

**MARIN MUNICIPAL WATER DISTRICT**

**ORDINANCE NO. 450**

**AN ORDINANCE AMENDING CHAPTER 13.04 ENTITLED “ COMPREHENSIVE DROUGHT WATER CONSERVATION AND ENFORCEMENT MEASURES” OF TITLE 13 OF THE MARIN MUNICIPAL WATER DISTRICT CODE ENTITLED “WATER SERVICE CONDITIONS AND WATER CONSERVATION MEASURES” ADOPTING ADDITIONAL WATER CONSERVATION AND ENFORCEMENT MEASURES PURSUANT TO WATER CODE SECTION 375**

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT AS FOLLOWS:**

**SECTION 1. Purpose:** Due to the current drought conditions existing in the service area of the Marin Municipal Water District (District), the District adopted Ordinance No. 449 on April 20, 2021 setting forth a comprehensive list of mandatory water conservation measures to enhance the District’s water conservation program pursuant to Water Code section 375. The purpose of these conservation measures is aimed at reducing the quantity of water used by all District customers to preserve the District’s limited water supply due to the current drought given the uncertainty of future water supply conditions. The purpose of this ordinance is to amend Ordinance No. 449 to add additional water conservation measures to help the District reach its overall goal of 40% water use reduction, while still providing customers flexibility in achieving individual water use reductions. For example, customers may achieve 40% water use reduction by reducing water use by 20% indoors and 60% outdoors during the warmer months when outdoor irrigation water usage peaks.

**SECTION 2. Section 13.04.020 of the Marin Municipal Water District Code entitled “Drought water waste prohibitions” is hereby amended to add the following subsections:**

13.04.020(1)(N) Operating outdoor sprinkler irrigation systems delivering overhead spray more than two days within any calendar week and drip irrigation more than three days per week within any calendar week, but excluding hand-watering. For the purpose of this section, “calendar week” shall mean a period running from Monday-Sunday.

13.04.020(5) All recreational pools and spas shall be covered when not in use to reduce the amount of water evaporation.

**SECTION 3. Findings of Necessity:** The findings supporting this ordinance are those set forth and adopted by the Board pursuant to Ordinance No. 449, Section 11.

**SECTION 4. Environmental Determination:** This project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and based upon the above findings and purposes of this ordinance, qualifies for an exemption pursuant to section 21080(b)(4) in that the Board of Directors find that these measures are necessary to preserve water supply to avoid a more severe water supply emergency.

**SECTION 5. Severability:** If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent

jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby 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 sections subsections, clauses, phrases, parts or portions be declared invalid or unconstitutional.

**SECTION 6. Effective Date:** Pursuant to Water Code section 376, this ordinance shall be effective on the day of its adoption. Within 10 days of adoption, this ordinance, or a summary hereof, shall be published in the Marin Independent Journal pursuant to Section 6061 of the Government Code.

**PASSED AND ADOPTED** this 4th day of May, 2021, by the following vote of the Board of Directors:

**AYES:** Directors Larry Bragman, John Gibson, Larry L. Russell, Monty Schmitt, and Cynthia Koehler

**NOES:** None

**ABSENT:** None

  
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President, Board of Directors

**ATTEST:**

  
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Secretary, Board of Directors