



AGENDA REPORT

Meeting Date: May 5, 2015

Item Number: E-2

To: Honorable Mayor & City Council

From: Trish Rhay, Assistant Director of Public Works Services – Infrastructure & Field Operations
Michelle Tse, Senior Management Analyst

Subject: AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING EMERGENCY WATER CONSERVATION PROVISIONS.

Attachments:

1. Ordinance
2. Redline of Ordinance

RECOMMENDATION

Staff recommends that the City Council move to waive the full reading of the ordinance and that the ordinance be introduced and read by title only.

INTRODUCTION

In recent weeks, both the Governor and State Water Resources Control Board have issued emergency regulatory actions, including a recently proposed framework which requires the City of Beverly Hills to reduce water use by 36% by February 2016.

During the April 21, 2015 Study Session, the City Council agreed that additional measures need to be taken to further reduce water use and discussed instituting Stage D of the City's Emergency Water Conservation Stages as outlined in the Municipal Code, along with reviewing the penalty surcharge provisions. Stage D, as currently outlined in the Municipal Code, requires water customers to reduce water use by 30% and includes restrictions on certain water-related activities such as limiting outdoor irrigation, requiring timely repair of water leaks, restaurants serving water upon request, and restricts refilling of swimming pools. The Code currently states that any excess water use beyond the 70% water use baseline can trigger penalty surcharges up to four times the tier rate.

During the April 21, 2015 Study Session, staff suggested suspending the implementation of any penalty surcharges as currently outlined in the Municipal Code until an appropriate framework is established. The recent court of appeals decision in *Capistrano Taxpayers Association, Inc. v.*

City of San Juan Capistrano stated that penalty surcharges must have a nexus with the cost of providing water service to that parcel. Due to this recent court ruling, staff needed additional time to evaluate whether the court's decision has any implications on the City's existing penalty surcharge framework.

In light of the court decision and Council recommendation at the April 21, 2015 Study Session, this ordinance will amend the City's Municipal Code to give City Council the flexibility to determine the water penalty surcharge by Resolution in order to ensure that it is in line with State law. In addition, this ordinance amends the code to allow the City Council to modify by resolution any of the requirements contained in the various conservation stages in order to best meet the needs of the City and promote compliance with any State Water Board regulations. This ordinance also allows for compliance orders related to violations of water conservation measures to demand compliance at a date that is less than 20 days from the date the compliance order is served.

DISCUSSION

In accordance with Proposition 218, which added Article XIII D to the California Constitution, a public agency has the burden of demonstrating that a charge against a parcel for water service does not exceed the proportional cost of providing water service to that parcel. In *Capistrano Taxpayers Association, Inc. v. City of San Juan Capistrano*, the City of San Juan Capistrano adopted "tiered" rates that charge more per gallon to high-use water customers than low-use water customers to encourage water conservation. The Court did not invalidate all tiered water rates, but instead found that the City of San Juan Capistrano failed to demonstrate that its tiered rates correspond to the actual cost of providing service to the different tiers of water use. Tiered water rates are permissible if they reasonably reflect the cost of service attributable to each tier, but not if they are solely based on a policy of encouraging conservation.

Given the recent court decision, staff recommends amending the City's Emergency Water Conservation Stages so that the City Council has the authority to establish penalty amounts by Resolution that are consistent with State law.

In addition, this ordinance amends the code to allow the City Council to modify by resolution any of the requirements contained in the various conservation stages in order to best meet the needs of the City and promote compliance with any State Water Board regulations. This ordinance also allows for compliance orders related to violations of water conservation measures to demand compliance at a date that is less than 20 days from the date the compliance order is served. The Ordinance also clarifies that water fountains are prohibited unless the water is recirculated. Topping off pools with water to maintain filter effectiveness and avoid standing water and breeding of insects is already covered within the existing Stage D requirement of only refilling pools for health reasons.

