

# Sample Language for Water Conservation Ordinances

## Emergency Authority

Subd. The Acting City Manager (and/or Mayor, Water Utility Superintendent) is hereby empowered to impose and enforce restrictions on the use of water for sprinkling, irrigation, vehicle washing, air conditioning, and other specified, non-essential uses.

Subd. The (City Council, Mayor, Water Utility Superintendent) may declare a critical water deficiency to prevail within the City whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the City to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

Subd. When the (City Council, Mayor, Water Utility Superintendent) has so determined and declared the existence of a critical water deficiency within the City, (it, the Mayor, etc) shall thereupon enact such regulations and restrictions on the delivery of water and the consumption within the City of water supplied for public use as will in the sound discretion of (the Council, the Mayor, etc.) conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection.

Subd. When the Governor of the State of Minnesota declares a critical water deficiency, the (City Council, Mayor, Water Utility Superintendent) will enact and enforce water conservation restrictions in accordance with Minnesota Statute 103G.291.

Subd. Water use regulations and restrictions may include the right to deny applications for new or additional service connections, and provisions for their enforcement by discontinuing service to customers wilfully violating the regulations and restrictions.

## Lawn Watering, Sprinkling, and Irrigation

Subd. All lawn sprinkler systems and irrigation systems connected to the municipal water system, whether such systems are aboveground or underground, shall require a permit for connection and shall be installed in accordance with (reference state or local plumbing code)

Subd. To conserve water, all lawn sprinkler systems and irrigation systems which are automatic or are equipped to operate automatically, whether installed before or after (date of adoption of resolution), and which are connected to the municipal water system, shall be equipped with a rain-detection device such as the Mini Click II rain sensor manufactured by Glen Hilton Products or its equal so as to prevent the system from operating when it rains.

Subd. With regard to sprinkler systems already connected to the municipal water system on (date of adoption of resolution), the deadline for compliance is (suitable date for deadline).

Subd. All lawn sprinkler systems and irrigation systems connected to the municipal water system

shall be constructed and operated to prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff, low head drainage, over spray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures.

Subd. Property owners having even numbered addresses may water, sprinkle, or irrigate their lawns only on even numbered days, and property owners having odd numbered addresses may water, sprinkle, or irrigate their lawns only on odd numbered days.

Subd. All property owners are prohibited from watering, sprinkling, or irrigating their lawns between the hours of 10 a.m. and 6 p.m.

Subd. An exception shall be granted for recently established lawns, which may be watered daily for up to one month after installation, but only during hours listed in (subd. regarding restricted hours).

Subd. New sod or seeded lawns or other landscaping requiring watering, sprinkling, or irrigation, shall not be installed during a water shortage emergency.

## Landscaping

Subd. At least one tree no less than six feet in initial height and no less than one and one-half inch caliper (either existing or planted) shall be included and replaced as necessary as per the following ratios:

1. In street yards less than 10,000 square feet, one tree per 1,000 square feet, or fraction thereof, of street yard.
2. In street yards of between 10,000 and 110,000 square feet, one tree per 2,500 square feet, or fraction thereof, of street yard area over 10,000 square feet is added to the requirement of ten trees.
3. In street yards over 110,000 square feet, one tree per 5,000 square feet, or fraction thereof, of street yard over 110,000 square feet is added to the requirement of 50 trees. An existing or planted tree which is no less than eight inches in diameter, or no less than six inches in diameter and no less than 15 feet tall shall be considered as two trees for purposes of satisfying this subsection. All newly planted trees shall be planted in a landscaped area no less than eight feet wide.

## Conservation

Subd. No garbage disposal shall be installed in any new or remodeled residential structure in the City, and no garbage disposal shall be installed or replaced in any existing residential structure.

Subd. The serving of water in restaurants, clubs, or eating places, unless specifically requested by an individual, is prohibited.

## Water Wasting

Subd. Waste of water, as defined below, is prohibited.

- a. allowing water to run-off to a gutter, ditch, or drain
- b. failure to repair a controllable leak
- c. washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas
- d. refilling a swimming pool with municipally supplied water after it has been drained
- e. non-commercial washing of privately owned vehicles, trailers, and boats, except from a bucket and except that a hose equipped with a positive shut-off nozzle may be used for a brief rinse
- f. failure to put water to a reasonable beneficial use

Subd. Residents shall be encouraged not to permit any water furnished by the City to run to waste in any gutter or other impervious surface.

### Penalties

Subd. Property owners in violation of water use restrictions are subject to a written warning for the first violation, a fine of \$\$\$ for the second violation, and disconnection of water service until the property owner agrees to comply with restrictions, for the third violation. A separate \$\$\$ fee will be assessed to reconnect service. Violation tickets will be issued immediately upon observation of violation by (law enforcement and/or city utility employees).

