NOTICE OF PROPOSED ADOPTION OF ORDINANCE NO. 2020

PLEASE TAKE NOTICE that on December 14, 2026, at 6:00 p.m. in the Council Chambers, Upland City Hall, 460 North Euclid Avenue, Upland, California, the City Council of the City of Upland shall consider the adoption of Ordinance No. 2020, entitled "An Ordinance of the Mayor and City Council of the City of Upland, California, amending Chapters 13.16 and 13.20 of the Upland Municipal Code relating to water conservation and the use of potable water for irrigation of nonfunctional turf." The aforementioned ordinance was introduced for first reading on November 23, 2026 by the City Council. A summary of that Ordinance is as follows:

Summary of Ordinance No. 2020

Ordinance No. 2020 would amend Chapters 13.16 and 13.20 of the Upland Municipal Code relating to water conservation and the use of potable water for irrigation of nonfunctional turf. The Ordinance would prohibit the use of potable water for the irrigation of nonfunctional turf located on commercial, industrial, and institutional properties, other than a cemetery, and in common areas of properties of homeowners' associations, common interest developments, and community service organizations or similar entities. "Nonfunctional turf" would mean any turf that is not functional turf and would include turf located within street rights-of-way and parking lots. "Functional turf" would mean a ground cover surface of turf located in a recreational use area or community space.

The prohibition would begin January 1, 2027, for properties owned by the California Department of General Services, local governments, local or regional public agencies, and public water systems, except properties owned by local governments, local public agencies, and public water systems in a disadvantaged community; January 1, 2028, for all other institutional properties and all commercial and industrial properties; January 1, 2029, for common areas of properties of homeowners' associations, common interest developments, and community service organizations or similar entities; and January 1, 2031, or the date upon which a State funding source is made available to fund conversion of nonfunctional turf to climate-appropriate landscapes, whichever is later, for properties owned by local governments, local public agencies, and public water systems in a disadvantaged community.

Potable water could be used to the extent necessary to ensure the health of trees and other perennial nonturf plantings or to address an immediate health and safety need. The applicable prohibition would be postponed for, and only to the extent and duration applicable to, a person, institution, or business for which the State Water Resources Control Board has postponed the compliance deadline pursuant to California Water Code section 10608.14(c). The Ordinance would regulate the use of potable water for irrigation and would not independently require removal of turf.

Enforcement would be progressive and would generally begin with a written warning, educational materials, and 30 calendar days to correct the violation. Following the warning and correction period, the first administrative citation, or the first repeat violation within 12 months, would be $100; the second administrative citation within 12 months would be $200; and the third administrative citation within 12 months would be $500. Continued prohibited irrigation after the correction deadline stated in a third administrative citation could result in a penalty of $500 for each calendar day on which prohibited irrigation occurs. A knowing, willful, or chronic violation continuing after a final compliance order could result in an administrative penalty not exceeding $1,000 for each calendar day on which prohibited irrigation occurs. A timely appeal would stay the accrual of additional administrative penalties. The City could not discontinue water service needed for occupied buildings, domestic use, sanitation, fire protection, or other essential health and safety purposes solely because of a violation.

Plans submitted for the modification or replacement of a landscape or irrigation system on property subject to Section 13.16.080 would be required to identify, as applicable, potable and nonpotable water sources serving the landscape; the location of turf and whether each turf area is functional turf or nonfunctional turf; trees and other perennial nonturf plantings that may require continued irrigation; and the design or operational measures that would prevent the use of potable water to irrigate nonfunctional turf after the applicable compliance date. No permit, plan approval, final inspection, or other City authorization would be construed to authorize the use of potable water prohibited by Section 13.16.080. The Ordinance would take effect immediately upon adoption, with the prohibitions applying beginning on the specified compliance dates.

A certified copy of the entirety of the text of Ordinance No. 2020, together with the Code to be adopted thereby, is available in the office of the City Clerk, Upland City Hall, 460 North Euclid Avenue, Upland, California, and is open for public inspection at that location.

Keri Johnson, CMC, CPMC
Upland City Clerk