



STAFF REPORT

DATE: 5/16/2023

REGULAR

TO: City Council
FROM: Marty Powers, Public Works Director
AGENDA ITEM: Permanent Irrigation Restriction Ordinance
REVIEWED BY: Kristina Handt, City Administrator
Sarah Sonsalla, City Attorney

INTRODUCTION:

As discussed at the May 9th work session, the purpose of this ordinance is to change the City's irrigation regulations to prevent excessive water demand, encourage water efficiency and conservation, protect groundwater resources, and ensure that the City's water system can meet the water demands for fire protection and essential domestic water.

ISSUE BEFORE THE CITY COUNCIL:

The City Council is being asked to review and consider the proposed amendments to the City's permanent irrigation restrictions that are set forth in the ordinance.

DETAILS/ANALYSIS:

On March 14, 2023 the EPA proposed changed to the PFAS MCL, which is expected to affect Well #2. With the continued growth of the City, the DNR well appropriation permit being exceeded, and the City's water system struggling to meet summer irrigation demands an irrigation restriction change is needed.

The City Council discussed the proposed updates at the May 9th, 2023 workshop and directed staff to move forward with the updated language, including the change to section 5.04.180 designating each property 2 days week to irrigate in Lake Elmo. The proposed schedule is as follows:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Zone	A	B	C	D	A,B	C	D

In addition we will reduce the number of days for new sod from 30 to 15. Staff is also proposing to extend the hours of watering to allow the impact to the system to be more spread out. Instead of allowing irrigation to begin at 6pm it would begin at 5pm under the proposed changes.

FISCAL IMPACT:

Updating neighborhood irrigation signs, \$1000. A decrease in water revenue will be expected as usage is expected to decrease. Fiscal implications will be monitored and rates may have to be adjusted to accommodate for revenue loss.

OPTIONS:

The City Council may:

- Adopt the ordinance as proposed.
- Make changes to the ordinance and adopt the ordinance, as amended.
- Decide not to adopt the ordinance.

RECOMMENDATION:

Staff is recommending that the City Council approve changes to the City's permanent irrigation restrictions as proposed by Ordinance 2023-010.

“Motion to adopt Ordinance 2023-010 and Resolution 2023-045 Authorizing Summary Publication of Ordinance 2023-010”

ATTACHMENTS:

- A. Ordinance No. 2023-010
- B. Resolution No. 2023-045 of Summary Publication
- C. Irrigation Map

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2023-010

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY
AMENDING THE PERMANENT WATER USE RESTICTIONS

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title 5 Public Works; Chapter 5.04: Water, Section 5.04.180 Water Use Restrictions is hereby amended by changing the following section (Proposed language is underlined; deleted language is shown with ~~strikethrough~~):

5.04.180(b) Permanent water use restrictions

Permanent water use restrictions. To ensure the availability of essential water and fire protection, encourage water conservation and allow flexibility in the city's water system in meeting peak demands, and to reduce the required water supply and storage capacity requirements allowing for a lower cost water system, certain limitations must be placed on the city's water supply.

1. ~~Water Odd/even sprinkling ban.~~ Irrigation Zones. Property owners having even-numbered postal addresses may water, sprinkle, or irrigate their lawns only on even-numbered days, and property owners having odd-numbered postal addresses may water, sprinkle, or irrigate their lawns only on odd-numbered days. Property owners in Zone A may water, sprinkle or irrigate on Mondays and Fridays. Property owners in Zone B may water, sprinkle, or irrigate on Tuesdays and Fridays. Property owners in Zone C may water, sprinkle or irrigate on Wednesdays and Saturdays. Property owners in Zone D may water, sprinkle, or irrigate on Thursdays and Sundays. A map depicting the zones will be maintained by the Public Works Department and appear on the City's website.
2. *Time of day sprinkling ban.* All property owners are prohibited from watering, sprinkling, or irrigating their lawns between the hours of 5:00 a.m. and 5~~6~~:00 p.m. daily.
3. *Exceptions.* The permanent water use restrictions do not apply in the following situations:
 1. Private wells.
 2. Recently established lawns if permission is granted through a watering restriction waiver form, allowing daily watering for up to 1530 days after installation. Watering must still adhere to the restricted hours for the time of day sprinkling ban. New sod or seeded lawns or other landscaping requiring watering, sprinkling, or irrigation, shall not be installed during a water shortage emergency.
 3. Attended hand-watering of plants, shrubs, trees, and gardens.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 2023-010 was adopted on this _____ day of _____, 2023, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 2023-010 was published on the ____ day of _____, 2023.

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

RESOLUTION NO. 2023-045

**RESOLUTION AUTHORIZING PUBLICATION OF A SUMMARY OF ORDINANCE
2023-010**

WHEREAS, the Lake Elmo City Council has adopted Ordinance No. 2023-010, an ordinance that amends the City's Permanent Irrigation Restrictions.

