

**CHAPTER 7.****PUBLIC AND PRIVATE UTILITIES****710. WATER SUPPLY SYSTEM**

**Section 710.01. Connections with Water Mains Prohibited.** No person except employed or authorized by the City shall tap any distributing main or pipe of the City Water Supply System, or insert stop-cocks or corporation-cocks therein.

**Section 710.03. Permits for Service Connections.**

**Subd. 1.** No connection or service tapping shall be made with a City water main without a permit which shall be issued by the City upon application by a licensed Master Plumber.

**Subd. 2.** No permit shall be issued for a connection or service tapping with the City water main to anyone except a licensed Master Plumber.

**Subd. 3.** Permits shall describe the location and size of each connection, and size must not be departed from in any degree, except on the written consent made on said permit by the officer giving the same.

**Section 710.05. Supervision.** No plumbing shall be done except under direct supervision of a Master Plumber when connecting with a public water system.

**Section 710.07. Bonds and Insurance.** Permits for building water systems and connections shall be taken out by a Master Plumber, who shall furnish a bond and insurance as required by Sections 700.31 and 700.33 of this Code.

**Section 710.09. Permit Card.** The City shall furnish a Permit Card with permit number which shall be prominently displayed on property where water connection is being made; said card shall be displayed for the duration of the work.

**Section 710.11. Connection Fees.** The fee for a permit for water main tapping shall be paid for each connection in the amount specified by Resolution of the City Council. In addition thereto, before any permit shall be issued, there shall be paid any sum required under Sections 710.13 and 710.15.

**Section 710.13. Payment of Assessments.** No permit shall be issued to tap or connect with any water main of the City of Medina either directly or indirectly from any lot or tract of land unless the City Clerk-Treasurer shall have certified one of the following:

**Subd. 1.** That such lot or tract of land to be served by such connection or tap has been assessed for the cost of construction of the water main with which the connection is made;

**Subd. 2.** If no assessment has been levied for such construction cost, that proceedings for levying such assessment have been or will be commenced in due course;

**Subd. 3.** If no assessment has been levied, and no assessment proceedings will be completed in due course, that a sum equal to the portion of cost of constructing said water main which would be assessable against said lot or tract has been paid to the City.

**Section 710.15. Payment Where No Assessment Has Been Made.** If no such certificate can be issued by the Clerk-Treasurer, no such permit to tap or connect to any water main shall be issued unless the applicant shall pay an additional connection fee which shall be equal to the portion of the cost of construction of the said main which would be assessable against said lot or tract to be served by such tapping or connection. Said assessable cost is to be determined by the City Engineer and City Assessor upon the same basis per front foot as any assessment previously levied against other property for the said main, or, if no such assessment has been levied, upon the basis of the uniform charge per front foot which may have been or which shall be charged for similar tapping or connection with said main, determined on the basis of the total assessable cost of said main allocated on a frontage basis.

**Section 710.16. Excavation Permits Required.** No person shall excavate in a public street to service a water main, make connection therewith, or for any purpose which will expose a water main, unless given permit to do so by the City.

**Section 710.17. Permit Applications.** Application for a permit shall be made in writing and signed by the owner or his agent duly authorized to do the work. The application must state clearly the kind of service for which the connection is intended, the size and kind of pipe to be used, the street and number, which side of street, if on a corner, on which street to be tapped, with a diagram of the property to be supplied, showing the streets, the boundary, the block on which it is situated, with the distance from the nearest corner, the full name and address of the owner, the purpose for which the water is to be used, the time when the corporation-cock is to be inserted; and the application shall show all other particulars necessary to the full understanding of the subject. No permit shall authorize anything not stated in the application. For any misrepresentation in such application the permit may be suspended, and if the misrepresentation appears to be willful, the permit will be revoked.

**Section 710.19. Corporation-Cock and Laying of Service Pipes.** The corporation-cock inserted in the distributing pipe must be of the size specified in the permit order. Every service pipe must be laid sufficiently waiving to allow of not less than one foot of extra length, and in such manner as to prevent rupture by settlement. The service pipe must be placed not less than eight feet below the surface and in all cases so arranged as to prevent rupture from freezing.

**Section 710.21. Stop Boxes.** Service pipes must extend from the main to the inside of the building; or if not taken into a building then to the hydrant or other fixtures which it is intended to supply. A stop-cock accessible from the surface thru a sleeve without digging in all cases must be placed outside in a box at the curb, and a shut-off or other stop-cock with waste, of the size and strength required, shall be placed close to the inside wall of the building, well protected from freezing. All stop boxes at the curb must be set in front of the building intended to be supplied, not to exceed two feet from the line of said building or part thereof. All stop boxes and cocks must conform to the specifications of the City of Medina.

**Section 710.23. Pipe Sizes.** The pipe sizes shall be as specified and directed by the City Engineer for the City of Medina.

