

Watertown City Council

April 12, 2022

Agenda Item:	Amendments to Sec. 58-159: Outdoor Water Conservation
Request for Action:	Adopt Ordinance #431 and Approve Summary Publication Amending the Outdoor Water Conservation Section
Employee/Dept.:	Doug Kammerer, Utility Superintendent

Background:

Staff monitors water production daily, especially during the summer months or dry spells during the year. Staff has been noticing that usage is increasing with the increased number of homes. Currently, staff communicates with the City Administrator about high usage and when he should implement the ODD/EVEN water conservation provision. With the current restrictions only being in effect during a water emergency, staff would have a difficult time meeting demand if there is a fire or if a breakdown of equipment without the emergency provision in effect. Enforcing this procedure is also challenging, as it takes time before any watering conservation measures can be effectively communicated.

Staff recommends that Sect. 58-159 be amended to implement the ODD/EVEN outdoor water conservation year-round. For obvious reasons, it would only be impactful during the summer/watering months. A reduction in the level of outdoor water consumption demand during peak demand periods will assist in maintaining enough water storage for firefighting, and for the construction of additional wells and other water facilities.

Staff will continue working with the residents of Watertown on conserving water ideas through social media, newsletters, and other means of public outreach

Budget Impact:

N/A

Funding Source:

N/A

Recommendation:

Staff recommends that the City Council adopt Ordinance #431 and approve the summary publication amending the outdoor water conservation section of City Code (Sec. 58-159) Approval of revised section 58-159

Motion Type:

Simple majority vote of members present.

Requested Action/Motion:

"I move to adopt Ordinance #431 and approve the summary publication to amend Sec. 58-159 of City Code: Outdoor Water Conservation."

Attachments:

City Code Sec. 58-159: Outdoor Water Conservation (original and revised)
 Ordinance #431 Amending City Code Sec. 58-159: Water Conservation
 Summary Publication
 Water Pumping Report

Sec. 58-159. Outdoor water conservation. (Original)

- (a) *Purpose.* The purpose of this section is to promote outdoor water consumption conservation measures, to conserve water resources, and to assist the City of Watertown in effective utilization of its annual water appropriation permit limits established by the Minnesota Department of Natural Resources.

A reduction in the level of outdoor water consumption demand during peak demand periods will assist in maintaining sufficient amounts of water storage for fire fighting, and reduce the urgency for the construction of additional storage facilities, wells and water filter facilities.

- (b) *Conservation measures; time of day conservation.* To conserve water resources and prevent the wasteful and harmful effects of irrigation and sprinkling during mid-day hours, no person shall irrigate or sprinkle using the public water supply or a private well water source between the hours of 10:00 a.m. and 5:00 p.m. on any day of any week. This conservation measure applies to established lawns, vegetation, shrubs, trees and gardens.

- (c) *Implementation of emergency conservation measures; odd/even conservation and temporary ban.*

(1) If the city administrator in consultation with the public utilities director determines that a shortage of water exists, or in response to orders of the State of Minnesota consistent with Minn. Stats. § 103G.291, the city administrator is authorized to declare a water shortage emergency. In such situations, in addition to the time of day conservation, the city administrator may impose an odd/even conservation measure or a complete temporary ban on all irrigating, watering, sprinkling, vehicle washing or other non-essential uses as determined by the city administrator in consultation with the public utilities director.

(2) Notice of such emergency measures may be given by publication or posting or such other manner as determined appropriate for the situation. Such emergency measures shall continue until notice of discontinuance is given by the city.

(3) If an odd/even conservation measure is imposed to reduce water demand, no person shall irrigate or sprinkle using the public water supply or a private well water source except on an odd/even property address basis. If the property address is an even number, irrigation or sprinkling may take place on the even numbered day of the week. If the property address is an odd number, irrigation or sprinkling may take place on the odd numbered day of the week.

- (d) *Exceptions.* Except for emergency conservation measures as may be determined pursuant to subsection (c), exceptions to time of day conservation are allowed as follows:

(1) Hoses that are hand held by a person.

(2) Employees and agents of the city, in such instances herein lawn, grass or turf used for play fields or areas owned and operated by the city need more frequent watering to prevent unreasonable damage thereto.

(3) Upon written request and approval by the city administrator, or his/her designee, and subject to such terms and conditions imposed by the city administrator, or his/her designee, with respect to such approval, any person owning or operating a commercial or business enterprise whose economic well-being is dependent upon sprinkling, irrigation or watering of lawn, grass, or turf owned, leased or operated by it, may be authorized to sprinkle, irrigate or otherwise utilize water from the city's municipal water system.