Staff will conduct an analysis on the penalty surcharge structure and return to the City Council with its findings, along with a new rate structure framework by Summer 2015. Staff has been developing such a framework during the last several months and is working with a consultant to conduct a water rate evaluation.

In the interim, staff continues to work with the Public Works Commission's Conservation Subcommittee to develop a program to further promote conservation. Some of the items that are currently in progress include the recent launch of an online tool Water Tracker, which allows water customers to monitor their water usage. Staff has also reduced outdoor watering of City parks and is no longer watering medians given the State regulations. Staff will continue to conduct outdoor watering inspections and educate the community on the water use restrictions.

Additionally, the next issue of the City's newsletter will focus primarily on water conservation efforts.

FISCAL IMPACT

Implementation of any penalty surcharges, changes to water rate structure, or water conservation efforts will impact the City's water revenues. Impacts on revenues will be include in the study and brought back to the City Council for consideration when completed.


Don Rhoads

Approved By


George Chavez

Approved By

Attachment 1

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING EMERGENCY WATER CONSERVATION PROVISIONS

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council hereby amends and restates Section 9-4-302 (“GENERAL PROHIBITION; APPLICABILITY”) of Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of the Beverly Hills Municipal Code to read as follows:

“9-4-302: GENERAL PROHIBITION; PENALTY SURCHARGE; APPLICABILITY:

A. No person shall use or permit the use of water from the city for residential, commercial, industrial, governmental, or any other purposes in violation of any provision of this article or in an amount in excess of the use that is permitted by the water conservation stages defined below.

B. A penalty surcharge may be assessed for water usage contrary to the provisions of this Article or any water conservation measure adopted by the City Council in an amount set by resolution of the City Council.

C. The provisions of this article shall apply to all persons, customers and property served by the city of Beverly Hills, public works department - utilities division wherever situated.”

Section 2. The City Council hereby amends and restates Section 9-4-303 (“DECLARATION OF WATER CONSERVATION STAGES”) of Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of the Beverly Hills Municipal Code to read as follows:

“9-4-303: DECLARATION OF WATER CONSERVATION STAGES:

A. Water conservation stages shall be determined by the amount of water available or the potential for water interruption. The city manager shall monitor the supply and demand for water by customers. When the city manager finds that the guidelines for initiation of any stage, as set forth in this article, have been satisfied, he or she shall recommend to the city council that a resolution to declare the appropriate water conservation stage be adopted.

B. The city council may modify by resolution any of the requirements contained in the stages of water conservation set forth in Section 9-4-304 if the City Council determines that the modification is in the best interests of the city or is appropriate to promote compliance with any regulation mandated by the State Water Board.

C. The resolution by the city council implementing or terminating conservation stages shall be published within ten (10) days after its adoption at least once in a newspaper of general circulation within the city and the implementing resolution shall be posted in at least three (3) public places and shall continue to be posted until such time as the restrictions of each stage are repealed by resolution of the city council.

D. Except as otherwise may be provided by this article or a resolution adopted by the city council, any prohibitions on the use of water shall become effective immediately upon publication in a newspaper of general circulation within the city. Except as otherwise may be provided by a resolution adopted by the city council, any provisions requiring a percentage reduction in the use of water shall become effective at the first full billing period commencing on or after the date of such publication.”

Section 3. The City Council hereby amends and restates Section 9-4-304 (“REQUIREMENTS FOR WATER CONSERVATION STAGES”) of Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of the Beverly Hills Municipal Code to read as follows:

“9-4-304: REQUIREMENTS FOR WATER CONSERVATION STAGES:

A. Stage A Requirements:

1. A stage A shortage shall be declared when the city manager determines that a five percent (5%) reduction in potable water use is required.

2. Stage A compliance shall consist of voluntary implementation of water conservation elements including, without limitation, reduced irrigation, no washdown of paved areas except to alleviate immediate fire or sanitation hazards, reduced operation of nonrecycling fountains, notification of hotel and restaurant patrons of water conservation goals, serving of water at restaurants only upon request and use of reclaimed water for construction purposes.

