review for the project applicant; and
(5) Upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

(b) Prior to construction, the project applicant shall:

(1) Submit a Landscape Documentation Package to the City.

(c) Upon approval of the Landscape Documentation Package by the City, the project applicant shall:

(1) Receive a permit or approval of the plan check or design review and record the date of the permit in the Affidavit of Completion/Compliance;
(2) Submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
(3) Submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

**Section 25.45.7 Enforcement.**

(a) The City may establish and administer rules of enforcement to obtain compliance with the ordinance to the extent permitted by law.

**Section 25.45.8 Elements of the Landscape Documentation Package.**

(a) The Landscape Documentation Package shall include the following six (6) elements:

(1) Project information;
- (A) Date
- (B) Names, addresses, mailing addresses, telephone numbers of the project applicant and property owner if different from the applicant.
- (C) Project address (if available, parcel and/or lot number(s)) and assessors parcel no.
- (D) Total landscape area (square feet)
- (E) Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
- (F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
- (G) Checklist of all documents in Landscape Documentation Package
- (H) Project contacts to include contact information for the project applicant and property owner
- (I) applicant signature and date with statement, "I agree to comply with the requirements of the Water Efficient Landscape Ordinance and submit a complete Landscape Documentation Package".

(2) Water Efficient Landscape Worksheet;
- (A) Hydrozone information table
- (B) Water budget calculations
  1. Maximum Applied Water Allowance (MAWA)
  2. Estimated Total Water Use (ETWU)

(3) Soil management report;

(4) Landscape design plan;

(5) Irrigation design plan; and

(6) Grading design plan.

**Section 25.45.9 Water Efficient Landscape Worksheet.**

(a) A project applicant shall complete the Water Efficient Landscape Worksheet which contains two sections:

(1) A hydrozone information for the landscape project; and

(2) A water budget calculation for the landscape project. For the calculation of the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ETo value given in Section 25.45.4 (eee).

(b) Water budget calculations shall adhere to the following requirements:

(1) The plant factor used shall be from WUCOLS. The plant factor ranges from 0 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.

(2) All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.

(3) All Special Landscape Areas shall be identified and their water use calculated as described below.

(4) ETAF for Special Landscape Areas shall not exceed 1.0.

(c) Maximum Applied Water Allowance
The Maximum Applied Water Allowance shall be calculated using the equation:

MAWA = (ETo) (0.62) [(0.7 x LA) + (0.3 x SLA)]

The ETo value to be used in these calculations is from Section 25.45.4 (eee) as given herein for planning purposes only. For actual irrigation scheduling, automatic irrigation controllers are required and shall use current reference evapotranspiration data, such as from the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.

MAWA = (ETo) (0.62) [(0.7 x LA) + (0.3 x SLA)]
MAWA = Maximum Applied Water Allowance (gallons per year)
ETo = See Sub-Section 14-14.4 (ccc)
0.62 = Conversion Factor (to gallons)
0.7 = ET Adjustment Factor (ETAF)
LA = Landscape Area including SLA (square feet)
0.3 = Additional Water Allowance for SLA
SLA = Special Landscape Area (square feet)

(d) Estimated Total Water Use.
The Estimated Total Water Use shall be calculated using the equation below. The sum of the Estimated Total Water Use calculated for all hydrozones shall not exceed MAWA.

$$ETWU = (ETo)(0.62)\left(\frac{PF \times HA}{IE} + SLA\right)$$

Where:

ETWU = Estimated Total Water Use per year (gallons)
ETo = See Sub-Section 14-14.4
PF = Plant Factor from WUCOLS
HA = Hydrozone Area [high, medium, and low water use areas] (square feet)

SLA = Special Landscape Area (square feet)
0.62 = Conversion Factor
IE = Irrigation Efficiency (minimum 0.71)

**Section 25.45.10 Soil Management Report.**

(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

(1) Submit soil samples to a laboratory for analysis and recommendations.
  (A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
  (B) The soil analysis may include:
    1. Soil texture;
    2. Infiltration rate determined by laboratory test or soil texture infiltration rate table;
    3. pH;
    4. Total soluble salts;
    5. Sodium;
    6. Percent organic matter; and
    7. Recommendations.

