

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SECTION 14.32.040 OF THE SANTA BARBARA MUNICIPAL CODE TO PROHIBIT PRIVATE WELL CONSTRUCTION ON PROPERTIES SERVED BY THE CITY'S WATER SUPPLY SYSTEM AND TO REPEAL SECTION 14.32.115 PERTAINING TO EMERGENCIES

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings and Purposes. The City Council finds and declares that the City is in an ongoing state of drought emergency. In order to conserve surface water and groundwater supplies, the City Council finds and declares it is necessary to prohibit the construction of new private water wells when a property is or can be feasibly served by the City's water supply system. This prohibition will prevent water users from bypassing and avoiding the City's water conservation rules by virtue of using alternative groundwater supplies. This prohibition will also prevent the wasteful misuse of groundwater. Finally, this prohibition will protect the financial integrity of the City's water supply system by preventing parallel usage of groundwater and City water system supplies.

SECTION 2. Section 14.32.040 of Chapter 14.32 of Title 14 of the Santa Barbara Municipal Code is amended to read as follows:

14.32.040 Acts Prohibited, Permit Required.

(a) It shall be unlawful for any person to construct, modify or repair, abandon or destroy any well unless such person has a valid permit issued by the Public Works Director for the specific action to be taken.

(b) It shall be unlawful for any person to construct, modify or repair, abandon or destroy any well unless such construction, modification or repair, abandonment or destruction is in conformance with the terms and conditions contained in the permit issued by the Public Works Director.

(c) It shall be unlawful for any person to construct any well, and no permit shall be issued for construction of a well, if the property to be served is connected to the City's water supply system or the property is within 500 feet of a feasible connection point to the City's water supply system. The Public Works Director may grant conditional exemptions when a connection to the City's water supply system is infeasible.

SECTION 3. Section 14.32.115 of Chapter 14.32 of Title 14 of the Santa Barbara Municipal Code is repealed.

~~14.32.115 Emergency.~~

~~In the event of an emergency, a person may construct, modify or repair, destroy or abandon a water well without the permit required by this ordinance providing that (1) such work is performed in conformance with the standards set forth herein, (2) the Public Works Director is notified of such emergency work prior to its commencement and (3) an application for the required permit is made within three (3) City working days after the initiation of such emergency work.~~