

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2021-068

**A RESOLUTION ENACTED PURSUANT TO MINNESOTA STATUTES SECTION
12.29 EXTENDING THE PERIOD OF A LOCAL EMERGENCY**

WHEREAS, on June 11, 2021, the Acting Mayor of the City of Lake Elmo issued Acting Mayor Declaration No. 2021-02 Declaring a Local Emergency with Respect to Water Usage in the City; and

WHEREAS, Minnesota Statutes Section 12.29 authorizes the Mayor (or Acting Mayor) to declare the existence of a local emergency; and

WHEREAS, the Acting Mayor's declaration was based on the following:

1. Excessive watering of lawns, irrigation, and the washing of vehicles reduces the capacity of the City's water towers, placing undue stress on the City's water system and lowering the quality levels of water for City residents and businesses; and
2. The water levels in the City's water towers currently are lower than what is desired to coordinate and provide water for fire protection purposes; and
3. Section 50.40 of the City Code states that the Mayor (or Acting Mayor) or City Council may impose emergency regulations pertaining to City water use and that whenever the City determines that a critical water deficiency prevails, it may limit the times and hours during which water may be used from the City water system for lawn and garden sprinkling, irrigation, car washing, air conditioning, and other nonessential uses.

WHEREAS, the City Council of the City of Lake Elmo agrees with the Acting Mayor's declaration of a local emergency and further finds that the local emergency will last for more than three days and that immediate action to respond to the local emergency is needed in order to protect the health, safety, and welfare of the residents of the City; and

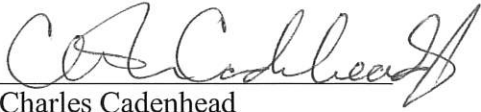
NOW, THEREFORE, BE IT RESOLVED,

1. The City Council, by adopting this Resolution, agrees with the Acting Mayor's declaration of a local emergency within the City of Lake Elmo and hereby extends such state of local emergency.
2. The outdoor watering ban that was effective on June 11, 2021 shall remain in effect. The watering ban prohibits all outdoor watering by mechanical or automatic means. The outdoor watering ban is in effect until further notice and includes the watering of lawns, irrigation, and vehicle washing.

3. The watering of new sod and the seeding of grass is permitted during the watering ban provided that a permit for new sod watering has been obtained from the City. No new permits for sod will be issued by the City until the restrictions imposed by this Resolution have been lifted by the City.
4. Hand held watering of flowers, gardens, and landscaping is permitted.
5. Pool filling (both wading and swimming pools) is permitted.
6. The use of water toys/water sprinklers for children actively playing is permitted.
7. The City Administrator is delegated the authority to implement any other reasonable water conservation measures that are necessary to ensure that the City maintains safe water levels and adequate fire protection. The City Administrator shall take input from the Public Works Director, the City Engineer, and the Fire Chief before implementing any new water conservation measures.
8. Failure to comply with these restrictions may result in a surcharge for water service for each violation in an amount determined by the City Council, which may be added to the water bill for the property in which such violation occurs. Each day of the violation shall be deemed a separate violation. Continued violations shall be cause for discontinuing water service. Violation of these restrictions shall also be subject to penalties pursuant to Section 10.99 of the City Code.
9. The City Administrator may modify any of the water conservation measures implemented by this Resolution if, in consultation with the Public Works Director, the City Engineer, and the Fire Chief, she has determined that circumstances have changed with respect to the City's water levels and any or all of the water conservation measures implemented by this Resolution are no longer necessary in order to ensure that the City maintains safe water levels and adequate fire protection. This Resolution may also be rescinded by the City Council.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE 15TH DAY OF JUNE, 2021.

CITY OF LAKE ELMO

By: 
Charles Cadenhead
Mayor

(Seal)

ATTEST:



Julie Johnson
City Clerk