

ORDINANCE NO. 1836

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, ADDING A NEW CHAPTER 15.60 TO THE GARDENA MUNICIPAL CODE WHICH CHAPTER ADOPTS BY REFERENCE THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

WHEREAS, Government Code Section 65595 requires each California city to adopt the Model Water Efficient Landscape Ordinance or to adopt a water efficient landscape ordinance that is at least as effective in conserving water as the model ordinance;

WHEREAS, the current version of the Model Water Efficient Landscape Ordinance updated through 2015 is contained in 23 California Code of Regulations Sections 490 through 495 inclusive, and

WHEREAS, the City Council of the City of Gardena has determined that it would like to adopt the current version of the Model Water Efficient Landscape Ordinance.

WHEREAS, The City Council additionally wishes to incorporate CalRecycle's reporting requirements for landscape projects in the Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. Chapter 15.60 is hereby adopted and added to the Gardena Municipal Code to read, as follows:

Chapter 15.60

Adoption of the California Model Water Efficient Landscape Ordinance

15.60.010. Adoption of the California Model Water Efficient Landscape Ordinance.

The 2015 version of the Model Water Efficient Landscape Ordinance contained in 23 California Code of Regulations Sections 490 through 495 inclusive is hereby adopted by reference in its entirety:

15.60.020. Reporting to CalRecycle.

The building official or his or her designee shall report the number of landscape projects subject to the minimum application of compost and mulch as set forth in Sections 492.6 (a)(3)(B)(C), (D) and (G) of 23 California Code of Regulations (CCR), Division 2, Chapter 2.7 in compliance with 14 CCR Section 18994.2. Reports are due October 1, 2022 for the period of January 1, 2022 through June 30, 2022, and on or before August 1, 2023, and on or before August 1st each year thereafter.

SECTION 2. Penalties.

Persons who shall violate a provision of the Model Water Efficient Landscape Ordinance adopted by reference in the Gardena Municipal Code, or shall fail to comply with any of the requirements thereof, shall be guilty of a misdemeanor unless such violation is declared to be an infraction, punishable by a fine of not more than \$1,000 or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. For the purposes of this section, a forfeiture of bail shall be equivalent to a conviction.

SECTION 3. CEQA Compliance. The adoption of this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(c)(3). which provides that a project is exempt from CEQA when it is covered by the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment and does not apply where it can be seen with certainty that there is no possibility of a significant effect. Staff is directed to file a Notice of Exemption with the County Clerk.

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 5. Certification. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause a summary of the ordinance to be published as required by law.

SECTION 6. Effective Date. This ordinance shall become effective on the thirty-first day after adoption.

Passed, approved, and adopted this 16th day of November, 2021.



TASHA CERDA, Mayor

ORDINANCE NO. 1836

ATTEST:

for Becky Romero
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

for [Signature]
CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance being **Ordinance No. 1836** was duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a special meeting of said City Council held on the **16th day of November 2021**, and that the same was so passed and adopted by the following roll call vote:

AYES: MAYOR PRO TEM TANAKA AND COUNCIL MEMBERS HENDERSON,
 KASKANIAN, FRANCIS, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

for Becky Romero
City Clerk of the City of Gardena, California

(SEAL)