(2) The project applicant, or his/her designee, shall comply with one of the following:

  (A) If significant mass grading is not planned, the soil analysis report shall be submitted to the City as part of the Landscape Documentation Package; or
  (B) If significant mass grading is planned, the soil analysis report shall be submitted to the City as part of the Affidavit of Completion/Compliance.

(3) The soil analysis report shall be made available, in a timely manner, to the persons preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.

(4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to City with Affidavit of Completion/Compliance.

**Section 25.45.11 Landscape Design Plan.**

(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) Plant Material

(A) Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. To encourage the efficient use of water, the following is highly recommended:
   1. Protection and preservation of native species and natural vegetation;
   2. Selection of water-conserving plant and turf species;
   3. Selection of plants based on disease and pest resistance;
   4. Selection of trees based on applicable City tree ordinance or tree shading guidelines; and
   5. Selection of plants from local and regional landscape program plant lists.

(B) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 25.45.12 (G) (2) (D)

(C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. To encourage the efficient use of water, the following is highly recommended:
   1. Use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
   2. Recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; and
   3. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

(D) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).

(E) A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per State of California Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches.

(F) The use of invasive and/or noxious plant species is strongly discouraged.

(G) The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

(2) Water Features

(A) Recirculating water systems shall be used for water features.
(B) Where available, recycled water shall be used as a source for decorative water features.
(C) Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
(D) Pool and spa covers are highly recommended.

(3) Mulch and Amendments
(A) A minimum two inch (2") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
(B) Stabilizing mulching products shall be used on slopes.
(C) The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
(D) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected. See Section 25.45.5

(b) The landscape design plan, at a minimum, shall:

(1) delineate and label each hydrozone by number, letter, or other method;
(2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
(3) identify recreational areas;
(4) identify areas permanently and solely dedicated to edible plants;
(5) identify areas irrigated with recycled water;
(6) identify type of mulch and application depth;
(7) identify soil amendments, type, and quantity;
(8) identify type and surface area of water features;
(9) identify hardscapes (pervious and non-pervious);
(10) identify location and installation details of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Stormwater best management practices are encouraged in the landscape design plan and examples include, but are not limited to:
(A) infiltration beds, swales, and basins that allow water to collect and soak into the ground;
(B) constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and
(C) pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.
(11) identify any applicable rain harvesting or catchment technologies (e.g., rain gardens, cisterns, etc.);

(12) an affidavit containing the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and

(13) bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.)

**Section 25.45.12 Irrigation Design Plan.**

(a) For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package..

(1) System

(A) Dedicated landscape water meters are highly recommended on landscape areas smaller than 5,000 square feet to facilitate water management and are required for areas over 5,000 square feet.

(B) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling in all irrigation systems.

(C) The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
2. Static water pressure, dynamic or operating pressure. and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for climatic conditions. Irrigation should be avoided during windy or cold weather or during rain.

(E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.

(F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the City Water and Sewer Ordinance for additional backflow prevention requirements.

(G) High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.

(H) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.

(I) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.

(J) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.

(K) The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 25.45.9 regarding the Maximum Applied Water Allowance.

(L) It is highly recommended that the project applicant inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.

(M) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.

(N) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

(O) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.

(P) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to high traffic areas.

(Q) Check valves or anti-drain valves are required for all irrigation systems.

(R) Narrow or irregularly shaped areas, including turf, less than eight (8) feet in width in any direction shall be irrigated with subsurface irrigation or low volume irrigation system.

(S) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or

unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 25.45.12 (a) (1) (H). Prevention of overspray and runoff must be confirmed during the irrigation audit.

(T) Slopes greater than 25% shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

(2) Hydrozone

(A) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(B) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.

(C) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.

(D) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:

1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
2. the plant factor of the higher water using plant is used for calculations.

(E) Individual hydrozones that mix high and low water use plants shall not be permitted.

(F) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table. This table can also assist with the irrigation audit and programming the controller.

