



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

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January 29, 2010

Mr. Simon Eching
California Department of Water Resources
Water Use and Efficiency Branch
Post Office Box 942836
Sacramento, California 94236-0001

Subject: Compliance with Water Conservation in Landscape Act of 2006 by Monterey Peninsula Water Management District and Jurisdictions Located within its Boundary

Dear Mr. Eching:

The purpose of this letter is to notify the California Department of Water Resources that the cities and the Monterey County area within the Monterey Peninsula Water Management District (MPWMD) have complied with the provisions of the Water Conservation in Landscape Act of 2006. The MPWMD was enacted by state legislation as a water district and public entity pursuant to the provisions of law found at Statutes of 1977, Chapter 527, as amended (found at West's California Water Code Appendix, Chapters 118-1 to 118-901).

On November 16, 2009, the MPWMD Board of Directors adopted Ordinance No. 141 (attached as Exhibit A) which enacts both the Updated Model Water Efficient Landscape Ordinance, as written, as well as additional water efficient landscape mandates for new and rehabilitated landscapes. All jurisdictions located within the MPWMD participated in the development of the ordinance. The ordinance became effective on January 1, 2010.

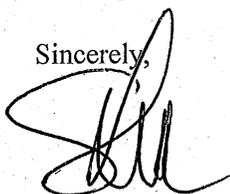
All properties located within the boundary of the MPWMD are subject to its Rules and Regulations. Within the boundaries of the MPWMD are the cities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Sand City, Seaside, portions of Monterey County (primarily Carmel Valley, Pebble Beach, Carmel Highlands and the Highway 68 corridor), and the Monterey Peninsula Airport District. (A map showing the location of the jurisdictions within MPWMD is attached at Exhibit B.) For purposes of compliance with the Water Conservation in Landscape Act of 2006, you indicated during a telephone call in November 2009 that the adoption and implementation of Ordinance No. 141 by the MPWMD would fulfill this requirement for those jurisdictions within its boundary.

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The MPWMD is committed to enhancing and promoting water efficiency and to enforcing its regulations as necessary to ensure compliance with its Rules. In addition, the jurisdictions within the MPWMD have similarly committed to reducing water consumption in landscapes and to assisting MPWMD with implementation of local landscape regulations. All jurisdictions within the MPWMD will continue to refine, update and implement water efficient landscape regulations as new technology and methods become available. The Monterey Peninsula strives to maintain its place as a leader in water conservation.

Please notify me immediately if there is a need for the individual jurisdictions within the MPWMD to submit the MPWMD ordinance individually. I can be reached at 831-658-5630 or Steph@mpwmd.dst.ca.us.

Sincerely,



Stephanie Pintar
Water Demand Manager

Enclosures:

Exhibit A – MPWMD Ordinance No. 141

Exhibit B – Map of MPWMD Boundary

cc: City of Carmel-by-the-Sea
City of Del Rey Oaks
City of Monterey
City of Pacific Grove
City of Sand City
City of Seaside
Monterey County
Monterey Peninsula Airport District.

Adopted on November 16, 2009 – Effective on January 1, 2010

**FINAL
ORDINANCE NO. 141**

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING AND REVISING REGULATION XIV -- WATER
CONSERVATION--TO UPDATE AND CLARIFY LANGUAGE AND ADD NON-
RESIDENTIAL AND LANDSCAPE WATER EFFICIENCY REQUIREMENTS**

FINDINGS

1. The Monterey Peninsula Water Management District is charged under the Monterey Peninsula Water Management District Law with the integrated management of the ground and surface water resources in the Monterey Peninsula area.
2. The Water Management District has general and specific power to cause and implement water conservation activities as set forth in Sections 325 and 328 of the Monterey Peninsula Water Management District Law.
3. New water conservation equipment and retrofits have become reasonably available since the District adopted its mandatory water conservation regulation in 1987 and since requirements for Visitor-Serving Facilities were added in 1997. This ordinance recognizes newer water conservation technology.
4. Water conservation is a necessary component to the management and protection of water resources on the Monterey Peninsula.
5. Counties and general law cities had until January 1, 1993 to adopt a water efficient landscape ordinance or to adopt findings explaining why a local ordinance was unnecessary. If a county or city failed to adopt either the ordinance or the findings, then state law required local officials to enforce the Department of Water Resources (DWR) model ordinance as if it had been adopted by the county or city (AB 350, Clute, 1990).
6. In 2004, the Legislature asked the California Urban Water Conservation Council to convene a task force and recommend improvements to DWR's model local water efficient landscape ordinance (AB 2717, Laird, 2004). The resulting report, Water Smart Landscapes for California, offered 43 recommendations.
7. By January 1, 2009, Assembly Bill 1881 required DWR to update the model water efficient landscape ordinance based on the recommendations of the report commissioned

ORDINANCE

Section One: Short Title

This ordinance shall be known as the MPWMD 2009 Commercial/Industrial/Institutional Water Conservation Ordinance.

