

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES RECOMMENDING THE SANTA ROSA CITY COUNCIL ADOPT THE ATTACHED PROPOSED ORDINANCE THEREBY AMENDING SANTA ROSA CITY CODE CHAPTER 14-21 WATER WASTE REGULATIONS TO INCLUDE ADMINISTRATIVE FINES AND CLARIFY ENFORCEMENT AND APPEALS PROCESS

WHEREAS, article X, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare, and further declares that it is self-executing; and

WHEREAS, careful water management that includes active water conservation and demand management measures at all times is essential to ensure a reliable minimum supply of water to meet current and future water supply needs; and

WHEREAS, Chapter 14-21 Water Waste Regulations was added to the City Code by the Council of the City of Santa Rosa in 1999 pursuant to section 2 of Ordinance No. 3426, and Chapter 14-21 was subsequently amended in 2007 pursuant to section 7 of Ordinance No. 3845; and

WHEREAS, the Water Waste Regulations authorize the Director of Santa Rosa Water to issue a written warning and disconnect a customer's water service if a water waste violation is not corrected; and

WHEREAS, Santa Rosa Water has instituted a substantial investment in Automatic Metering Infrastructure that has allowed staff to more expeditiously diagnose and notify customers of water waste violations; and

WHEREAS, for health, safety, and local economic reasons, it is not always feasible to disconnect water service when a customer remains non-compliant and non-responsive to notification of a water waste violation; and

WHEREAS, the Water Waste Regulations do not include an exception and appeals process for violations; and

WHEREAS, Santa Rosa Water staff are recommending amendment of City Code Chapter 14-21 to include administrative fines for unaddressed water waste, provide for an exception and an appeals process, and make other clarifying changes that will result in better enforcement of the Water Waste Regulations; and

WHEREAS, the adoption of these revisions to Santa Rosa City Code Chapter 14-21 Water Waste Regulations will assist the City of Santa Rosa in ensuring compliance with state law.

NOW, THEREFORE, BE IT RESOLVED that the City of Santa Rosa Board of Public Utilities recommends that the City Council of Santa Rosa adopt the proposed ordinance, attached hereto, thereby amending Santa Rosa City Code Chapter 14-21 to include administrative fines and clarify enforcement and appeals processes.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 21<sup>st</sup> day of September 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: \_\_\_\_\_  
Daniel J. Galvin III, Chair

ATTEST: \_\_\_\_\_  
Michelle Montoya, Recording Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Morgan Biggerstaff, Assistant City Attorney

Exhibit A: Ordinance No. XX of the City of Santa Rosa Amending Chapter 14-21 of the Santa Rosa City Code