

**ORDINANCE NO. 2024-\_\_\_\_\_**

An Ordinance adding Chapter 13.5 to the Solano County Code to adopt water efficient landscape regulations.

**Whereas**, water is a resource of great importance to Solano County's economy, its natural systems, and to its residents' quality of life; and

**Whereas**, water resources are of limited supply and are subject to ever increasing demands, and it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource; and

**Whereas**, the California Water Conservation in Landscaping Act (Gov. Code, §§ 65591-65599) requires local jurisdictions to adopt either the California Model Water Efficient Landscape Ordinance (MWELo) (23 C.C.R., §§ 490 et seq.) or a local water efficient landscape ordinance that is equally effective as the MWELo at conserving water and preventing waste; and

**Whereas**, Senate Bill 1383 (2016) (SB 1383) requires the State to undertake regulatory actions to reduce short-lived climate pollutants (e.g., greenhouse gasses like methane) and, to implement SB 1383, the California Department of Resources Recycling and Recovery adopted regulations in 2020, which require, among other things, that local jurisdictions adopt an ordinance or other equally enforceable mechanism that requires compliance with certain standards outlined in the MWELo (14 Cal. Code Regs., § 18989.2); and

**Whereas**, incorporating the MWELo by reference into the County's Water Efficient Landscape Ordinance will ensure that the County remains compliant with State regulations as they may be amended from time to time, and will improve clarity for County residents and businesses regarding the applicable water efficient landscaping requirements.

**Therefore**, the Solano County Board of Supervisors ordains as follows:

**Section 1.**

Chapter 13.5 of the Solano County Code is added as follows:

**CHAPTER 13.5**

**WATER EFFICIENT LANDSCAPES**

**13.5-10 Model Water Efficient Landscape Ordinance Adopted**

The California Model Water Efficient Landscape Ordinance, Sections 490 et seq., Chapter 2.7, Division 2 of Title 23 in the California Code of Regulations, or any successor regulation thereto, is hereby incorporated into this section by reference as though it were fully set forth herein.

**Section 2.**

This Ordinance is exempt from the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA) under CEQA Guidelines Sections 15307 and 15308 as an action by the County, as a regulatory agency, taken to assure the maintenance, restoration, enhancement, or protection of natural resources and the environment. The Ordinance is also exempt from CEQA under CEQA Guidelines Section 15061(b)(3) because it does not have the potential for causing a significant effect on the environment.

**Section 3.**

If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, including but not limited to being preempted by State law, that portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion nor other applications of the ordinance which can be given effect without the invalid provision or application.

**Section 4.**

This Ordinance will be effective thirty (30) days after its adoption.

**Section 5.**

A summary of this ordinance will be published within 15 days of its adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on [insert date] by the following vote:

AYES: SUPERVISORS \_\_\_\_\_

NOES: SUPERVISORS \_\_\_\_\_

EXCUSED: SUPERVISORS \_\_\_\_\_

\_\_\_\_\_  
MITCH H. MASHBURN, Chair  
Solano County Board of Supervisors

ATTEST:  
BILL EMLLEN, Clerk  
Solano County Board of Supervisors

By: \_\_\_\_\_  
Alicia Draves, Chief Deputy Clerk

**Introduced:**  
**Adopted:**  
**Effective:**  
**Operative:**