(b) The irrigation design plan, at a minimum, shall contain:

(1) location and size of separate water meters for landscape;
(2) location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
(3) static water pressure at the point of connection to the water supply system;
(4) flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
(5) recycled water irrigation systems as specified in Sub-Section 14-14.19;
(6) the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and
(7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

**Section 25.45.13 Grading Design Plan.**

(a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other City permits satisfies this requirement.

(1) The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
(A) Height of graded slopes;
(B) Drainage patterns;
(C) Pad elevations;
(D) Finish grade; and
(E) Stormwater retention improvements, if applicable.

(2) To prevent excessive erosion and runoff, it is highly recommended that project applicants:

(A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
(B) avoid disruption of natural drainage patterns and undisturbed soil; and
(C) avoid soil compaction in landscape areas.

(3) The grading design plan package shall contain the following affidavit: "I have complied with the criteria of the ordinance and applied them

accordingly for the efficient use of water in the grading design plan" and shall bear the signature of a licensed professional as authorized by law.

**Section 25.45.14 Affidavit of Completion/Compliance.**

(a) The Affidavit of Completion/Compliance shall include the following six (6) elements:

(1) Project information sheet that contains:
  (A) Date;
  (B) Project name;
  (C) Project applicant name, telephone, and mailing address;
  (D) Project address and location, Assessor Parcel No;
  (E) Property owner name, telephone, and mailing address;

(2) An Affidavit by the owner and either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package; where there have been significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification;

(3) Irrigation scheduling parameters used to set the controller; (see Section 25.45.15)
(4) Landscape and irrigation maintenance schedule; (see Section 25.45.16)
(5) Irrigation audit report (see Section 25.45.17); and
(6) Soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations.

(b) The project applicant shall:

(1) Submit the signed Affidavit of Completion/Compliance of owner to the City for review;
(2) Ensure that copies of the approved Affidavit of Completion/Compliance are submitted to the local water purveyor.

(c) The City shall:

(1) Receive the signed Affidavit of Completion/Compliance from the project applicant;
(2) Approve or deny the Affidavit of Completion/Compliance. If the Affidavit of Completion/Compliance is denied, the City shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

**Section 25.45.15 Irrigation Scheduling.**

(a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:

(1) Irrigation scheduling shall be regulated by automatic irrigation controllers and in accordance with the City Water Conservation Ordinance No 1618.

(2) Overhead irrigation shall be scheduled pursuant to the City Water Conservation Ordinance unless weather conditions prevent it. If allowable hours of irrigation differ from that allowed by the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data or soil moisture sensor data.

(4) Parameters used to set the automatic controller shall be developed and submitted for each of the following:
   (A) The plant establishment period;
   (B) The established landscape; and
   (C) Temporarily irrigated areas.

(5) Each irrigation schedule shall consider for each station all of the following that apply:
   (A) Irrigation interval (days between irrigation);
   (B) Irrigation run times (hours or minutes per irrigation event to avoid runoff);
   (C) Number of cycle starts required for each irrigation event to avoid runoff;
   (D) Amount of applied water scheduled to be applied on a monthly basis;
   (E) Application rate setting;
   (F) Root depth setting;
   (G) Plant type setting;
   (H) Soil type;
   (I) Slope factor setting;
   (J) Shade factor setting; and
   (K) Irrigation uniformity or efficiency setting.

**Section 25.45.16 Landscape and Irrigation Maintenance Schedule.**

(a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Affidavit of Completion/Compliance.

(b) A regular maintenance schedule shall include, but not be limited to, routine inspection; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing and obstruction to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents.

(d) A project applicant is encouraged to implement sustainable or environmentally-friendly practices for overall landscape maintenance.

**Section 25.45.17 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.**

(a) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

(b) For new construction and rehabilitated landscape projects installed after January 1, 2010, as described in Section 25.45.3:

  (1) the project applicant shall submit an irrigation audit report with the Affidavit of Completion/Compliance to the City that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule;

  (2) the City shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

**Section 25.45.18 Irrigation Efficiency.**

For the purpose of determining Maximum Applied Water Allowance, average irrigation efficiency is assumed to be 0.71. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average landscape irrigation efficiency of 0.71.

