

**MARIN MUNICIPAL WATER DISTRICT
ORDINANCE NO. 466**

**AN ORDINANCE MAKING CHANGES TO
CHAPTER 13.02 OF THE MARIN MUNICIPAL WATER DISTRICT CODE ENTITLED
“WATER CONSERVATION AND DRY YEAR WATER USE REDUCTION
PROGRAM” OF TITLE 13 OF THE MARIN MUNICIPAL WATER DISTRICT CODE
ENTITLED “WATER SERVICE CONDITIONS AND WATER CONSERVATION
MEASURES”**

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

SECTION 1. Purpose: The purpose of Ordinance No. 466 (Ordinance) is to enhance the District’s normal year, ongoing, water conservation measures to conserve water supply for beneficial uses and reduce water waste consistent with Article X, Section II of the California Constitution and Water Code Section 375. The changes contained in this Ordinance align District interior plumbing efficiency requirements with current state and local standards. The Ordinance also eliminates certain District water efficiency requirements that have experienced low implementation rates to reallocate existing District resources to other water efficiency programs that will result in higher-levels of water savings.

SECTION 2. Subsection (B) of Section 13.02.021(3) of the Marin Municipal Water District Code entitled “Interior Plumbing Fixtures” is hereby deleted and replaced with the following:

- B. Interior Plumbing Fixtures. All plumbing installed, replaced or moved in any new or existing water service shall meet the applicable standards in effect within the governing municipality, but at minimum shall comply with the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CALGreen) Tier 1 efficiency standards, as may be amended from time to time.

SECTION 3. Section 13.02.021(4) of the Marin Municipal Water District Code entitled “Nonresidential Interior Plumbing Fixtures” is hereby deleted and replaced with the following:

(4) Nonresidential Interior Plumbing Fixtures.

- A. All plumbing installed, replaced or moved in any new or existing water service shall meet the applicable standards in effect within the governing municipality, but at minimum shall comply with the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CALGreen) Tier 1 efficiency standards, as may be amended from time to time.

- B. Commercial Equipment Specifications. The following additional requirements shall apply, where applicable to any commercial use.
1. *Dishwashers*. Dishwashers shall meet, at minimum, the CEE High Efficiency Specifications for Commercial Dishwashers as may be amended from time to time.
 2. *Steamers*. Steamers shall meet, at minimum, the current specifications set by the CEE’s “High Efficiency Specifications for Commercial Steamers” as may be amended from time to time.
 3. *Dipper Wells*. Dipper well flow rates shall be 0.3 gallon, or less, per minute.
 4. *Ice Machines*. Ice machines shall (1) be Energy Star qualified and (2) meet the highest Tier specification set by the CEE “High Efficiency Specifications for Air-Cooled Ice Machines” as may be amended from time to time.

SECTION 4. Section 13.02.021(8) of the Marin Municipal Water District Code entitled “Graywater Systems” is hereby deleted and replaced with the following:

(8) Turf Limits For New Development Of Single-Family Residences and Duplexes. Newly developed single-family or duplex residences shall not install more than twenty percent (20%) of the total Residential Landscape area, or 1,200 square feet, whichever is less, with Turf. This prohibition shall apply to the Residential Landscapes of all newly developed single-family and duplex residences within the District for which a building permit is submitted on or after January 1, 2025.

SECTION 5. Findings: The Board of Directors, after considering all of the information, documentation, comments and testimony presented at the District’s July 16, 2024 public hearing finds as follows:

- A. Article X Section 2 of the California Constitution declares that the general welfare requires that water resources be put to beneficial use to the fullest extent of which they are capable and that the waste, unreasonable use or unreasonable method of use of water be prevented, and that conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and the public welfare.
- B. California Water Code section 375 authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.
- C. The Board of Directors determines that this enhanced water conservation program is a fundamental and necessary step in its on-going efforts to reduce overall water use District-wide and improve the District’s water resiliency efforts.

- D. The adoption and enforcement of the water use restrictions contained in this Ordinance are necessary to manage and conserve the District's water supply and ensure the sustainability and reliability of the same by preventing water waste.
- E. This Ordinance will also serve to align the District's requirements with the most current state and local water efficiency standards as set forth in the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CALGreen) to ensure the District's water conservation program further reduces water consumption to conserve the District's supply by preventing water waste.
- F. The District has found that the existing graywater requirement for new water services and "substantial remodels", as defined by the Marin County Code, has in many cases been infeasible for District customers, leading to the an implementation rate of only 38% in 2022.
- G. Due to this low implementation rate of graywater installations, this Ordinance eliminates the graywater requirements for new services and substantial remodels in order to focus District staff time and resources on other water efficiency initiatives and programs that will have higher participation rates and result in increased water savings.
- H. Turf uses substantially more water than low or very low water landscapes, and are typically irrigated with potable water due to the limited distribution of recycled water within the District.

By adopting turf limits for newly developed single-family and duplex residences within the District, the District will experience a savings of potable water critical to the District's ongoing water resiliency efforts.

SECTION 6. Environmental Determination: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and based upon the above findings and purpose of this Ordinance, qualifies for an exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines as there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 7. 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, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional and, to that end, declares the provisions of this Ordinance severable from one another.

SECTION 8. 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 17th day of September, 2024, by the following vote of the Board of Directors:

AYES: Matt Samson, Monty Schmitt, Jed Smith, Larry Russell, and Ranjiv Khush

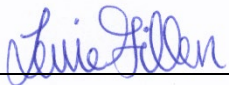
NOES: None.

ABSENT: None.



Ranjiv Khush
President, Board of Directors

ATTEST:



Terrie Gillen
Board Secretary