(4) New sod and seed are exempt for a period of 30 days only from date of installation. An exemption for this purpose must be first obtained by calling the city utility department at 952-955-2856.

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- (e) *Violations, fines and penalties.* A violation of this section shall subject the property owner to the following fines and penalties:
- (1) *First offense.* Citation and letter of warning indicating the violation and describing the remedy and fines for future violations.
 - (2) *Second offense.* Citation and fine of \$75.00 added to the property's utility bill.
 - (3) *Third and subsequent offenses.* Citation and fine of \$250.00 each occurrence, added to the property's utility bill.
- (e) *Appeals.* Any person desiring to contest an administrative citation must appeal the citation in writing to the city administrator within five days of its issuance. The city council shall hear the appeal at the next regular scheduled city council meeting. The decision of the city council is final. Appeals must be mailed or personally delivered to City Administrator, 309 Lewis Avenue South, P.O. Box 273, Watertown, MN 55388.
- (Ord. No. 87, § 16, 12-16-75; Ord. No. 272, §§ 1—6, 9-13-05; Ord. No. 423 , § 1, 2-23-21)

Sec. 58-159. Outdoor water conservation. (Revised)

- (a) *Purpose.* The purpose of this section is to promote outdoor water consumption conservation measures, to conserve water resources, and to assist the City of Watertown in effective utilization of its annual water appropriation permit limits established by the Minnesota Department of Natural Resources.

A reduction in the level of outdoor water consumption demand during peak demand periods will assist in maintaining sufficient amounts of water storage for ~~fire fighting~~ firefighting, and reduce the urgency for the construction of additional storage facilities, wells and water filter facilities.

- (b) *Conservation measures; time of day conservation.* To conserve water resources and prevent the wasteful and harmful effects of irrigation and sprinkling during mid-day hours, no person shall irrigate or sprinkle using the public water supply or a private well water source between the hours of 10:00 a.m. and 5:00 p.m. on any day of any week. This conservation measure applies to established lawns, vegetation, shrubs, trees and gardens.

This conservation measure applies to new sod and seed as well as established lawns, vegetation, shrubs, trees, and gardens unless written permission for such use is obtained from the City Administrator or his/her designee.

- ~~(c) Implementation of emergency conservation measures; odd/even conservation and temporary ban.~~

- (c) (1) *Odd/Even Conservation:* To reduce demand, no person shall irrigate using public water supply or a private well water source except on an odd/even basis as specified by the City Council. If a property address is an even number, irrigation can take place on the even numbered day of the week. If the property address is an odd number, irrigation can take place on the odd numbered day of the week. ~~If the city administrator in consultation with the public utilities director determines that a shortage of water exists, or in response to orders of the State of Minnesota consistent with Minn. Stats. § 103G.291, the city administrator is authorized to declare a water shortage emergency. In such situations, in addition to the time of day conservation, the city administrator may impose an odd/even conservation measure or a complete temporary ban on all irrigating, watering, sprinkling, vehicle washing or other non-essential uses as determined by the city administrator in consultation with the public utilities director.~~

~~(2) Notice of such emergency measures may be given by publication or posting or such other manner as determined appropriate for the situation. Such emergency measures shall continue until notice of discontinuance is given by the city.~~

~~(3) If an odd/even conservation measure is imposed to reduce water demand, no person shall irrigate or sprinkle using the public water supply or a private well water source except on an odd/even property address basis. If the property address is an even number, irrigation or sprinkling may take place on the even numbered day of the week. If the property address is an odd number, irrigation or sprinkling may take place on the odd numbered day of the week.~~

- (d) *Emergency Reduction Measures:* The City Administrator is authorized to implement Emergency Reduction Measures at such a time as the water supply demand exceeds supply capabilities or reserve capacities are insufficient to protect the community. Emergency Reduction Measures may include, but not limited to, reduction in the time of day conservation measures up to and including a complete ban of outdoor water use. Notice of such Emergency Reduction Measures may be by posting, mail, hand delivered door hangers, or by social media.