B. Stage B Requirements:

1. A stage B shortage shall be declared when the city manager determines that a ten percent (10%) reduction in potable water use is required.

2. Stage B compliance elements shall include the following mandatory elements:

a. Restaurants shall serve water upon request only;

b. All public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals;

c. Plumbing and irrigation leaks shall be repaired as soon as practicable. The city may issue notices to repair visible leaks;

d. Except for single-family and multi-family residential users in tier 1 who will remain in tier 1 for the next billing cycle, all users shall reduce water usage to ninety percent (90%) of the amount in the baseline period as determined by the city council.

3. Violation by any person of the stage B mandatory requirements shall constitute an infraction and, upon conviction, shall be punished by a fine not to exceed one hundred dollars (\$100.00). The violation of each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

C. Stage C Requirements:

1. A stage C shortage shall be declared when the city manager determines that a twenty percent (20%) reduction in potable water use is required.

2. Stage C compliance elements shall include the following mandatory elements:

a. Restaurants shall serve water upon request only;

b. All public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals;

c. Plumbing and irrigation leaks shall be repaired as soon as practicable. The city may issue notices to repair visible leaks;

d. Except for single-family and multi-family residential users in tier 1 who will remain in tier 1 for the next billing cycle, all users shall reduce water usage to eighty percent (80%) of the amount in the baseline period as determined by the city council.

3. Violation by any person of the stage C mandatory requirements shall constitute a misdemeanor and, upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00). Water supply through irrigation water services may be terminated for continued excessive use. The violation of each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

D. Stage D Requirements:

1. A stage D shortage shall be declared when the city manager determines that a thirty percent (30%) or higher reduction in potable water use is required.

2. Stage D compliance elements shall include the following mandatory elements:

a. Restaurants shall serve water upon request only;

b. All public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals;

c. Plumbing and irrigation leaks shall be repaired as soon as practicable. The city may issue notices to repair visible leaks;

d. Landscape irrigation shall be restricted to selected days and times as determined by the city manager, unless such irrigation uses reclaimed wastewater;

e. Refilling of swimming pools, spas or ponds shall be prohibited unless required for health or safety reasons;

f. Operation of water fountains shall be prohibited unless the water is recirculated;

g. Exterior washdown of buildings and washdown of vehicles shall be prohibited, unless:

(1) The washing is done on the immediate premises of a commercial car wash or commercial service station or with reclaimed wastewater; or

(2) The health, safety and welfare of the public is contingent upon frequent vehicle cleaning, such as the cleaning of garbage trucks and vehicles to transport food and perishables;

h. Water usage from fire hydrants shall be limited to firefighting, related activities or other activities necessary to maintain the public health, safety and welfare;

i. Except for single-family and multi-family residential users in tier 1 who will remain in tier 1 for the next billing cycle, users shall reduce water usage to seventy percent (70%) of the amount in the baseline period as determined by the city council.

3. Violation by any person of the stage D mandatory requirements shall constitute a misdemeanor and, upon conviction, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00). Continued excessive use may result in termination of water supply through irrigation water services and/or restriction of water supply through domestic meters. The violation of each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

E. Stage E Requirements:

1. A stage E shortage shall be declared when the city manager determines that a catastrophic interruption of potable water supply has occurred or is foreseen.

2. The city manager shall have emergency water allocation authority in the case of a stage E declaration. This authority shall include the authority to interrupt service to any property or city service zone in order to provide the maximum water supply for human health and safety needs.

3. In allocating water, the city manager shall give first priority to health and safety needs of water utility customers. Subsequent water uses are prioritized to provide water supply first to maintain and expand commerce within the city, then to enhance the aesthetics of the environment, and then to facilitate construction activities.

4. Violation by any person of the stage E emergency water conservation regulations shall constitute a misdemeanor and, upon conviction, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) and six (6) months in jail. Continued excessive use may result in termination of water supply through irrigation water services and/or restriction of water supply through domestic meters. The violation of each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.”