Section Two: Purpose

This ordinance clarifies and updates Regulation XIV of the Monterey Peninsula Water Management District Rules and Regulations. This ordinance adds definitions to the Rules and Regulations of the District and amends the mandatory retrofit and messaging requirements for Non-Residential uses. This ordinance updates conservation requirements to comply with current state and federal flow rate standards, including California's Model Water Efficient Landscape Ordinance. Finally, this ordinance encourages efficient water use by recommending and/or requiring water efficient devices and retrofits that do not affect District Rule 25.5, Table 4: Ultra-Low Consumption Appliance Credits.

Section Three: Amendment of Rule 11, Definitions

District Rule 11, Definitions, and any reference to these terms throughout the Rules and Regulations of the District shall be amended as follows, where the portion set forth in strikeout type (~~strikeout~~) is deleted and the portion set forth in italicized and bold face type (bold face) is added. Additional words used in this ordinance are defined in Rule 11.

1. **BEST MANAGEMENT PRACTICES (BMP)**– ~~Best Management Practices (BMP)~~ or ~~“BMP”~~ shall mean ~~industry-specific water conservation practices, retrofits, equipment and facilities recognized by the District and approved by the Board of Directors~~ *a conservation measure or series of measures that is useful, proven, cost-effective, and generally accepted among conservation experts to reduce water consumption and protect water quality.*
2. **CONSORTIUM FOR ENERGY EFFICIENCY** – *“Consortium for Energy Efficiency” (CEE) shall refer to the nonprofit public benefits corporation that develops initiatives for its North American members to promote the manufacture and purchase of energy-efficient products and services. CEE members include utilities, statewide and regional market transformation administrators, environmental groups, research organizations and state energy offices in the U.S. and Canada. Also contributing to the collaborative process are CEE partners – manufacturers, retailers and government agencies. The U.S. Department of Energy and Environmental Protection Agency both provide support through active participation as well as funding.*
3. **COOLING TOWER** – *“Cooling Tower” shall mean a heat rejection device which regulates temperature by dissipating heat from recirculating water used*

11. **ROTATING SPRINKLER NOZZLE** – *“Rotating Sprinkler Nozzle” shall mean a multi-trajectory, revolving stream spray head that applies Irrigation System water at a slower rate and more uniformly than conventional sprays.*
12. **SINGLE PASS COOLING SYSEM** – *“Single Pass Cooling System” shall mean a single pass of water to cool equipment discharging the resultant warm water to the sanitary sewer. This type of system is also known as a “once through cooling system.”*
13. ~~ULTRA-LOW CONSUMPTION~~ **HIGH EFFICIENCY DISHWASHER** - *“High Efficiency Ultra-Low Consumption Dishwasher” shall mean a Dishwasher designed to use a maximum of 7.66 5.8 gallons during every complete per cycle. A High Efficiency Dishwasher shall have Energy Star certification.*
14. ~~ULTRA-LOW CONSUMPTION~~ **HIGH EFFICIENCY WASHING MACHINE CLOTHES WASHER** - *“Ultra-Low Consumption High Efficiency Clothes Washer (or HEW) Washing Machine” shall mean a Washing Machine Clothes Washer designed to use a maximum of 28 gallons during every complete cycle with a Water Factor of 5.0 or less.*
15. **WATER EFFICIENT ICE MACHINE** – *“Water Efficient Ice Machine” shall mean a commercial ice machine that meets or exceeds Energy Star standards for air-cooled ice machines.*
16. **WATER EFFICIENT PRE-RINSE SPRAY VALVE** – *“Water Efficient Pre-Rinse Spray Valve” shall mean a handheld device that uses a spray of water to remove food waste from dishes prior to cleaning in a commercial Dishwasher and that has a cleaning time of 26 seconds or less at 1.6 gallons per minute (at 60 psi). Pre-rinse spray valves consist of a spray nozzle, a squeeze lever that controls the water flow, and a dish guard bumper. Models may include a spray handle clip, allowing the user to lock the lever in the full spray position for continual use. Pre-rinse spray valves are usually placed at the entrance to a commercial Dishwasher and can also be located over a sink, in conjunction with a faucet fixture.*
17. **WATER FACTOR** – *“Water Factor” shall mean a rating of water efficiency established by the U.S. Environmental Protection Agency and the U.S. Department of Energy through the Energy Star program. The Water Factor is the number of gallons per cycle per cubic foot that the Clothes Washer uses. The lower the Water Factor, the more efficient the washer is. So, if a Clothes Washer uses 30 gallons per cycle and has a tub volume of 3.0 cubic feet, then the Water Factor is 10.0.*

