

\_\_\_\_\_, MN

The city of \_\_\_\_\_ prohibits lawn irrigation systems from being connected to the city water supply. Instead, property owners may utilize stormwater ponds sometimes supplemented with private water wells, whose siting within a city can be restricted/prohibited by the city. Below are key excerpts from the ordinance. (Red text is to highlight key sections)

**CHAPTER 7.  
PUBLIC AND PRIVATE UTILITIES  
710. WATER SUPPLY SYSTEM**

**Section 710.01. Definitions.**

**Subd. 4. “Irrigation Well”** means any well that is installed to provide water to supplement the water level of a Storm Water Pond which is utilized for a Lawn and Landscape Irrigation System.

**Subd. 5. “Lawn and Landscape Irrigation System”** means all pumps, lines or sprinkler heads which are located on private property or within the adjacent public right-of-way that have a sole purpose of irrigating landscape plants and/or grass.

**Subd. 2. Private Water Supply Wells Prohibited where City Water Supply System is Available.**

(a) No Private Water Supply Well may be installed on any property where the City Water Supply System is available with the exception of the wells described in Subd. 2(b) of

Section 710.02 below. For the purpose of this section, the City Water Supply System shall be considered available if the property is within the current or earlier time period of the Urban Services Phasing Plan of the City of \_\_\_\_\_ Comprehensive Plan.

**(b) Exceptions.**

(1) Irrigation Wells. Irrigation Wells may be installed to supplement water in storm water ponds which supply a Lawn and Landscape Irrigation System.

Such Wells shall require prior written approval of the City. No Irrigation Well shall be permitted by the City within the Drinking Water Supply Management

Area unless the applicant can demonstrate to the satisfaction of the City that the Irrigation Well will not have a negative effect on a City Water Supply

Well, impact the City’s ability to provide an adequate public water supply or otherwise compromise the City Water Supply System.

(2) Private Water Supply Wells used solely as part of a...*ordinance continues with other exemptions*

**710.75. Lawn and Landscape Irrigation Systems.**

**Subd. 1. Purpose.** The purpose of this ordinance is to promote efficient use of water for lawn and landscape irrigation without placing an undue burden on the City’s public water supply.

**Subd. 2. Reserved.**

**Subd. 3. Connection of Lawn and Landscape Irrigation Systems to the City Water Supply System.**

(a) Customers installing an automatic or underground irrigation system are required to install a rain sensor device. Existing irrigation systems are required to retrofit to install a rain sensor device at such time as improvement or extension of the system occurs.

(b) **If located within the City Water Supply System service area, the following are prohibited from connecting a Lawn and Landscape Irrigation System to the City**

**Water Supply System:**

- i) A property located within a subdivision that consists of five or more lots and is zoned residential;
- ii) A multiple dwelling unit structure of any size, except for properties in locations that are served by the city's storm sewer system; and
- iii) A property that is over two acres in size and is zoned commercial, industrial business park, mixed-use, or public/semi-public.

(c) **This ordinance shall be applicable only to the above-described properties that install Lawn and Landscape Irrigation Systems after the enactment of this ordinance.** No property shall be allowed to expand its Lawn and Landscape Irrigation System from the City Water Supply System if a Storm Water Pond is available or established to accommodate lawn and landscape irrigation service. Any property presently served by the City Water Supply System that is requesting to expand its Lawn and Landscaping Irrigation System shall be required to convert and connect its Lawn and Landscaping Irrigation System to a Storm Water Pond if such Storm Water Pond is available or must be established to accommodate lawn and irrigation service.

**Subd. 4. Connection to Storm Water Ponds.** Lawn and landscape irrigation water may be obtained for any property from a Storm Water Pond under the following conditions:

- (a) All pumps associated with the Lawn and Landscape Irrigation System shall be free standing or located in a structure that is not connected to the City Water Supply System; and
- (b) No water pumped for the Lawn and Landscape Irrigation System shall enter and no pump or irrigation system shall in any way be connected to any structure that is connected to the City Water Supply System.

**Subd. 5. Connection of Irrigation Wells to Storm Water Ponds.**

(a) An Irrigation Well may be installed on any property in order to provide additional water to a Storm Water Pond under the following conditions:

- i) Any Irrigation well shall be constructed according to Minnesota Statutes Chapter 103I and Minnesota Rules Chapter 4725 ("Minnesota Well Code");
- ii) A Water Use (Appropriation) Permit must be obtained from the Minnesota Department of Natural Resources;
- iii) Each Irrigation Well shall be equipped with either a water flow meter or a time meter;
- iv) The property owner shall provide the City with a well log and yearly pumping records on the last day of each calendar year for each Irrigation Well located on the property;

- v) The Irrigation Well shall be protected from accidental back flow of water with a Backflow Preventer that shall be approved in advance by the City; and
  - vi) Irrigation Well water shall not be used to provide flow to any water feature where the water then flows to waste.
- (b) Irrigation Well water shall be used only for irrigation of landscaping. It shall not be used for any other use.

**Subd. 6. Construction of a Lawn and Landscape Irrigation System.** The location of lines and sprinkler heads for a Lawn and Landscape Irrigation System may be located within the City right-of-way or easement subject to the following conditions and prior approval of the City:

- (a) The owner of the Lawn and Landscape Irrigation System is responsible for any maintenance or repair of the Lawn and Landscape Irrigation System;
- (b) The owner of the Lawn and Landscape Irrigation System signs a written agreement with the City in which the owner agrees to assume all liability and responsibility for damages to the Lawn and Landscape Irrigation System that is caused by City activities, including, but not limited to, snow removal;
- (c) All Lawn and Landscape Irrigation System lines located within City right-of-way or easement shall have a location wire installed in accordance with the City's specifications;
- (d) All Lawn and Landscape Irrigation System lines that cross city streets shall be encased in an oversized carrier pipe; and
- (e) The owner of the Lawn and Landscape Irrigation System shall provide the City with an as-built plan of the irrigation system.

**Subd. 7. Operation of Lawn and Landscape Irrigation Systems.** The operation of a Lawn and Landscape Irrigation Systems shall be subject to the following restrictions:

- (a) Turf and Landscape Irrigation Best Management Practices as set forth by the Irrigation Association for landscape irrigation systems shall be followed by the owner at all times;
- (b) Prior to any seed, sod or landscaping being placed within the Lawn and Landscape Irrigation System area, there shall be proper Seed Bed Preparation by the owner; and
- (c) Under weather conditions where the City places an irrigation ban or other restrictions on the use of any lawn or landscape irrigation that is connected to the City Water Supply System, the City may also prohibit or place limitations on the pumping from any Irrigation Well that is being utilized by a Lawn or Landscape Irrigation System.

**Subd. 8. Penalties.** Any person convicted of violating this ordinance shall be guilty of a misdemeanor and shall be subject to a maximum fine or maximum period of imprisonment, or both, as specified by Minnesota Statutes, Section 609.03.

#### **Amendment History of this Section**

*April 4, 2006 (Ord. 402). Added Subsection 710.75 regarding Lawn and Landscape Irrigation Systems.*

*July 17, 2007 (Ord. 426). Added Subsection 710.68 regarding water use restrictions and amending 710.75 regarding Lawn and Landscape Irrigation Systems. Changing text to reflect consistent language for the Water Supply System.*

**May 15, 2012 (Ord. 527).** Amended Section 710.01 through 710.04 and Section 710.75, Subd. 2 regarding private wells on property served by the city water supply system.

**July 7, 2015 (Ord. 581).** Comprehensive revision of the public and private utilities to bring them up to date with current standards.

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