

Agenda

City of Plymouth Special City Council Meeting

**Tuesday, August 7, 2007
6:00 p.m.**

Medicine Lake Room

1. Call to Order
2. Discuss water restrictions
3. Adjourn

CITY OF PLYMOUTH
CITY COUNCIL AGENDA REPORT

DATE: August 1, 2007 for the Special City Council Meeting of August 7, 2007

TO: Laurie Ahrens, City Manager

FROM:  Doran Cote, Director of Public Works

SUBJECT: WATER EMERGENCY

ACTION REQUESTED: Authorize staff to declare water emergency and enact watering ban in accordance with City Ordinance No. 720.41.

BACKGROUND: Currently, the State of Minnesota is experiencing drought and near-drought conditions. The dry conditions have caused several cities to experience difficulties in producing an adequate water supply to meet the demands of their business and residential communities. The City of Plymouth has also had this difficulty with demands exceeding 20 million gallons per day (mgd) routinely for over one month. While the City's treatment capacity exceeds 28 mgd with recent improvements, our well production capacity has been compromised by well failures and drawdown in the aquifer at our well sites. In addition, the City's treated water storage capacity has seen dramatic declines when our noon to five water restrictions expire. The City's ability to fill the Vicksburg Lane Reservoir has also been challenging at times but we have been able to fill it as needed.

The combined effects of the dry weather, continued lawn sprinkling, water restriction violations and capacity depletions have caused staff to have concerns about the viability of allowing lawn sprinkling to continue. Last week staff increased enforcement efforts and made public pleas to honor the current water restrictions. These efforts have improved compliance but concerns remain about the City's ability to provide an adequate supply of potable water for consumption and fire protection.

Based on this information, staff is recommending that the City Council authorize staff to declare a water emergency and enact an extended watering ban in accordance with City Ordinance No. 720.41. The ban, which would prohibit lawn sprinkling between the hours of 8:00 a.m. and 8:00 p.m. daily, would be enacted when water production exceeds 20 mgd for five consecutive days and/or well drawdown occurs to below 20 feet above the pump on any active well or we lose the ability to fill the Vicksburg Lane Reservoir. In accordance with City Ordinance No. 720.41, all appropriate media outlets would be utilized to advertise the watering ban. A total prohibition of watering would be enacted if the extended ban fails to mitigate water shortages.

RECOMMENDATIONS AND CONCLUSIONS: I recommend that the City Council adopt the attached resolution authorizing staff to declare a water emergency and enact a watering ban in accordance with City Ordinance No. 720.41.

attachments: City Ordinance No. 720.41
Resolution

supply. When such a connection is found, the Water Department shall notify the owner or occupant to disconnect the same, and if not done immediately, the water supply shall be turned off forthwith.

Before any new connection to the water system is permitted, the Water Department shall ascertain that no cross-connection will exist when the new connection is made.

720.37. Use Confined to Premises. No person shall permit water from the municipal water supply system to be used for any purpose except upon his own premises.

720.39. Connections Beyond Municipal Boundaries. In cases where water mains of the City have been or shall be extended to or constructed in any road, street, alley or public highway adjacent to or outside the corporate limits of the City, the Clerk, with the approval of the Engineer, is hereby authorized to issue permits to the owners or occupants of properties adjacent to, or accessible to, such water mains to tap and make proper water service pipe connections with such water mains of the City in conformity with and subject to all the terms, conditions and provisions of this Code. Water service rendered pursuant to this Subsection is subject to all provisions of this Code, and persons accepting such service shall thereby agree to be so bound and obligated.

720.41. Restricted Hours for Sprinkling. Subd. 1 Water Emergency. Whenever the City Council shall determine that a shortage of water supply threatens the city, it may impose emergency regulations pertaining to city water use to protect the health and safety of the consumers as well as the general welfare:

- a. During an emergency, restrictions for the use of city water may include, but are not limited to, the total prohibition of watering, sprinkling, or irrigation of lawn, grass, turf, plantings, car washing, air conditioning, or other uses specified therein.
- b. Restrictions imposed during an emergency shall continue in effect until the end of the emergency and/or removed by the Council.
- c. Notification of restrictions to city water use shall be given in such manner as the City Council may determine, including but not limited to, newspaper articles, radio and television broadcasts stating the date on which the limitation is effective.

Subd. 2. Annual Water Use Restrictions. Sprinkling restrictions are in effect from May 1 to September 30 each year to conserve water resources and allow the City's water system flexibility in meeting peak demands.

- a. Any water customers with odd numbered addresses may water on odd calendar days and customers with even numbered addresses may water on even calendar days.
- b. Homeowners associations and apartment complexes that provide a common irrigation system may water only every other day. They

must inform the City's Sewer and Water Supervisor and verify that they have this type of system.

- c. City water cannot be used for the purposes of watering lawns, sod or seeded areas between 12:00 p.m. and 5:00 p.m. daily.

Subd. 3. Exceptions.

- a. Vehicle washing and the watering of trees, shrubs, and flowers is exempt from the above restrictions only if conducted by a person holding a squeeze activated pistol type nozzle equipped with an automatic shutoff.
- b. Watering of new landscaping, sod or seed within 30 days of installation.
- c. Watering from a source other than the city's water supply. Under this exemption the City may inspect the property to ensure compliance.
- d. Employees and agents of the City in such instances where lawn, turf, or grass used for playfields or areas owned or operated by the City require more frequent watering to prevent unreasonable damage thereto.
- e. During intermittent periods when the outdoor watering system is used exclusively for residential recreational uses.
- f. Upon written request and approval by the Director of Public Works and subject to such terms and conditions imposed by the Director of Public Works with respect to approval, any person owning or operating a commercial or business enterprise whose economic well-being is dependent upon sprinkling, irrigating or watering of a lawn, grass or turf owned, leased or operated by it.

Subd. 4. Penalties.

- a. Any water customer who shall cause or permit water to be used in violation of the provisions of this ordinance shall be given a warning by the City Manager or designee as to such violation and thereafter successive violations shall be charged a penalty set by Chapter X (Section 1015.19 (M)) for each day of such violation, which charge or charges shall be added to the next water bill for the premises. Continued violations after such warning shall be cause for discontinuance of water service.

CITY OF PLYMOUTH

**RESOLUTION NO. 2007 -
AUTHORIZING STAFF TO DECLARE WATER EMERGENCY AND
ENACT A WATERING BAN IN ACCORDANCE
WITH CITY ORDINANCE NO. 720.41**

WHEREAS, the State of Minnesota is experiencing drought-like conditions similar to those experienced in the late 1980's; and

WHEREAS, City Ordinance provides for the declaration of a water emergency during such conditions; and

WHEREAS, the City's water supply is being threatened by current drought-like conditions.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA: That:

1. Staff is authorized to declare a water emergency and enact a watering ban if demand exceeds 20 million gallons per day (mgd) for five consecutive days and/or well drawdown occurs to below 20 feet above the pump on any active well and/or the ability to fill the Vicksburg Lane Reservoir is compromised.
2. The extended ban would prohibit lawn sprinkling between the hours of 8:00 a.m. and 8:00 p.m. daily.
3. Staff is authorized to enact a total watering ban if the extended ban fails to mitigate water shortages.
4. Staff is authorized to remove the water emergency and watering ban if conditions warrant.
5. Said water emergency and watering ban shall be appropriately advertised in accordance with City Ordinance No. 720.41.
6. This resolution shall be in effect until September 30, 2007.

Adopted by the City Council on August 7, 2007.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on _____, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this _____ day of _____.

City Clerk