

ORDINANCE NO. 383

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, ADDING CHAPTER 15.23, WATER EFFICIENT LANDSCAPE ORDINANCE, TO TITLE 15, BUILDING AND CONSTRUCTION, OF THE MOORPARK MUNICIPAL CODE, ADOPTING BY REFERENCE THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE OF THE STATE OF CALIFORNIA AS CONTAINED IN THE CALIFORNIA CODE OF REGULATIONS TITLE 23. WATERS, DIVISION 2. DEPARTMENT OF WATER RESOURCES, CHAPTER 2.7. MODEL WATER EFFICIENT LANDSCAPE ORDINANCE, SECTIONS 490 THROUGH 494

WHEREAS, Government Code Section §50022.1, et seq., provides that ordinances and codes of the Federal, State, or any agency of either of them, may be adopted by reference, provided that prior to such adoption by reference a noticed public hearing has been held; and

WHEREAS, at its meeting of January 6, 2010, the City Council conducted a duly-noticed public hearing on the matter of adopting by reference the current Water Efficient Landscape Ordinance of the State of California, by adding Chapter 15.23 to Title 15 of the Municipal Code, received public testimony on the proposed ordinance, and after receiving oral and written public testimony, closed the public hearing and reached a decision; and

WHEREAS, the City Council concurs with the Planning Director's determination that this project is exempt from the provisions of the California Environmental Quality Act by the general rule that CEQA only applies to projects that may have a significant effect on the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. That Chapter 15.23 of Title 15, of the Moorpark Municipal Code, is added to read as follows:

"Chapter 15.23

WATER EFFICIENT LANDSCAPE ORDINANCE

Sections:

15.23.010 Water efficient landscape ordinance adopted.

15.23.020 Local agency defined.

15.23.030 Local water purveyor defined.

15.23.010 Water efficient landscape ordinance adopted.

Except as hereinafter provided, the model water efficient landscape ordinance of the State of California, as contained in the California Code of

Regulations Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance, Sections 490 through 494, is hereby adopted by reference as the water efficient landscape ordinance of the city of Moorpark. A copy of the model water efficient landscape ordinance of the State of California shall be maintained in the community development department office of the city of Moorpark and shall be made available for public inspection while this ordinance is in force.

15.23.020 Local agency defined.

"Local agency" in the water efficient landscape ordinance shall mean the city of Moorpark.

15.23.030 Local water purveyor defined.

"Local water purveyor" in the water efficient landscape ordinance shall mean the Ventura County Waterworks District No. 1."

SECTION 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

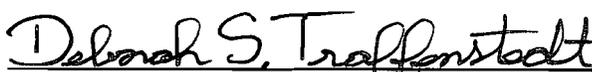
SECTION 3. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published once in the Moorpark Star a newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this 6th day of January, 2010.


Janice S. Parvin, Mayor

ATTEST:


Deborah S. Traffenstedt, City Clerk



STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF MOORPARK)

I, Deborah S. Traffenstedt, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 383 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 6th day of January 2010, and that the same was adopted by the following vote:

AYES: Councilmembers Millhouse, Pollock, Van Dam, and Mayor Parvin
NOES: None
ABSENT: Councilmember Mikos
ABSTAIN: None

WITNESS my hand and the official seal of said City this 12th day of January, 2010.


Deborah S. Traffenstedt, City Clerk
(seal)