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo that the City Clerk shall cause the following summary of Ordinance No. 2023-010 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 2023-010, an ordinance that amends the language in the water use restrictions section of the City Code. This ordinance alters language in the City Code to allow properties to water only two days a week based on their zone, prohibits watering from 5 a.m. to 5 p.m. and allows a 15 day exemption for new sod.

The full text of Ordinance No. 2023-010 is available for inspection at Lake Elmo City Hall during regular business hours

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: May 16, 2023

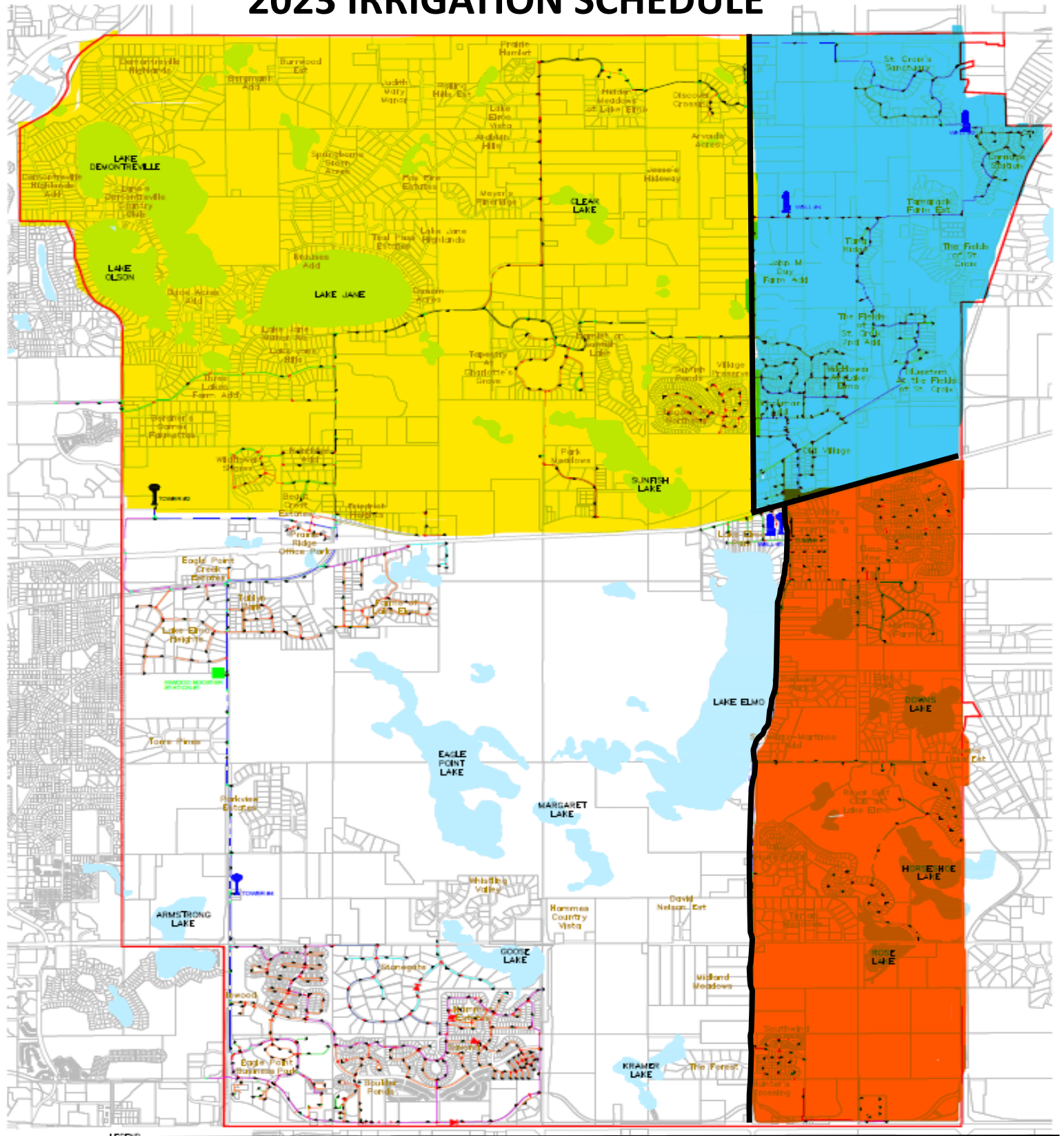
Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

(SEAL)

2023 IRRIGATION SCHEDULE



- Zone A - Monday / Friday
- Zone B - Tuesday / Friday
- Zone C - Wednesday / Saturday
- Zone D - Thursday / Sunday