2. *New Construction of New Structures also required installation of Instant-Access Hot Water Systems and installation of Drip Irrigation where appropriate.*

C. *Residential Water Efficiency Standards for New Structures.*

All Residential New Structures receiving a Water Permit on or after January 1, 2010, shall meet or exceed the following standards:

1. *Ultra-Low Flush Toilets shall be installed;*
2. *Urinals, when installed in a Residential use, shall be designed to flush with one (1) gallon of water;*
3. *Showerheads, Rain Bars, or Body Spray Nozzles shall be installed that were designed to emit a maximum of 2.0 gallons per minute of water;*
4. *All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;*
5. *Installation of multiple Showerheads in one stall shall require timers for each Showerhead, Rain Bar, or Body Spray Nozzle. No timer shall operate with greater than a three (3) minute operating increment;*
6. *Lavatory Sink faucets shall emit a maximum of 2.2 gallons of water per minute at 60 psi;*
7. *Kitchen Sink faucets shall emit a maximum of 2.2 gallons of water per minute at 60 psi;*
8. *Instant-Access Hot Water Systems shall be installed;*
9. *All hot water pipes shall be insulated;*
10. *Sodium chloride (salt) water softeners shall be discouraged in New Construction. Alternate technologies such as potassium chloride shall be recommended. When a sodium chloride water softener is to be installed within the MPWMD, the unit shall use demand-initiated regeneration which senses when the resin must be recharged, either electronically or with a meter that measures and calculates usage. This requirement shall be specified on the Construction Drawings;*
11. *Landscaping.*

- i. *All Sites utilizing a Graywater reuse system shall install and maintain a backflow prevention device as required by any Water Distribution System Operator that supplies water to the Site.*

D. *Non-Residential Water Efficiency Standards for New Structures*

All Non-Residential New Structures receiving a Water Permit on or after January 1, 2010, shall meet or exceed the following standards:

1. *Ultra Low Flush Toilets shall be installed;*
2. *Urinals shall be Pint Urinals or Zero Water Consumption Urinals and shall be clearly specified on the final Construction Drawings. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;*
3. *Showerheads, Rain Bars, or Body Spray Nozzles shall be installed that were designed to emit a maximum of 2.0 gallons per minute of water;*
4. *All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;*
5. *Installation of multiple Showerheads in one stall shall require timers for each Showerhead, Rain Bar, or Body Spray Nozzle. No timer shall operate with greater than a three (3) minute operating increment;*
6. *Public lavatory faucets shall emit a maximum of 0.5 gallon of water per minute at 60 psi;*
7. *Public Lavatory Sinks equipped with automatic shut off devices or sensor faucets shall operate with a maximum flow of 0.25 gallons per cycle;*
8. *High Efficiency Clothes Washers shall be installed when a Clothes Washer is installed in a New Structure permitted under this Regulation;*
9. *High Efficiency Dishwashers or High Efficiency Commercial Dishwashers shall be installed and maintained on the Site when a Dishwasher is installed in a New Structure permitted by a Water Permit;*
10. *Instant-Access Hot Water System(s) shall be installed for hot water access points to ensure that hot water is available within ten (10) seconds;*
11. *All hot water pipes shall be insulated;*

