

ORDINANCE O2025-__

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING NAPA MUNICIPAL CODE CHAPTER 13.08 WATER CONTAMINATION PREVENTION REGULATIONS; AND DETERMINE THAT THE ACTIONS AUTHORIZED BY THIS ORDINANCE ARE EXEMPT FROM CEQA.

WHEREAS, Napa Municipal Code (“NMC”) Chapter 13.08 authorizes the City to prevent water contamination of the public water system and has been revised to comply with regulatory requirements for the program; and

WHEREAS, NMC Sections 13.08.010 through 13.08.140 have been updated to reference the Utilities Department Director, the City’s Cross-Connection Control Program (CCCP), and added language consistent with updated requirements in the adopted State Water Resources Control Board Cross-Connection Control Policy Handbook (CCCPH) Standards and Principles for California’s Public Water Systems amended on June 17, 2025; and

WHEREAS, the actions authorized by this ordinance are exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to: (a) Public Resources Code Section 21065, CEQA Guidelines Sections 15060(c) and/or 15378, since the revision of the City’s water contamination prevention is not subject to environmental review under CEQA, as it does not constitute a “project,” does not commit the City to a definite course of action, does not constitute discretionary approval of a specific project, and will not result in a direct or reasonably foreseeable indirect physical change in the environment; the revised ordinance merely codifies and updates the terms and conditions governing water contamination prevention of the public water system.

WHEREAS, even if the revision of the City’s water contamination prevention regulation ordinance was considered a project, it would be exempt from CEQA as it falls within the “common sense” exemption set forth in CEQA Guidelines Section 15061(b)(3), which excludes projects where “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” The revision of the Napa Municipal Code will not result in any physical development, nor will there be an expansion of use or existing structures as a result of its adoption. The proposed ordinance makes any delivery of water discretionary, so the City is not committing to the delivery of any water by updating this code. Any new service requests would be required to undergo appropriate CEQA review at the time of application when the scope of the project can be seen with certainty. This ordinance merely establishes the terms and conditions of the water contamination prevention requirements. As a regulation, this ordinance does not have the possibility of having a significant effect on the environment.

ATTACHMENT 1

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings; and

WHEREAS, the City Council hereby finds that the facts and findings set forth in the recitals to this Ordinance accurately reflect the findings and determinations of the City Council, and form the basis for adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Napa as follows:

SECTION 1. California Environmental Quality Act (“CEQA”). The City Council hereby determines that the actions authorized by this Ordinance are exempt from CEQA based on the facts, analyses, and findings set forth in the recitals to this Ordinance.

SECTION 2. Amendment. Napa Municipal Code Chapter 13.08 (“Water Contamination Prevention Regulations”) is hereby amended by repealing the previous language in its entirety, and adopting updated language to read as set forth on Exhibit “A,” attached hereto and incorporated herein by reference.

SECTION 3: Note to Codifier for tables of contents. All relevant Tables of Contents for Napa Municipal Code Title 13 shall hereby be amended to document all amendments, as set forth in this Ordinance.

SECTION 4: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Napa, a municipal corporation

MAYOR: _____

ATTACHMENT 1

ATTEST: _____
CITY CLERK OF THE CITY OF NAPA

STATE OF CALIFORNIA }
COUNTY OF NAPA } SS:
CITY OF NAPA }

I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the 21st day of October, 2025, and had its second reading and was adopted and passed during the public meeting of the City Council on the ____ day of ____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to Form:

Christopher Diaz
Interim City Attorney