**Section 710.25. Time for Insertion.** If from any cause the plumber laying the service pipe should fail to have the corporation-cock inserted at the time specified in his application, notice must be given the City fixing another day on which he wishes the corporation-cock to be inserted. The notice must be given at least two days previous to the excavation for laying of the service pipe, and the corporation-cock must be inserted before 5 p.m. except in special cases, and then the work shall be done only upon a written order from the City.

**Section 710.27. Turning on Water.** No person shall turn on any water supply at the stop box without a permit from the City Clerk-Treasurer, and no such permit shall be given anyone but a licensed plumber. The City reserves the right to turn off any water supply if said number is not displayed after a written notice has been sent to the owner as appearing on its books.

**Section 710.29. Supply from One Corporation-Cock.** No more than one house or building shall be supplied from one corporation-cock.

**Section 710.31. Repair of Leaks.** In case of failure upon the part of any consumer or owner to repair any leak occurring upon her or his service pipe within 24 hours after verbal or written notice has been given upon the premises, the water will be shut off and will not be turned on until the leak is repaired. Upon notice to the Building Inspector and verification that the leak has been repaired, and payment of a fee set by resolution of the City Council, the water will be turned on.

**Section 710.33. Water Meters.** Except for extinguishment of fires or when authorized by special permit from the City Clerk-Treasurer, and for temporary purposes only, no person shall use water from the water supply system of the City or permit water to be drawn therefrom, except the same be metered by passing through a meter supplied or approved by the City. No person not authorized by the City Clerk-Treasurer shall connect, disconnect, take apart, or in any manner change, or cause to be changed, or interfere with any such meter or the action thereof.

**Section 710.35. Usage and Testing Fees.** The City Council shall by Resolution fix the charge to be made to customers for water meters, and payment for same shall be made in advance before delivery for installation. Whenever any meter shall become obstructed or out of order, the City shall cause it to be repaired. On request of any customer and payment to the City Clerk-Treasurer of a fee set by Resolution by the City Council, the City will test such water meter. All water meters shall remain the property of the City and may be replaced at any time by the City.

**Section 710.37. Meter Damaged by Sand, Costs.** Whenever the City Council shall determine that any water meter has been damaged by reason of the presence of sand in water which has passed through it from the public water supply system, City Council may cancel any obligation imposed upon the customer to pay the cost of repair of such damage, and direct that the cost of such repair be paid out of the funds of the City.

**Section 710.39. Old Corporation-Cocks Plugged, Penalty.** When new buildings are erected on the sites of old ones, and it is desired to increase or change the old water service, no connections with the mains shall be given until all the old corporation-cocks shall have been removed and the main plugged. If any contractor, workman or employee upon such building shall cause or allow any service pipe to be hammered together at the ends to stop the flow of water, or save expense in removing such pipe from the main, the owner of such building, such workman or contractor shall, upon conviction thereof, be guilty of a misdemeanor, and shall remove said service pipe from the main; if he shall fail to do so on 24 hours notice, he shall be obligated to pay the City the cost incurred by it for such removal.

**Section 710.41. Meter Setting Devices.** Meter setting devices for 3/4 inch and one inch meters shall be of copper pipe or tubing from the terminus of the service pipe up to and including the house side valve, provided that if copper cannot be obtained such meter setting device may be of another non-corrodible metal approved by the City.

**Section 710.43. Excavation for Tapping Water Mains.** Excavations made for the purpose of making a tap from any City water main shall be at least 2 and 1/2 feet wide by 4 feet long inside the curbing, said 4 feet to be measured from a point 6 inches beyond the side of the main opposite to that which is to be tapped and from said point toward the building with which said water connection is to be made. Such excavations shall extend to the depth of at least 12 inches lower than the bottom of the water main. Ample clear space shall be allowed around the main in all cases to insert the tapping machine. All excavations for tapping shall be safely curbed to the satisfaction of the City tapper. In case the excavation is not properly made, sufficient clear space is not provided, or the excavation improperly curbed, the tap shall not be made until the excavation, clear space and curbing are proper and safe. A safe ladder shall be furnished by the person doing the work for the use of the inspector for the purpose of inspecting the connection to the City main.

**Section 710.45. Water Meter Installation.** All water meters hereafter installed shall be in accordance with the following rules:

**Subd. 1.** The bottom of the meter shall not be less than four (4) inches, or more than twelve (12) inches from the top of the finished basement floor line; and the meter shall not be set more than twelve (12) inches measured horizontally, from the inside line of the basement wall.

**Subd. 2.** The service pipe from the City water main to the meter, where the same enters the building, shall be brought through the basement floor in a vertical position, so that a connection may be made thereto with an ell to which may be attached the stop and waste, and meter, or the pipe may be brought through the basement floor, in a vertical position and bent above the floor at a right angle; and the stop and waste, and meter attached in such a manner that the meter shall stand in a proper, vertical position. In no case shall there be more than twelve (12) inches of pipe exposed between the point of the entrance through the basement floor and the stop and waste, and said stop and waste shall be connected directly to the meter.