- b. *Weather-Based Irrigation System Controllers shall include functioning Soil Moisture Sensors and a Rain Sensor as components of the system.*
 - c. *Drip Irrigation shall be utilized for watering all non-turf irrigated plantings.*
 - d. *Rotating Sprinkler Nozzles shall be utilized for turf irrigation.*
 - e. *Overhead spray irrigation shall not be used to water non-turf Landscaping, including trees and shrubs.*
 - f. *Irrigation Systems shall operate with at least 70 percent efficiency.*
 - g. *Rainwater collection/irrigation systems are encouraged to supplement irrigation for new Landscaping. New Structures shall be encouraged to include one or more rainwater Cisterns and a system to provide at least 75 percent of exterior irrigation during normal rainfall years. Systems must be compliant with local catchment system standards.*
 - h. *Graywater collection/irrigation systems are encouraged to supplement irrigation for new Landscaping. Systems must be compliant with local catchment system standards, including Monterey County Department of Environmental Health.*
 - i. *All Sites utilizing a Graywater reuse system shall install and maintain a backflow prevention device as required by any Water Distribution System Operator that supplies water to the Site.*
20. *The implementation of water conservation Best Management Practices shall be integrated into construction and operation of the project to the extent possible.*

E. Residential and Non-Residential Change of Ownership, Change of Use, and Expansion of Use Water Efficiency Standards

Sites that have a Change of Ownership, Change of Use or Expansion of Use on or after January 1, 2010, shall meet or exceed the following standards:

- 1. *Ultra Low Flush Toilets shall be installed;*
- 2. *Urinals shall be designed to use a maximum of one (1) gallon per flush. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;*

- A. All Non-Residential Water Users within the District, including existing hotels, motels, other Commercial, and Industrial Uses, on or before March 1, 1988; shall retrofit all shower and Washbasin faucet plumbing fixtures which are installed, but which do not meet Low Water Use Plumbing Fixture standards, with *maintain* Showerheads with a maximum flow capacity of 2.5 gallons per minute (gpm), and Washbasin faucets with aerators which limit the flow rate to a maximum of 2.5 ~~gpm~~ *gallons per minute, unless subject to more restrictive requirements by another agency or Jurisdiction.* Further, all toilets which exceed 3.4 gallons per flush shall be installed with toilet water use reduction devices capable of reducing flow by at least 1.0 gallon per flush.
- B. All existing Visitor-Serving Facilities shall, before December 31, 2000, be retrofitted exclusively with Ultra-Low Flush Toilets, except as provided by Rule 146 (*Discretionary Exemptions*).
- C. *Replacement of Ultra-Low Flush Toilets after January 1, 2014 shall be with High Efficiency Toilets;*
- D. *All Visitor-Serving Facilities shall, by December 31, 2012, be retrofitted exclusively with High Efficiency Urinals, High Efficiency Clothes Washers, and Water Efficient Ice Machines. There shall be an exception to this Rule when the Clothes Washer meets Energy Star specifications and was purchased and installed between January 1, 2007 and January 1, 2010: These appliances must comply with this provision by January 1, 2020;*
- E. *All Non-Residential structures shall be retrofitted exclusively with High Efficiency Toilets by December 31, 2012, except as provided by Rule 146 (Discretionary Exemptions).*
1. *All Visitor-Serving Facilities that retrofit to 1.6 gallons-per-flush toilets pursuant to Rule 143-B shall be exempt from this requirement until January 1, 2020.*
 2. *All Non-Residential uses with Ultra Low Flush Toilets installed prior to January 1, 2010, shall be exempt from this requirement until January 1, 2020.*
- F. *All Non-Residential laundries shall operate exclusively with High Efficiency Clothes Washers rated with a Water Factor of 5.0 or below by December 31, 2012. There shall be an exception to this Rule when the existing appliance was purchased between January 1, 2006 and January 1, 2010 and rates a Water Factor of 5.1-6.0: These appliances must comply with this provision by January 1, 2020;*

All Residential, commercial, Public Authority, and industrial reconstruction, Remodels or Additions that add *The addition of any Bathroom(s), toilet* and/or increase in floor area of Existing Structures by twenty-five percent (25%) or greater of the existing floor area shall meet "New Construction" Low Water Use Plumbing Fixture ~~the Low Water Use Plumbing Fixtures and standards described in~~ as listed defined by ~~Rule 142 and Rule 143~~ Rule 11 for the entire facility, including retrofitting of plumbing fixtures within Existing Structures *throughout the Site.*

C. RETROFIT EXEMPTION

(Rule deleted by Ordinance No. 89 (7/21/97)