- ~~(e)~~ (d) *Exceptions.* Except for emergency conservation measures as may be determined pursuant to subsection (c), exceptions to time of day conservation are allowed as follows:

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- (1) Hoses that are hand held by a person.
 - (2) Employees and agents of the city, in such instances herein lawn, grass or turf used for play fields or areas owned and operated by the city need more frequent watering to prevent unreasonable damage thereto.
 - (3) Upon written request and approval by the city administrator, or his/her designee, and subject to such terms and conditions imposed by the city administrator, or his/her designee, with respect to such approval, any person owning or operating a commercial or business enterprise whose economic well-being is dependent upon sprinkling, irrigation or watering of lawn, grass, or turf owned, leased or operated by it, may be authorized to sprinkle, irrigate or otherwise utilize water from the city's municipal water system.
 - (4) Water toys or sprinklers that are used for children at play, provided children are present and actively playing. ~~New sod and seed are exempt for a period of 30 days only from date of installation. An exemption for this purpose must be first obtained by calling the city utility department at 952-955-2856.~~
- (e) *Violations, fines and penalties.* A violation of this section shall subject the property owner to the following fines and penalties:
- (1) *First offense.* Citation and letter of warning indicating the violation and describing the remedy and fines for future violations.
 - (2) *Second offense.* Citation and fine of \$75.00 added to the property's utility bill.
 - (3) *Third and subsequent offenses.* Citation and fine of \$250.00 each occurrence, added to the property's utility bill.
- (e) *Appeals.* Any person desiring to contest an administrative citation must appeal the citation in writing to the city administrator within five days of its issuance. The city council shall hear the appeal at the next regular scheduled city council meeting. The decision of the city council is final. Appeals must be mailed or personally delivered to City Administrator, 309 Lewis Avenue South, P.O. Box 273, Watertown, MN 55388.
- (Ord. No. 87, § 16, 12-16-75; Ord. No. 272, §§ 1—6, 9-13-05; Ord. No. 423 , § 1, 2-23-21; Ord. No. 431, § 1, 4-12-22
)

CITY OF WATERTOWN
COUNTY OF CARVER
STATE OF MINNESOTA

ORDINANCE NO. 431

AN ORDINANCE AMENDING CHAPTER 58, ARTICLE III. - WATER OF THE MUNICIPAL CODE OF WATERTOWN BY AMENDING TO ADDRESS OUTDOOR WATER CONSERVATION

THE CITY COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN:

SECTION 1. AMENDMENT. That the Municipal Code of Watertown, Minnesota, Chapter 58, Article III. – Water is hereby amended as set forth below by adding the underlined language and deleting the ~~strickethrough~~ language as follows:

Sec. 58-159. - Outdoor water conservation.

- (a) *Purpose.* The purpose of this section is to promote outdoor water consumption conservation measures, to conserve water resources, and to assist the City of Watertown in effective utilization of its annual water appropriation permit limits established by the Minnesota Department of Natural Resources.

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This conservation measure applies to new sod and seed as well as established lawns, vegetation, shrubs, trees, and gardens unless written permission for such use is obtained from the City Administrator or his/her designee.

- ~~(c) *Implementation of emergency conservation measures; odd/even conservation and temporary ban.*~~

- (c) ~~(+)~~ *Odd/Even Conservation:* To reduce demand, no personal shall irrigate using public water supply or a private well water source except on an odd/even basis as specified by the City Council. If a property address is an even number, irrigation can take place on the even numbered day of the week. If the property address is an odd number, irrigation can take

~~place on the odd numbered day of the week. — If the city administrator in consultation with the public utilities director determines that a shortage of water exists, or in response to orders of the State of Minnesota consistent with Minn. Stats. § 103G.291, the city administrator is authorized to declare a water shortage emergency. In such situations, in addition to the time of day conservation, the city administrator may impose an odd/even conservation measure or a complete temporary ban on all irrigating, watering, sprinkling, vehicle washing or other non-essential uses as determined by the city administrator in consultation with the public utilities director.~~

~~(2) Notice of such emergency measures may be given by publication or posting or such other manner as determined appropriate for the situation. Such emergency measures shall continue until notice of discontinuance is given by the city.~~

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(d) Emergency Reduction Measures: The City Administrator is authorized to implement Emergency Reduction Measures at such a time as the water supply demand exceeds supply capabilities or reserve capacities are insufficient to protect the community. Emergency Reduction Measures may include, but not limited to, reduction in the time of day conservation measures up to and including a complete ban of outdoor water use. Notice of such Emergency Reduction Measures may be by posting, mail, hand delivered door hangers, or by social media.

(e)~~(d)~~ *Exceptions.* Except for emergency conservation measures as may be determined pursuant to subsection (c), exceptions to time of day conservation are allowed as follows:

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(3) Upon written request and approval by the city administrator, or his/her designee, and subject to such terms and conditions imposed by the city administrator, or his/her designee, with respect to such approval, any person owning or operating a commercial or business enterprise whose economic well-being is dependent upon sprinkling, irrigation or watering of lawn, grass, or turf owned, leased or operated by it, may be authorized to sprinkle, irrigate or otherwise utilize water from the city's municipal water system.