Section 4. The City Council hereby amends and restates Section 1-3-306 (“CONTENT OF COMPLIANCE ORDER”) of Article 3 (“ADMINISTRATIVE PENALTIES”) of Chapter 3 (“CODE VIOLATIONS”) of Title 1 (“GENERAL PROVISIONS”) of the Beverly Hills Municipal Code to read as follows:

“1-3-306: CONTENT OF COMPLIANCE ORDER:

A compliance order shall contain all of the following information:

A. The date and location of the violation and the approximate time the violation occurred.

B. The city code section violated and a description of the violation.

C. The action required to correct the violation and the date by which such action must be completed. Except for orders to comply with Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of this Code, the date for compliance shall not be less than twenty (20) days from the date the compliance order is served.

D. The consequences of failing to correct the violation, including a description of the administrative hearing procedure and appeal process.

E. The time period after which administrative fines will begin to accrue if there is no compliance with the order.

F. The amount of the fine that will be imposed if there is no compliance with the order.

G. The name and signature of the citing official. “

Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any

court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the city within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the city Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this city.

Section 7. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

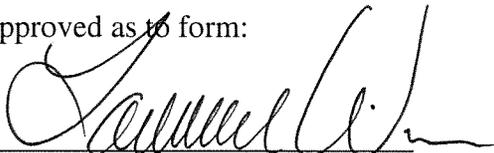
Adopted:
Effective:

JULIAN A. GOLD, M.D.
Mayor of the City of
Beverly Hills, California

ATTEST:

_____(SEAL)
BYRON POPE
City Clerk

Approved as to form:



LAURENCE S. WIENER
City Attorney

Approved as to content:

MAHDI ALUZRI
Interim City Manager

Attachment 2

LEGISLATIVE DIGEST

AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING EMERGENCY WATER CONSERVATION PROVISIONS

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council hereby amends and restates Section 9-4-302 (“GENERAL PROHIBITION; APPLICABILITY”) of Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of the Beverly Hills Municipal Code to read as follows:

“9-4-302: GENERAL PROHIBITION; PENALTY SURCHARGE;
APPLICABILITY:

A. No person shall use or permit the use of water from the city for residential, commercial, industrial, governmental, or any other purposes in violation of any provision of this article or in an amount in excess of the use that is permitted by the water conservation stages defined below.

B. A penalty surcharge may be assessed for water usage contrary to the provisions of this Article or any water conservation measure adopted by the City Council in an amount set by resolution of the City Council.

C. The provisions of this article shall apply to all persons, customers and property served by the city of Beverly Hills, public works department - utilities division wherever situated.”

Section 2. The City Council hereby amends and restates Section 9-4-303 (“DECLARATION OF WATER CONSERVATION STAGES”) of Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of the Beverly Hills Municipal Code to read as follows:

“9-4-303: DECLARATION OF WATER CONSERVATION STAGES:

A. Water conservation stages shall be determined by the amount of water available or the potential for water interruption. The city manager shall monitor the supply and demand for water by customers. When the city manager finds that the guidelines for initiation of any stage, as set forth in this article, have been satisfied, he or she shall recommend to the city council that a resolution to declare the appropriate water conservation stage be adopted.

B. The city council may modify by resolution any of the requirements contained in the stages of water conservation set forth in Section 9-4-304 if the City Council determines that the modification is in the best interests of the city or is appropriate to promote compliance with any regulation mandated by the State Water Board.

C. The resolution by the city council implementing or terminating conservation stages shall be published within ten (10) days after its adoption at least once in a newspaper of general circulation within the city and the implementing resolution shall be posted in at least three (3) public places and shall continue to be posted until such time as the restrictions of each stage are repealed by resolution of the city council.

D. Except as otherwise may be provided by this article or a resolution adopted by the city council, any prohibitions on the use of water shall become effective immediately upon publication in a newspaper of general circulation within the city. Except as otherwise may be provided by a resolution adopted by the city council, any provisions requiring a percentage reduction in the use of water shall become effective at the first full billing period commencing on or after the date of such publication.”