D. PROOF OF RETROFIT UPON CHANGE OF OWNERSHIP OR CHANGE OF USE.

Before the transfer of title for any Change of Ownership or Change of Use, defined by Rule 11, of real property within the District, the selling owner(s) or his authorized agent shall, in the form and manner specified by the *District General Manager*, certify compliance with the retrofit requirements of this *Rule* regulation ordinance by one of the following methods:

- ~~1. Certify that the plumbing permit obtained in relation to plumbing fixture installation shows compliance with this regulation ordinance. This certification shall be forwarded to the District; or~~
1. *Provide the District with* Certify that an *District-certified* inspection report or other appropriate report (the General Manager shall maintain a list of individuals qualified to provide this report) which *that provides all Site information required by the District and that* verifies installation of Low Water Use Plumbing Fixtures throughout the structure, as required by this *Regulation XIV and Regulation XV* ordinance. This certification shall be forwarded to the District; or
2. *Provide certify documentation to the District* that the building inspection *by from the a District-certified* city or county building official *that indicates provides all Site information required by the District and that certifies* installation of Low Water Use Plumbing Fixtures throughout the structure, as required by this *Regulation XIV and Regulation XV* ordinance. This certification shall be forwarded to the District; or
3. *Provide owner certification* Certify that plumbing fixtures throughout the structure have been retrofitted in compliance with *Regulation XIV and Regulation XV* ordinance. *The buyer or seller shall forward a* A copy of this certification, together with a dated copy of the purchase receipt for

District Rule 145, Recordation of Notice, shall be deleted from Regulation XIV and relocated as Rule 116, Recordation of Notice, and shall be amended as follows, where the portion set forth in strikeout type (~~strikeout~~) is deleted and the portion set forth in italicized and bold face type (***bold face***) is added:

RULE 145 116 - RECORDATION OF NOTICE

Whenever the General Manager determines that ***a violation of any District Rule or Regulation has occurred on a Site and has not been corrected within thirty (30) days of notification of such violation***, ~~Low Water Use Plumbing Fixtures have not been installed at the time of Change of Ownership or Use or when installed pursuant to the mandatory provisions of this regulation have been removed since initial installation,~~ the General Manager may record a ***Notice of Non-Compliance on the title of the property*** of violation with the office of the ~~Ceounty Rrecorder and may initiate enforcement action as authorized in Regulation XI.~~ The owner(s) of the property, as revealed by the assessment roll, on which the violation is situated, and any other person responsible for the violation, shall be notified of the recordation if their address is known. The owner of record shall have ninety (90) days to take corrective action. ~~Failure to take corrective action within ninety (90) days shall constitute a violation of this MPWMD Rules and Regulations.~~ The General Manager shall cause a ***Notice of correction Compliance*** to be recorded at such time as the property owner has established full compliance with the provisions of ~~this~~ ***these Rules and Rregulations.***

Section Nine: Amendment of Rule 146, Discretionary Exemptions

District Rule 146, Discretionary Exemptions, shall be amended as follows, where the portion set forth in strikeout type (~~strikeout~~) is deleted and the portion set forth in italicized and bold face type (***bold face***) is added:

RULE 146 - DISCRETIONARY EXEMPTIONS

The General Manager may, in his discretion, exempt facilities from the provisions of this Regulation, or impose reasonable conditions in lieu of compliance therewith, if he determines that any of the following sections apply:

A. HARDSHIP

The General Manager may grant an exemption for hardship where the requirements of this Regulation would cause an unnecessary and undue substantial hardship upon the owner, or purchaser of the facility, or the public. Substantial hardship ***shall be determined on a case by case basis and*** may include, but is not limited to:

1. Plumbing in an existing facility which does not match connections with Low Water Use Plumbing Fixtures and would ~~therefore,~~ ***requires*** partial

District Rule 147, Appeals, shall be deleted in its entirety. The appeal process is detailed in Regulation VII.