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SECTION 2. EFFECTIVE DATE. This ordinance shall take effect upon the day of publication.

Adopted by the City Council of the City of Watertown this 12th day of April 2022.

Steve Washburn, Mayor

ATTEST:

Jake Foster, City Administrator

(Published in the *Carver County News* on the ____ day of _____, 2022.

Water Pumping Report
(recorded Million gallons per Month)

Month	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan.	7.161	6.469	7.626	7.8	8.484	9.769	7.786	8.168	7.766	7.544	8.491	8.66	8.739	8.254	8.683	8.804	8.488	7.424	7.606	7.504	7.874	8.01	9.4	8.5	9.9	5.8	6.3
Februar	6.667	5.871	6.799	6.55	7.52	8.903	6.943	6.935	7.375	7.289	7.764	7.821	7.835	7.826	7.192	6.783	7.414	7.111	6.786	6.888	6.95	8.139	8.38	7.7	9	5.7	6.3
March	7.022	6.586	7.674	8.097	8.176	9.322	6.866	8.077	7.923	7.807	8.601	8.459	8.669	8.334	8.187	6.762	8.083	7.698	7.345	7.955	7.47	8.697	9.2	8.4	9.5	6.3	7.3
April	6.827	6.259	7.519	7.843	8.3	9.632	7.806	7.594	8.095	8.827	8.868	8.77	8.589	7.456	8.609	8.607	7.643	7.847	7.228	7.246	7.46	8.49	9.04	8.3	8.4	7.9	7.7
May	7.31	6.707	8.792	9.514	9.63	10.5	9.15	9.051	8.809	9.963	10.04	11.93	10.93	9.466	12.69	11.799	10.493	9.224	8.209	7.966	8.68	10.68	10.44	10.9	9.8	9.8	11.6
June	7.794	7.279	10.88	8.011	8.75	9.919	8.554	9.011	10.832	9.973	10.51	14.46	14.2	11.9	14.45	9.532	10.713	10.81	8.363	7.786	9.82	11.2	13.13	10.2	11.03	12.7	18.3
July	7.515	8.853	7.732	9.6	10.97	10.21	10.61	9.76	11.757	13.03	16.24	15.53	17.2	14.49	14.1	11.245	11.493	14.14	12.38	10.09	9.52	12.56	14.93	12	11.48	13.9	15.8
August	7.89	9.395	8.019	8.681	10.83	11.34	10.4	9.329	16.569	13.42	12.02	11.88	12.53	16.35	10.05	10.857	11.397	11.82	13.879	12.45	10.14	10.48	11.53	13.1	8.81	9.7	13.4
Sept	6.297	9.936	7.208	9.144	9.87	9.949	8.268	9.087	12.631	10.720	9.694	9.229	10.47	11.67	13.56	8.421	12.042	11.63	11.394	9.329	8.45	8.88	11.27	11	7.11	9.9	10.6
Oct	6.012	8.511	7.595	8.57	10.24	9.691	8.327	7.896	9.487	9.497	9.339	9.484	8.634	9.011	9.199	8.296	10.081	9.784	8.211	7.866	7.75	8.593	9.51	9	6.91	7.3	8.8
Nov.	5.363	7.167	7.065	7.464	9.098	7.66	8.006	7.843	7.235	7.93	7.752	8.064	8.125	7.363	7.748	6.986	7.572	7.503	7.075	7.272	7.05	8.415	9.19	8.4	6.47	7.1	7.6
Dec.	6.687	7.484	6.798	7.99	9.23	7.971	7.661	7.788	7.714	8.028	8.341	8.285	8.293	7.777	8.065	8.101	8.038	7.505	7.435	7.578	7.2	9.06	9.08	8.3	6.43	7.4	7.8
Totals	82.55	90.52	93.71	99.26	111.1	114.9	100.4	100.5	116.19	103.3	117.6	122.6	124.2	119.9	122.5	106.19	113.46	112.5	108.93	104.1	98.36	113.2	125.1	115.8	104.9	106.4	121.5
A.P.D.	0.226	0.248	0.257	0.272	0.304	0.315	0.275	0.275	0.3183	0.283	0.322	0.336	0.34	0.328	0.336	0.2909	0.3108	0.308	0.29	0.285	0.269	0.309	0.343	0.317	0.287	0.292	0.333

APD=Average per Day in Million gallons