



## NOTICE

At the February 10, 2009 City Council Meeting, the St. Helena City Council adopted Resolution No. 2009-4 making the determination that conditions requiring the establishment of a Phase III water emergency are imminent and as a result directed city staff to enact a Phase II Water Emergency in accordance with the St. Helena Municipal Code (SHMC).

SHMC Chapter 13.04 Article 2; Section 13.04.220 defines the procedure for establishment of water emergency limitation phases as follows: At any time that the city council finds and determines that a water shortage emergency condition exists within the criteria of Sections [13.04.230](#) through [13.04.265](#) of this article, and that it is necessary to limit usage by the customers of the municipal water department, the city council shall adopt a resolution setting forth the applicable phase. As soon as is practicable after adoption of such resolution, the city clerk shall cause to be published at least once, in a newspaper of general circulation published and circulated in the city, a notice declaring the establishment of such regulatory phase. Such notice shall set forth the limitations of water use applicable to the particular phase being established and shall further declare that violations of such limitations are punishable in accordance with the provisions of Sections [13.04.290](#) and [13.04.310](#) of this article. The establishment of a particular phase shall be completed and effective at midnight of the day on which the newspaper containing such notice is distributed.

The criteria and limitations of Phase II Water Regulations are as follows:

**13.04.240 Phase II water regulations.**

A. The criteria for establishing Phase II shall be that:

1. The water in storage in the city reservoir on November 1 is less than twenty-five percent (25%) of the storage capacity or on December 1 is less than thirty-five percent (35%) of the storage capacity or on June 1 is seventy-five percent (75%) of the storage capacity, **or**

**2. Conditions requiring the establishment of a Phase III water emergency appear imminent.**

B. All voluntary measures established by Phase I, Section [13.04.230\(B\)](#), shall be encouraged and publicized by the city, except insofar as they are inconsistent with subsection (C).

**C. The following mandatory conservation measures by customers of the department shall be enforced by the department:**

**1. Even numbered addresses shall water lawns, landscaping, vineyards, and fields only on Tuesday, Thursday and Saturday and odd numbered addresses shall water lawns, landscaping, vineyards, and fields only on Wednesday, Friday and Sunday. Watering or irrigation shall not be permitted on Mondays.**

**2. Wasteful usage of water, including the use of treated water from hydrants for construction purposes or for fire drills, shall be prohibited under Section [13.04.130](#)(A) of this chapter, and determined to be detrimental and injurious to the department.**

**D. During a Phase II water emergency the following administrative practices will be followed:**

**1. The city will notify customers on a monthly basis for water usage which exceeds the amount they would be allowed under a Phase III water emergency.**

**2. The city will advise customers of the water shortage and of restrictions and opportunities for exemptions that are available under Section [13.04.280](#) of this chapter.**

**3. Any applicant for a building permit for construction that may be affected by the existence of a Phase III, Phase IV or Phase V water emergency shall be informed of the impact of such phases prior to issuance of a building permit, but lack of such notice shall not permit a new water connection that is otherwise prohibited.**

**E. The city shall make plans for implementation of a water shortage disaster plan, which shall include provisions for:**

**1. Emergency water stations;**

**2. Acquisition of private property under the right of eminent domain, with immediate possession to alleviate the emergency; and**

**3. Application for relief assistance from county, state, and federal sources.**

By order of the St. Helena City Council.

Phase II Water Shortage Emergency Conditions shall be effective at midnight February 19, 2009.

Delia Guijosa  
City Clerk

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PO 9094