Section 3. The City Council hereby amends and restates Section 9-4-304 (“REQUIREMENTS FOR WATER CONSERVATION STAGES”) of Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of the Beverly Hills Municipal Code to read as follows:

“9-4-304: REQUIREMENTS FOR WATER CONSERVATION STAGES:

A. Stage A Requirements:

1. A stage A shortage shall be declared when the city manager determines that a five percent (5%) reduction in potable water use is required.

2. Stage A compliance shall consist of voluntary implementation of water conservation elements including, without limitation, reduced irrigation, no washdown of paved areas except to alleviate immediate fire or sanitation hazards, reduced operation of nonrecycling fountains, notification of hotel and restaurant patrons of water conservation goals, serving of water at restaurants only upon request and use of reclaimed water for construction purposes.

B. Stage B Requirements:

1. A stage B shortage shall be declared when the city manager determines that a ten percent (10%) reduction in potable water use is required.

2. Stage B compliance elements shall include the following mandatory elements:

a. Restaurants shall serve water upon request only;

b. All public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals;

c. Plumbing and irrigation leaks shall be repaired as soon as practicable. The city may issue notices to repair visible leaks;

d. Except for single-family and multi-family residential users in tier 1 who will remain in tier 1 for the next billing cycle, all users shall reduce water usage to ninety percent (90%) of the amount in the baseline period as determined by the city council.

3. ~~Except for single family and multi family residential users in tier 1 during the current billing cycle, a water penalty surcharge of up to two (2) times the basic water rate shall be charged for water usage in excess of ninety percent (90%) of the amount in the baseline period as determined by the city council.~~4. Violation by any person of the stage B mandatory requirements shall constitute an infraction and, upon conviction, shall be punished by a fine not to exceed one hundred dollars (\$100.00). The violation of each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

C. Stage C Requirements:

1. A stage C shortage shall be declared when the city manager determines that a twenty percent (20%) reduction in potable water use is required.

2. Stage C compliance elements shall include the following mandatory elements:

a. Restaurants shall serve water upon request only;

b. All public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals;

c. Plumbing and irrigation leaks shall be repaired as soon as practicable. The city may issue notices to repair visible leaks;

d. Except for single-family and multi-family residential users in tier 1 who will remain in tier 1 for the next billing cycle, all users shall reduce water usage to eighty percent (80%) of the amount in the baseline period as determined by the city council.

3. ~~Except for single family and multi family residential users in tier 1 during the current billing cycle, a water penalty surcharge of up to three (3) times the basic water rate shall be charged for water usage in excess of eighty percent (80%) and not more than one hundred percent (100%) of the amount in the baseline period as determined by the city council. A water penalty surcharge of up to ten (10) times the basic water rate shall be charged for water usage in excess of one hundred percent (100%) of the amount in the baseline period as determined by the city council.~~4. Violation by any person of the stage C mandatory requirements shall constitute a misdemeanor and, upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00). Water supply through irrigation water services may be terminated for continued excessive use. The violation of

each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

D. Stage D Requirements:

1. A stage D shortage shall be declared when the city manager determines that a thirty percent (30%) or higher reduction in potable water use is required.

2. Stage D compliance elements shall include the following mandatory elements:

a. Restaurants shall serve water upon request only;

b. All public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals;

c. Plumbing and irrigation leaks shall be repaired as soon as practicable. The city may issue notices to repair visible leaks;

d. Landscape irrigation shall be restricted to selected days and times as determined by the city manager, unless such irrigation uses reclaimed wastewater;

e. Refilling of swimming pools, spas or ponds shall be prohibited unless required for health or safety reasons;

f. Operation of water fountains shall be prohibited unless the water is recirculated;

g. Exterior washdown of buildings and washdown of vehicles shall be prohibited, unless:

(1) The washing is done on the immediate premises of a commercial car wash or commercial service station or with reclaimed wastewater; or

(2) The health, safety and welfare of the public is contingent upon frequent vehicle cleaning, such as the cleaning of garbage trucks and vehicles to transport food and perishables;

h. Water usage from fire hydrants shall be limited to firefighting, related activities or other activities necessary to maintain the public health, safety and welfare;

i. Except for single-family and multi-family residential users in tier 1 who will remain in tier 1 for the next billing cycle, users shall reduce water usage to seventy percent (70%) of the amount in the baseline period as determined by the city council.

