

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING OCEANSIDE CITY CODE, CHAPTER 37 BY ESTABLISHING A DROUGHT RESPONSE RATE STRUCTURE AND DROUGHT RATES IN THE EVENT OF MANDATORY WATER REDUCTIONS

WHEREAS, on July 9, 2008, the City Council adopted Ordinance No. 08-OR0439-1 related to establishing drought response conservation measures to be implemented in the event of mandatory potable water reductions; and

WHEREAS, the City Council has determined that a drought rate structure with associated drought rates must be implemented to achieve the water reduction targets established in the City of Oceanside’s Drought Response Conservation Program in the event of mandatory water reductions as determined by the Metropolitan Water District of Southern California and the San Diego County Water Authority, which are the City’s external water providers.

NOW, THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as follows:

SECTION 1. The second sentence of Section 37.108(b) is amended to read as follows:

Section 37.108(b) Procedures for determination and notification of drought response level.

“The mandatory conservation measures applicable to Drought Response Level 2 or Level 3 conditions shall take effect on the tenth (10th) day after the Oceanside City Council adopts a resolution declaring the response level, or on such later date as may be set forth in the resolution.”

SECTION 2. The second sentence of Section 37.108(c) is amended to read as follows:

Section 37.108(c) Procedures for determination and notification of drought response level.

“The mandatory conservation measures applicable to Drought Response Level 4 conditions shall take effect on the tenth (10th) day after the Oceanside City Council adopts a

1 resolution declaring the response level, or on such later date as may be set forth in the
 2 resolution.”

3 SECTION 3. Section 37.109.1 is hereby added to read as follows:

4 **Section 37.109.1 Drought Rates**

5 Effective upon declaration by the San Diego County Water Authority that
 6 Drought Response Levels Two through Four water reductions are required in order to have
 7 sufficient supplies to meet anticipated demands and upon the adoption of a resolution at each
 8 level by the Oceanside City Council, the following Drought Level Two through Four rates may
 9 be implemented:

Level 2 Drought Alert Rates: up to 20% Mandatory Reduction			
Service Fee Surcharge (per account): 10% higher than the current monthly rate (per meter equivalent)			
Commodity Charge: 1 unit = 748 gallons	Range	Reduction up to 10% - Increase over Current Rate	Reduction up to 20% - Increase over Current Rate
Single Family			
First Tier	0-13 units	0%	0%
Second Tier	14-20 units	25%	60%
Third Tier	21+ units	45%	100%
Multi Family			
First Tier	0-7 units	0%	0%
Second Tier	8-14 units	20%	55%
Third Tier	15+ units	40%	109%
Irrigation	Per unit	20%	40%
Non-Residential/ Commercial Agricultural	Per unit	15%	25%

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Level 3 Drought Critical: up to 40% Mandatory Reduction		
Service Fee Surcharge (per account): 25% higher than the current monthly rate (per meter equivalent)		
Commodity Charge: 1 unit = 748 gallons	Range	Increase over Current Rate
Single Family		
First Tier	0-11 units	0%
Second Tier	12-18 units	70%
Third Tier	19+ units	120%
Multi Family		
First Tier	0-7 units	0%
Second Tier	8-12 units	65%
Third Tier	13+ units	115%
Irrigation	Per unit	60%
Non-Residential/ Commercial Agricultural	Per unit	40%

Level 4 Drought Emergency: Above 40% Mandatory Reduction		
Service Fee Surcharge (per account): 30% higher than the current monthly rate (per meter equivalent)		
Commodity Charge: 1 unit = 748 gallons	Range	Increase over Current Rate
Single Family		
First Tier	0-5 units	0%
Second Tier	6-10 units	80%
Third Tier	11+ units	150%
Multi Family		
First Tier	0-4 units	0%
Second Tier	5-8 units	75%
Third Tier	9+ units	145%
Irrigation	Per unit	80%
Non-Residential/ Commercial Agricultural	Per unit	50%

SECTION 4. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15)

1 days after its passage in the North County Times, a newspaper of general circulation published
2 in the City of Oceanside.

3 SECTION 5. Severability.

4 If any section, sentence, clause or phrase of the Ordinance is for any reason held to be
5 invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
6 shall not affect the validity of the remaining portions of this Ordinance. The City Council
7 hereby declares that it would have adopted this Ordinance and each section, sentence, clause or
8 phrase thereof, irrespective of the fact that any one or more section, subsections, sentences,
9 clauses or phrases be declared invalid or unconstitutional.

10 INTRODUCED at a regular meeting of the City Council of the City of Oceanside held
11 on the _____ day of _____, 2009, and, thereafter,

12 PASSED, AND ADOPTED by the City Council of the City of Oceanside, California
13 this _____ day of _____, 2009, by the following vote:

14
15 AYES:
16 NAYS:
17 ABSENT:
18 ABSTAIN:

19 _____
MAYOR, CITY OF OCEANSIDE

20 ATTEST:

APPROVED AS TO FORM:

21 _____
22 CITY CLERK

23 _____
24 CITY ATTORNEY

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26 AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING OCEANSIDE CITY
27 CODE, CHAPTER 37, AMENDING THE DROUGHT RESPONSE CONSERVATION
28 MEASURES AND ESTABLISHING A DROUGHT RESPONSE RATE STRUCTURE
AND DROUGHT RATES IN THE EVENT OF MANDATORY WATER
REDUCTIONS