~~RULE 147—APPEALS~~

~~A.—CONTENT OF APPEAL~~

~~An appeal may be made to the Board of Directors by any public agency or Person aggrieved by a decision of the General Manager pursuant to this regulation. All appeals shall be pursuant to Regulation VII of the District's Rules and Regulations. The appellant must state in the appeal:~~

- ~~1. The identity of the appellant and his interest in the decision;~~
- ~~2. General Manager's decision, or the conditions which are being appealed;~~
- ~~3. A clear, complete, but brief statement of the reasons why the appellant feels the decision or the conditions imposed were unjustified or inappropriate (this should include reasons the appellant disagrees with the findings of the General Manager and specific facts in sufficient detail to notify interested persons of the nature of the appeal). The Board will not accept an appeal stated in generalities.~~

~~B.—ACCEPTANCE OF APPEAL~~

~~An optional form for giving notice of appeal shall be provided by the General Manager. The form need not be used if the notice of appeal is complete. An appeal shall not be accepted by the Board of Directors unless it is complete and complies with all requirements. The General Manager shall not accept a notice of appeal if it is obvious on the face of the notice that it is incomplete. If the General Manager rejects a notice of appeal, he shall inform the appellant of the nature of the deficiency, and shall identify the information necessary to complete the appeal.~~

Section Eleven: Deletion and Relocation of Rule 148, Penalties

District Rule 148, Penalties, shall be deleted from Regulation XIV and added as Rule 115, and shall be amended as follows, where the portion set forth in ~~strikeout type (strikeout)~~ is deleted and the portion set forth in *italicized and bold face type (bold face)* is added:

RULE 110 148 -- PENALTIES GENERAL ENFORCEMENT

- E.* Any Person, firm, or corporation, whether as principal, agent, employee, or otherwise, violating or causing or permitting the violation of any of the provisions of *this these Rules and Rregulations*; or, any contractor who installs or removes

- Ø4. Should any Person, firm, or corporation violate the terms of this regulation, and any action is authorized either by the Board of Directors, or District Attorney, or is in fact commenced, no other action shall be taken on any application filed by or on behalf of said Person, firm, or corporation until the action has been concluded or resolved.

Section Fourteen: Deletion of Rule 151 Cost of Enforcement

District Rule 151 Cost of Enforcement, shall be deleted from Regulation XIV. Enforcement is detailed in Regulation XI.

RULE 151—COST OF ENFORCEMENT

~~A. Any Person, firm, or corporation who creates or maintains a public nuisance in violation of this regulation or upon whose property a notice of violation has been recorded, shall, if not corrected within thirty (30) days, be liable for the costs of abatement and costs of correction which shall include, but not be limited to:~~

- ~~1. Cost of investigation;~~
- ~~2. Court costs;~~
- ~~3. Attorney fees;~~
- ~~4. Costs of monitoring compliance.~~

~~B. Upon a continuation of the public nuisance after notice from the District to cease the nuisance, any Person, firm, or corporation shall be liable for the costs of abatement set forth above, plus a civil penalty of fifty percent (50%) of these costs payable to the District in addition to any other costs of enforcement imposed by the court.~~

Section Fifteen: Deletion of Rule 152, Remedies Cumulative

District Rule 152, Remedies Cumulative, shall be deleted from Regulation XIV. Enforcement is detailed in Regulation XI.

RULE 152—REMEDIES CUMULATIVE

~~The remedies available to the District to enforce this regulation are in addition to any other remedies available under the District's Rules and Regulations, or any other state statutes, and do not replace or supplant any other remedy but are cumulative thereto.~~

Section Sixteen: Deletion of Rule 153, Severability

in compliance with local codes or by identifying the alternative supply in other venues such as in newsletters, websites, menus, etc.

Section Eighteen: **Publication and Application**

The provisions of this ordinance shall cause the republication and amendment of the permanent Rules and Regulations of the Monterey Peninsula Water Management District.

Section Nineteen: **Effective Date and Sunset**

This ordinance shall take effect at 12:01 a.m. on January 1, 2010.

This Ordinance shall not have a sunset date.

Section Twenty: **Severability**

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion by Director Doyle, and second by Director Brower, the foregoing ordinance is adopted upon this 16th day of November 2009, by the following vote:

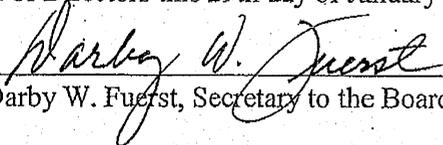
AYES: Directors Doyle, Brower, Edwards, Lehman, Markey, Pendergrass and Potter

NAYS: None

ABSENT: None

I, Darby W. Fuerst, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the 16th day of November 2009.

Witness my hand and seal of the Board of Directors this 29th day of January 2010.

