

City of Blaine

Ordinance: ORD 21-2475

Second Reading

Amending Chapter 86 - Utilities, Amending Sec. 86-7. - Lawn Sprinkler Restrictions and Adding Sec. 86 - 13. - Regulating Nonessential Water Usage Upon Critical Water Deficiency of the Code of Ordinances of the City of Blaine

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in overstrike.)

Sec. 86-7. - Lawn sprinkler restrictions.

(a) The use of the municipal water system for lawn sprinkling shall be regulated as provided in

this section. Lawn and garden sprinkling and the use of irrigation systems will be permitted for properties having odd numbered addresses only on odd numbered days

and for properties having even numbered addresses only on even numbered days.

(b) From May 15 through September 15 lawn and garden sprinkling will be prohibited between

the hours of 10:00 a.m. and 6:00 p.m. daily.

(c) Exceptions.

(1) This section does not apply to private wells.

(2) Employees and agents of the city in such instances wherein lawn, grass or turf used for

athletic fields or areas owned and operated by the city require more frequent watering

to prevent unreasonable damage thereto.

(3) Limited hand watering of plants, flowers, garden areas, trees using a hose.

(4) Watering of new landscaping, sod or seed within 30 days of installation.

(5) Lawn and garden sprinkling and the use of irrigation systems can be further prohibited

as to hours and/or days if deemed necessary by the city manager or designated

employee of the utilities division in order to maintain an adequate supply of water and

continuity of essential public services.

(d) The penalty provisions of section 86-1 shall apply to violations of this section.

Sec. 86-13. - Regulating Nonessential Water Usage Upon Critical Water Deficiency.

This section establishes water conservation restrictions that will be in effect at any time the

governor declares by executive order a critical water deficiency, pursuant to Minnesota Statutes section 103G.291.

(a) Definitions.

(1) Department means the city water department.
governor.
(2) Emergency means the declaration of a critical water deficiency by the
gardens,
(3) Irrigation means the watering of shrubs, trees, sod, seeded areas,
for
lawns, or any other outdoor vegetation, except outdoor vegetation utilized
agricultural purposes.
(4) Notification to public means notification through local media, including
interviews and issuance of news releases.
(5) Public water supplier means the city or other entity that owns, manages,
or
operates a public water supply, as defined in Minn. Stat. § 144.382,
subdivision
4.
(6) Reclaimed water means water collected from rooftops, paved surfaces, or
other
collection devices and all water utilized more than once before re-entering
the
natural water cycle.
(7) Water Recirculation system means any system which enables a user to
reuse
water at least once prior to returning the water to the natural water cycle.

(b) Application.

(1) This ordinance applies to all customers of public water suppliers who own
or
control water use on any premises.
(2) No person shall make, cause, use, or permit the use of water received
from a
public water supply for residential, commercial, industrial, governmental,
or any
other purpose in any manner contrary to any provision in this ordinance.
(3) Mandatory emergency conservation measures shall be implemented
based
upon the declaration of a critical water emergency by the governor.

(c) Declaration of Critical Water Deficiency.

Upon the declaration of a critical water deficiency by the governor, the public
water
supplier shall immediately post notice of the emergency declaration at the usual
meeting place of the city council, or the official city bulletin board. The city shall
provide
notification to the public as quickly as possible or through established water
supply
plans emergency response plans or procedures.

(d) Mandatory Emergency Water Conservation Measures.

Upon declaration of a water emergency and notification to the public, the following

mandatory restrictions upon nonessential water use shall be enforced:

- water, is
- (1) Outdoor irrigation of yards, gardens, golf courses, parklands, and other non-agricultural land, except for those areas irrigated with reclaimed
prohibited.
 - (2) Washing or spraying of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas with water from any pressurized source,
including
garden hoses, except to alleviate immediate health or safety hazards, is
prohibited.
 - (3) The outdoor use of any water-based play apparatus connected to a
pressurized
source is prohibited.
 - (4) Restaurants and other food service establishments are prohibited from
serving
customer.
water to their customers, unless water is specifically requested by the
 - (5) Operation of outdoor misting systems used to cool public areas is
prohibited.
 - (6) The filling of swimming pools, fountains, spas, or other exterior water
features is
prohibited.
 - (7) The washing of automobiles, trucks, trailers, and other types of mobile
equipment is prohibited, except at facilities equipped with wash water
recirculation systems, and for vehicles requiring frequent washing to
protect
public health, safety, and welfare.

(e) Variances.

The City Manager or their designee, is authorized to grant variances to this ordinance

where strict application of its provisions would result in serious hardship to a customer.

A variance may be granted only for reasons involving health or safety. An applicant may

appeal the denial of a variance within five (5) days of the decision by submitting a
written appeal to the City Manager. The City Council shall hear the appeal at the next

City Council meeting. The decision of the City Council is final.

(f) The penalty provisions of section 86-1 shall apply to violations of this section.

Secs. 86-13 14-86-40. - Reserved.

INTRODUCED and read in full this 7th day of July, 2021.

PASSED by the City Council of the City of Blaine this 19th day of July, 2021.