**Section 25.45.19 Recycled Water.**

(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water, unless a written exemption has been granted as described in Section 25.45.19(b).

(b) Irrigation systems and decorative water features shall use recycled water unless a written exemption has been granted by the local water purveyor stating that recycled water meeting all public health codes and standards is not available and will not be available for the foreseeable future.

(c) All recycled water irrigation systems shall be designed and operated in accordance with all applicable City rules and regulations, County of Los Angeles Health Department regulations, State of California Department of Public Health regulations and of the purveyor of the recycled water.

(d) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for Special Landscape Areas shall not exceed 1.0.

**Section 25.45.20 Storm Water Management.**

(a) Stormwater management practices to minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site retention and infiltration are encouraged.

(b) Project applicants shall refer to the City Public Works Department or local Regional Water Quality Control Board for information on any applicable stormwater ordinances and stormwater management plans.

(c) Rain gardens, cisterns, and other landscapes features and practices that increase rainwater capture and create opportunities for infiltration and/or onsite storage are recommended.

**Section 25.45.21 Public Education.**

(a) Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the City.
   (1) The City will provide information to owners of new, developed properties and to owners of existing landscaped properties considering redevelopment of landscaped areas regarding the design, installation, management, and maintenance of water efficient landscapes.

(b) Model Homes. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.
   (1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme.
   (2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

**Section 25.45.22 Environmental Review.**

The landscape project must comply with the California Environmental Quality Act (CEQA), as appropriate.

**Section 25.45.23 Provisions for Existing Landscapes.**

The City may designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. The City may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

**Section 25.45.24 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.**

(a) This section shall apply to all existing landscapes that were installed before January 1, 2010 and are over one acre in size.

(1) For all landscapes in the City that have a water meter, the City will administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: MAWA = (0.8) (ETo)(LA)(0.62).

(2) For all landscapes in the City, that do not have a separate meter, the City will administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.

(b) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

**Section 25.45.25 Water Waste Prevention.**

(a) The City will endeavor to prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Enforcement rules to prohibit such conditions may be established by the City.

(b) Restrictions regarding overspray and runoff may be modified if:

(1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or

(2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

**Section 25.45.26 Effective Precipitation.**

The City may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:

MAWA= (ETo - Eppt) (0.62) [(0.7 x LA) + (0.3 x SLA)].

**Section 1.** This Ordinance shall take effect thirty (30) days after its final passage by the City Council.

**Section 2.** Ordinance No 1589 shall hereby be rescinded as of the effective date of this Ordinance.

**Section 3.** The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance and to cause it to be published or posted as required by law.

First read at a regular meeting of the City Council held on the 17th day of November, 2009 and adopted and ordered published at a regular meeting of said Council on the 1st day of December, 2009.

**PASSED, APPROVED, and ADOPTED this 1st day of December, 2009.**

Maria T. Santillan, Mayor

**ATTEST:**

Maria Quinonez, City Clerk

Roger L. Haley, City Manager

**APPROVED AS TO FORM:**

Fred Galante, City Attorney

**APPROVED AS TO CONTENT:**

G. Daniel Ojeda, P.E., Director of Public Works/City Engineer

**STATE OF CALIFORNIA** )
) §
**COUNTY OF LOS ANGELES** )

I, the undersigned, City Clerk of the City of Lynwood, do hereby certify that the foregoing Resolution was passed and adopted by the City Council of the City of Lynwood at a regular meeting held on the 1st day of **December, 2009**.

AYES: **COUNCIL MEMBERS FLORES, MORTON, RODRIGUEZ, CASTRO, AND SANTILLAN**

NOES: **NONE**

ABSENT: **NONE**

ABSTAIN: **NONE**

Maria Quinonez, City Clerk

**STATE OF CALIFORNIA** )
) §
**COUNTY OF LOS ANGELES** )

I, the undersigned, City Clerk of the City of Lynwood, and Clerk of the City Council of said City, do hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No.**1623** in my office and that said Ordinance was adopted on the date and by the vote therein stated. Dated this 1st day of **December, 2009**.

Maria Quinonez, City Clerk