Item 22: Resolution Encouraging Regulation of Individuals and Contractors That Perform Work on Irrigation Systems

2015 MAWD Resolutions Background Information

Proposing District: Coon Creek WD

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Resolution Title:
Encouraging Regulation of Individuals and Contractors That Perform Work on Irrigation Systems

Factual points which provide background to, or a basis for, the issue addressed by the Resolution:
1. The State of Minnesota, the Metropolitan Council and many cities are encouraging the conservation of groundwater. One method for pursuing that goal is the proper installation and maintenance of water conservation technology on automatic irrigation systems and the proper installation, maintenance and operation of such technology that can save significant amounts of water to preserve local water resources.
2. The Coon Creek Watershed District has been addressing the problem of groundwater conservation and sprinkler and irrigation system use and management for the past five years through a series of brochures, repeated articles, seminars and public awareness efforts coordinated with the cities and select homeowner associations within the watershed district.
3. Cities have adopted select policies concerning watering and irrigation including odd-even, distribution or development of public information and education.

Proposed solution to the problem
Encourage MAWD to work with the League of Minnesota Cities to adopt or amend city ordinances to:
1. Make the failure to properly install, maintain and operate technology that inhibits or interrupts operation of the system during periods of sufficient moisture a misdemeanor for each day the system fails to perform.

2. Make the failure of a licensed contractor to report to the city or water management authority automatic irrigation systems that are not in compliance with the above policy, which requires properly operating devices to inhibit or interrupt the operation of the irrigation system during periods of sufficient moisture, be subject to a fine of not less than $50.00 for the first offense, $100.00 for a second, and $250.00 for a third or subsequent offense.
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Likely Reaction by the Public or Other Governmental Units
1. Mixed resistance/support from cities. It is a good idea but…
2. General support from the public, except in practice.
3. Resistance from Home Owners Associations who value independence and resist any external efforts to manage resources beyond their jurisdiction, and from businesses who value highly manicured grounds.

Citizen Advisory Committee Comments
Generally uncomfortable with an approach involving enforcement and would like to see more emphasis on education addressing Best Management Practices including time of day for sprinkling, mowing techniques, alternative turf options.
RESOLUTION

ENCOURAGING REGULATION OF INDIVIDUALS AND CONTRACTORS THAT PERFORM WORK ON IRRIGATION SYSTEMS

WHEREAS, Minnesota Statute 103G that encourages stronger water conservation efforts; and

WHEREAS, The State of Minnesota, Cities and Watershed Districts have encouraged the proper installation, maintenance and operation of technology that inhibits or interrupts the operation of automatic irrigation systems during periods of sufficient moisture, and encourages the adoption of policies and ordinances to enforce such provisions; and

WHEREAS, the Coon Creek Watershed District recognizes the need for efficient use of water as a natural resource through the use of such technology on automatic irrigation systems; and

WHEREAS, the Coon Creek Watershed District has invested 5 years into education and increasing awareness of the public, city councils and select home owners association of the importance and in some areas the necessity of water conservation, and

WHEREAS, the Coon Creek Watershed District has concluded that a reliance on information and education is not effective in conserving a nonrenewable resource such as groundwater, and

WHEREAS, the Coon Creek Watershed District recognizes that water conservation in the landscape can be enhanced through the use of such technology on automatic irrigation systems: and

WHEREAS, Proper installation, maintenance and operation of such devices on automatic irrigation systems can save significant amounts of water to preserve local water resources; and

WHEREAS, the cumulative benefits of irrigation control devices may reduce or postpone the need for a community to expand potable water supplies.

NOW, THEREFORE, BE IT RESOLVED THAT the Coon Creek Watershed District Board of Managers concludes that a regulatory option in addition to current water management policies such as even-odd watering restrictions is needed, and that for regulatory simplification municipalities are the most appropriate regulatory agent.

BE IT FURTHER RESOLVED THAT the Coon Creek Watershed District Board of Managers believes that a regulatory option should require the installation of automatic landscape irrigation systems on all new developments or existing properties that alter existing landscaping that requires a permit from the city.

BE IT FURTHER RESOLVED THAT those regulations should also hold that the failure of any person, association or organization who purchases, installs or operates an automatic landscape irrigation system on their property, or property managed by them, to properly install,
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maintain and operate technology that inhibits or interrupts operation of the system during periods of sufficient moisture is guilty of a misdemeanor for each day the system fails to perform.

BE IT FURTHER RESOLVED THAT failure of a licensed contractor to report to the city or county automatic irrigation systems that are not in compliance with the above policy, which requires properly operating devices to inhibit or interrupt the operation of the irrigation system during periods of sufficient moisture, shall be subject to a fine or not less than $50.00 for the first offense, $100.00 for a second, and $250.00 for a third or subsequent offense.