~~3. Except for single family and multi family residential users in tier 1 during the current billing cycle, a water penalty surcharge of up to four (4) times the basic water rate shall be charged for water usage in excess of seventy percent (70%) but not more than one hundred percent (100%) of the amount in the baseline period as determined by the city council. A water penalty surcharge of up to ten (10) times the basic water rate shall~~

~~be charged for water usage in excess of one hundred percent (100%) of the amount in the baseline period as determined by the city council.~~4. Violation by any person of the stage D mandatory requirements shall constitute a misdemeanor and, upon conviction, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00). Continued excessive use may result in termination of water supply through irrigation water services and/or restriction of water supply through domestic meters. The violation of each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

E. Stage E Requirements:

1. A stage E shortage shall be declared when the city manager determines that a catastrophic interruption of potable water supply has occurred or is foreseen.

2. The city manager shall have emergency water allocation authority in the case of a stage E declaration. This authority shall include the authority to interrupt service to any property or city service zone in order to provide the maximum water supply for human health and safety needs.

3. In allocating water, the city manager shall give first priority to health and safety needs of water utility customers. Subsequent water uses are prioritized to provide water supply first to maintain and expand commerce within the city, then to enhance the aesthetics of the environment, and then to facilitate construction activities.

4. Violation by any person of the stage E emergency water conservation regulations shall constitute a misdemeanor and, upon conviction, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) and six (6) months in jail. Continued excessive use may result in termination of water supply through irrigation water services and/or restriction of water supply through domestic meters. The violation of each element, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.”

Section 4. The City Council hereby amends and restates Section 1-3-306 (“CONTENT OF COMPLIANCE ORDER”) of Article 3 (“ADMINISTRATIVE PENALTIES”) of Chapter 3 (“CODE VIOLATIONS”) of Title 1 (“GENERAL PROVISIONS”) of the Beverly Hills Municipal Code to read as follows:

“1-3-306: CONTENT OF COMPLIANCE ORDER:

A compliance order shall contain all of the following information:

A. The date and location of the violation and the approximate time the violation occurred.

B. The city code section violated and a description of the violation.

C. The action required to correct the violation and the date by which such action must be completed. Except ~~as otherwise provided in this section~~ [for orders to comply with](#)

Article 3 (“EMERGENCY WATER CONSERVATION PLAN”) of Chapter 4 (“WATER REGULATIONS”) of Title 9 (“BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS”) of this Code, the date for compliance shall not be less than twenty (20) days from the date the compliance order is served.

D. The consequences of failing to correct the violation, including a description of the administrative hearing procedure and appeal process.

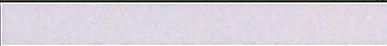
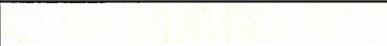
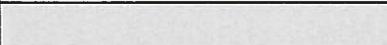
E. The time period after which administrative fines will begin to accrue if there is no compliance with the order.

F. The amount of the fine that will be imposed if there is no compliance with the order.

G. The name and signature of the citing official. “

Document comparison by Workshare Professional on Thursday, April 30, 2015
11:39:35 AM

Input:	
Document 1 ID	interwovenSite://RWGDMS2/RWGIMAN1/1689498/1
Description	#1689498v1<RWGIMAN1> - Legislative Digest - Ordinance regarding Water Conservation Provisions
Document 2 ID	interwovenSite://RWGDMS2/RWGIMAN1/1689498/2
Description	#1689498v2<RWGIMAN1> - Legislative Digest - Ordinance regarding Water Conservation Provisions
Rendering set	standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	14
Deletions	11
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	25