

ORDINANCE NO. 2020-29

AN ORDINANCE AMENDING CHAPTER 11 OF THE CITY CODE RELATED TO
CRITICAL WATER DEFICIENCY AND WATER QUALITY CRITERIA

The City Council for the City of Bloomington, Minnesota, ordains:

Section 1. That Chapter 11 of the City Code is hereby amended by deleting those words within brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 11: Water, Wastewater, Solid Waste and Refuse Utility Services

Article I: Water

§ 11.03 TIME FOR CONNECTION.

All properties consuming water for domestic purposes shall either connect to the municipal water system within two years after such service becomes available or annually submit a water test result made by a state-certified testing laboratory. This test result shall show that the water is potable according to the standards of the State Department of Health and that there is no evidence of recirculated sewage. Maximum chemical and bacteriological criteria shall be as follows.

(1) *Nitrates*. There shall be less than ~~[1.0]~~ 10 mg/liter of nitrate nitrogen.

(2) ~~[Surfactants]~~ Arsenic. There shall be ~~[no evidence of surfactant content utilizing a test procedure designed to show the presence of surfactants in concentration of]~~ less than ~~[0.05]~~ 10 ug [mg]/liter ~~[or greater]~~ of arsenic.

(3) *Coliform*. There shall be no coliform present.

~~11.23 [RESTRICTED HOURS FOR SPRINKLING]~~ CRITICAL WATER DEFICIENCY.

(a) *Restrictions on water usage*. Whenever it is determined by either the Mayor or the City Council that a shortage of water supply may be imminent, either may act in accordance with the procedures hereinafter described to limit the uses of city water and the times and hours during which water from the city water supply may be used. If the governor determines and declares by executive order that there is a critical water deficiency, the Mayor or the City Council shall take action consistent with Minn. Stat. 103G.291, subd.1.

(b) *Council action.* The City Council may act by resolution to limit water usage. The resolution shall state in detail the restrictions imposed on water usage and the charge for instances of noncompliance. The restrictions shall become effective 24 hours after passage of the resolution. The Council shall take such action as is reasonably practicable to inform the general public of the imposition of the restrictions on water usage and of the charges and other penalties which could be imposed for violation of such restrictions.

(c) *Action by the Mayor.* The Mayor may act by filing with the City Clerk a written certification that there is an imminent shortage of water supply. The certification shall specify in detail the restrictions on water usage and the charge for instances of noncompliance and shall become effective 24 hours after being filed. The City Clerk shall endorse on each filing the time and date of filing. The Mayor shall take such action as is reasonably practicable to inform the general public of the imposition of restrictions on water usage and of the charges and other penalties for violation of such restrictions. Restrictions imposed by the Mayor may be revoked by written directive from the Mayor to the City Clerk, who shall endorse on such directive the date and time of receipt, or by action of the City Council.

(d) *Penalties.*

(1) For each instance of noncompliance with water usage restrictions imposed by this section, a charge of up to \$50 shall be assessed against the property on which the violation occurred and added to the water bill for such premises. The amount of the charge shall be specified by the Council in its resolution and the Mayor in his or her certification to the City Clerk.

(2) Failure to comply with water usage restrictions after two warnings shall be cause for the discontinuance of water service.

(3) Failure to comply with water usage restrictions shall be a petty misdemeanor punishable by the maximum fine allowed by law for such offenses.

(1958 Code, § 30.22) (Ord. 225, passed 2-15-1960; Ord. 81-27, passed 6-29-1981; Ord. 2005-28, passed 7-18-2005; Ord. [2019-46](#), passed 12-2-2019)

Passed and adopted this 14th day of September, 2020.

/s/ Tim Busse

Mayor

ATTEST:

/s/ Denise M. Christenson

Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied

City Attorney