Subd. It shall be a misdemeanor for any person to use or apply water received from the City contrary to or in violation of the restrictions herein, and upon conviction thereof such person shall be punished by being imprisoned in the County Jail for not more than 30 days or by fine of not more than \$\$\$, or by both such fine and imprisonment.

Subd. Any person(s) may apply to the City for an exception to the terms of this Ordinance, which exception may be granted in the discretion of the Board of Supervisors, upon proof that some other device, system, or procedure will save as much or more water as those set forth herein, or that those set forth herein cannot be complied with, without undue hardship.

### **ODD-EVEN SPRINKLING BAN**

The City of \_\_\_\_\_ has an voluntary/mandatory odd-even sprinkling ban in conjunction with a 10:00 a.m. and 6:00 p.m. ban effective May 1, through September 1. Customers whose house number ends in an odd number may water after 6:00 p.m. and before 10:00 a.m. on odd numbered calendar days, and those whose house number ends in an even number may water in accordance to above hour restrictions on an even numbered calendar day. This applies to all municipal water users.

## EXAMPLE

1. First Violation - written warning.
2. Second Violation - A fine of \_\_\_\_\_ will be given on the first day and \_\_\_\_\_ given on each additional day.
3. Third Violation - The Water Utility will disconnect service at the street until the resident agrees to comply with the restrictions. A separate \_\_\_\_\_ fee will be assessed to reconnect service.
4. Violation ticket will be issued immediately.

### Lawn Watering Restricted Hours

Restricted Hours--Whenever the council determines that a shortage of water supply threatens the city, it may, by resolution, limit the times and hours during which city water may be used for sprinkling, irrigation, car washing, air conditioning, or other specified uses. After publication of the resolution, no person shall use, or permit water to be used, in violation of the resolution, and any customer who does so shall be charged a fee set by resolution of the council for each day of violation and the charge shall be added to his next water bill. If the emergency requires immediate compliance with terms of the resolution, the council may provide for the delivery of a copy of the resolution to the premises of each customer, and any customer who has received such notice and thereafter uses or permits water to be used in violation of the resolution shall be subject to the charge provided above. Continued violation shall be cause for discontinuance of water service.

### RESOLUTION ESTABLISHING LAWN WATERING RESTRICTIONS

WHEREAS, the \_\_\_\_\_ Public Utilities municipal water supply system may reach critical levels due to summer peak usage; and

WHEREAS, a possibility of water shortage is made more critical by hot and dry weather conditions; and

WHEREAS, lack of adequate water pressure could cause serious fire protection problems; and

WHEREAS, it has been determined that a watering ban must be implemented in order to assure the safety and well being of the residents of the City of \_\_\_\_\_.

NOW, THEREFORE, BE IT RESOLVED, that the Utilities Commission of the City of \_\_\_\_\_, hereby establishes restrictions for all residential, commercial and industrial users of the Utilities' water system;

The Superintendent of Public Works shall be given the authority to implement emergency restrictions to restrict water use during emergency periods. The Superintendent of Public Works shall notify municipal system users of a watering ban by publishing notice in the \_\_\_\_\_ (newspaper) and on \_\_\_\_\_ (local television station).

Residents with an odd house number shall water lawns or wash cars when necessary only on odd-numbered calendar days, and those with even-numbered addresses shall water lawns or wash cars only on even-numbered days. Lawns shall not be watered between the hours of 10:00

am and 6:00 pm.

An exception may be granted for recently established lawns. Those lawns may be watered daily for up to one month after installation, but only during the hours listed above.

In extreme emergency cases, the Superintendent of Public Works shall have the authority to issue a total watering ban until such time that the emergency situation ceases to exist.

The penalty for violating the Utilities' watering ban shall be a warning for the first day of violation, a \$25.00 per day fine for the second violation, and a \$50.00 per day fine for the third violation.

Adopted by the Public Utilities Commission of the City of \_\_\_\_\_, this date \_\_\_\_\_.

ATTEST: \_\_\_\_\_

### **ADDITIONAL RESTRICTIONS**

#### **LAWN SPRINKLING SYSTEM INSTALLATION PERMITS**

By requiring sprinkler system permits the City can make sure that the proper controller is installed as well as other conservation measures are being met (i.e., time of day, day of week, maximum flows per minutes, rain detectors being installed, etc.). There are different controllers on the market that will control some or many different sequences such as every other day, every third day or only specific days of the week. A permit would allow the City to make sure they purchase the controller they need.

#### **WATER CONSERVATION**

Sudb. 1. No building permits shall be issued by the City of Northfield unless in compliance with this section.

Sudb. 2. All toilets and showers installed in all new structures and in the remodeling of currently existing structures shall comply with the State Plumbing Code as amended from time to time.

Sudb. 3. No garbage disposal shall be installed in any new or remodeled residential structure in the City, and no garbage disposal shall be installed or replaced in any existing residential structure.