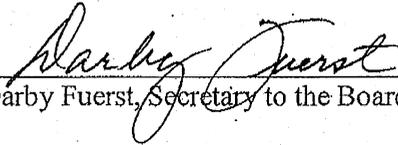


Darby W. Fuerst, Secretary to the Board

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COPY CERTIFICATION

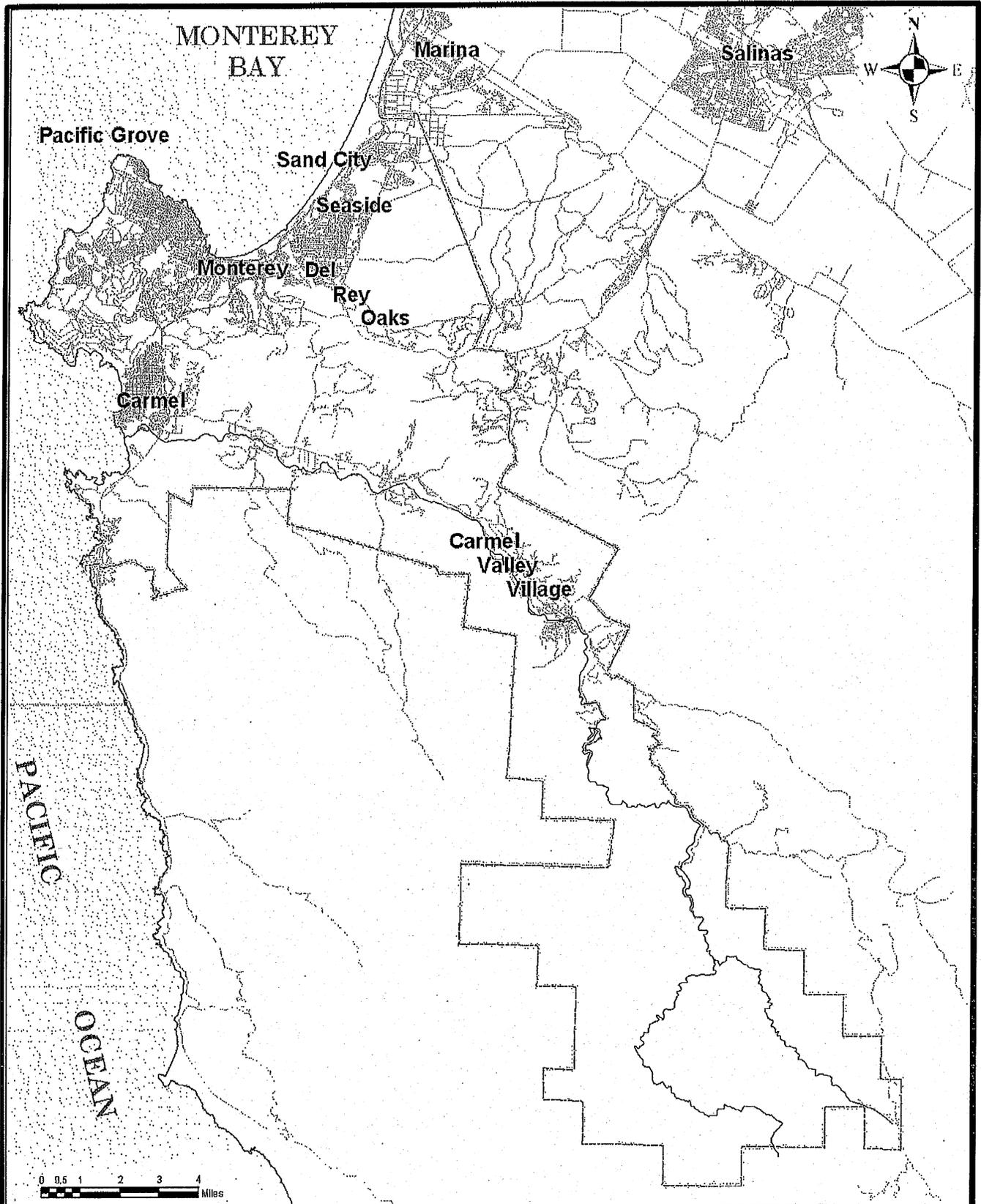
I, Darby Fuerst, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of Ordinance No. 141 duly adopted on the 16th day of November, 2009.



Darby Fuerst, Secretary to the Board

1/29/2010

Date



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Monterey Peninsula Water Management District Boundary

MPWMD Boundary
Roads

