

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

**ORDINANCE NO. 2022-03**

**AN INTERIM ORDINANCE IMPOSING A MORATORIUM ON PLATTED  
DEVELOPMENT WITHIN THE WATER SYSTEM LOW PRESSURE ZONE**

The City of Lake Elmo City Council ordains:

**Section 1. Purpose and Intent.** The purpose and intent of this interim ordinance (this “Ordinance”) is to impose, pursuant to Minnesota Statutes Section 462.355, subdivision 4, a moratorium within the jurisdictional boundaries of the City of Lake Elmo (the “City”) on platted development within the area defined as the “Water System Low Pressure Zone” in the City in order to protect the health, safety, and welfare of the citizens of the City.

**Section 2. Legislative Findings.** The City Council hereby finds and determines as follows:

- (a) There is a certain area within the City that has been determined to be a “low pressure zone” with respect to the City’s ability to provide water services to that area. The Water System Low Pressure Zone is shown on the map attached as Exhibit A. This area has low water pressure and the City is concerned that if additional water users are added to this area that it may have issues supplying water to this area in the future.
- (b) That before additional water users are added to the Water System Low Pressure Zone, the City needs to study the current and future water usage in the Water System Low Pressure Zone in order to determine if additional infrastructure is needed.
- (c) That it is in the best interests of the City to impose a moratorium on platted development within the Water System Low Pressure Zone so that it can study the current and future water usage within the Water System Low Pressure Zone.

**Section 3. Study Authorized.** The City will be initiating a study of the water usage and future water needs within the Water System Low Pressure Zone.

**Section 4. Moratorium Imposed; Exceptions.** A moratorium is hereby imposed within the City with respect to the platting of any property located within the Water System Low Pressure Zone. No application for the platting of property located within the Water System Low Pressure Zone will be accepted by the City during the term of this Ordinance. Any property that has been granted preliminary plat or final plat approval by the City Council is exempt from this moratorium.

**Section 5. Duration.** This Ordinance shall remain in effect for one year from the date that it is effective unless it is expressly repealed earlier by the City Council.

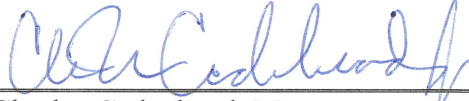
**Section 6. Severability.** Every section, provision, and part of this Ordinance is declared severable from every other section, provision, and part thereof. If any section, provision, or part of this Ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this Ordinance.

**Section 7. Enforcement.** The City may enforce any provision of this Ordinance by mandamus, injunction, or any other appropriate remedy in any court of competent jurisdiction.

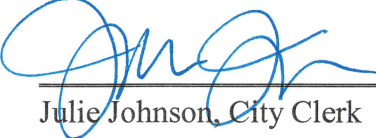
**Section 8. Effective Date.** This Ordinance shall be effective upon its legal passage and publication.

Adopted by the City Council of the City of Lake Elmo on this 5<sup>th</sup> day of April, 2022, by a vote of 5 Ayes and 0 Nays.

**LAKE ELMO CITY COUNCIL**

  
\_\_\_\_\_  
Charles Cadenhead, Mayor

ATTEST:

  
\_\_\_\_\_  
Julie Johnson, City Clerk

This Ordinance 08- was published on the 8<sup>th</sup> day of April, 2022.

**EXHIBIT A**  
**Map of Water System Low Pressure Zone**