**Subd. 3.** The water pipe connecting with the City water main shall not be run under any basement floor for a distance of more than two (2) feet, measured from the inside line of the basement wall, before being connected with the water meter.

**Section 710.47. Private Water Supplies.** No water pipe of the City Water Supply System shall be connected with any pump, well or tank that is connected with any other source of water supply and when such are found, the City shall notify the owner to disconnect the same, and if not done immediately, the water supply shall be turned off forthwith.

**Section 710.49. Size of Connections.** Connections with the mains for ordinary domestic supply shall be a minimum 3/4 of an inch.

**Section 710.51. Connections Beyond City Boundaries.** In any and all 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 City Clerk-Treasurer 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 the ordinances of the City relating to the tapping of the City water mains and making water service pipe connections therewith, and to furnish and supply water from the water works system of the City to such owners and occupants of properties adjacent or accessible to such water mains of the City through and by means of water meters duly installed. Water service rendered to such persons shall be subject to all provisions of this Ordinance, and persons accepting such service shall thereby agree to be bound and obligated by said Ordinance. This provision regarding connections beyond the City boundaries shall not be effective until a contract regarding said connections is entered into by and between the City of Medina and the City in which said connections are to be made, or a contract is made by and between an owner of land beyond the City boundaries where a connection is proposed to be made and the City in which said property is located is made a party to said contract.

**Section 710.53. Fire Hydrant Connections.** It shall be unlawful for any person, except when authorized by the City, or except members of the City Street Department or Volunteer Fire Department, when performing their official duties, to open or interfere with any of the hydrants of the City Water Supply System.

**Section 710.55. Water Rates.**

**Subd. 1.** The rate due and payable to the City by each water user within the City for water taken from the City Water Supply System shall be set by Resolution of the City Council. Where service is for less than a quarterly period, this charge will be based on actual consumption.

**Subd. 2.** In case the meter is found to have stopped or to be operating in a faulty manner, the amount of water used will be estimated in accordance with the amount used previously.

**Subd. 3.** When water is desired for construction purposes, the owner shall make application for water service and the service shall be carried inside the foundation wall. If the meter cannot be installed at that time, the charges for the water shall be set forth under water rates, and

when the building is completed, the meter shall be set in the regular way.

**Section 710.57. Service Charges.** Charges in an amount set by Resolution by the City Council shall be made and collected at the time of making application for the following connections to the Water System.

**Subd. 1.** For turning on water where service has been turned off for non-payment of water bill or failure to repair a leak;

**Subd. 2.** For raising or lowering, stop-box tops to correspond with ground level change made by property owner;

**Subd. 3.** For turning water on or off at the request of the property owner or tenant, or for any other reason.

**Section 710.59. Utility Fund.** There shall be maintained within the City accounting system separate funds, Sanitary Sewer and Water System. All monies collected by the City Clerk-Treasurer for sewer and water service under this Ordinance shall be deposited in each respective fund. Such fund shall be used to meet all the expenses for the operation, maintenance, repair, plant expansion, and administration of each respective Sanitary Sewer and Water Project.

**Section 710.61. Billing Procedures.** All bills and notices for sewer and water service shall be sent to the property address of the real estate being served. If non-resident owners or agents desire personal notice sent to a different address, they shall file application therefor with the City Clerk-Treasurer. Any error in address shall be promptly reported to the City Clerk-Treasurer and responsibility for notice of change of ownership or address shall rest with the owner of the real estate so served.

**Section 710.63. Collections and Delinquent Bills.** All bills for Sewer and Water shall be calculated through and including the last day of each calendar quarter, i.e., on March 31, June 30, September 30, and December 31st of each calendar year, except the Medina Morningside area which bills shall be calculated on the last day of January, May, July, October, and shall be due on the 15th day of the month which follows such quarterly calculation. Said bills are hereby declared delinquent if not paid in full on or before the last day of the month which follows said quarterly calculation. A service charge in an amount set by Resolution of the City Council shall be incurred immediately upon such delinquency and shall be added to the next quarterly billing. An additional service charge shall be added on each quarterly calculation date upon which said delinquent bill, including any previous service charge, remains unpaid. All bills, including service charges, which remain delinquent and unpaid on September 1 of each calendar year, shall be certified by the City Clerk-Treasurer to the County Auditor on or before October 10th of said year for collection. Amounts so certified, together with interest at the rate set by resolution of the City Council, commencing on the date of initial delinquency, shall be extended by the County Auditor on the tax rolls and become a lien upon the property in the manner of special assessments, but shall be payable in a single installment, and shall be collected with real property taxes and returned to the City of Medina.

**Section 710.65. Discontinuance of Service for Ordinance Violations.** The City is authorized to shut off water service at any stop box connection at any time it finds any of the following, provided

that water shall not be turned off from any service pipe between the hours of 9 o'clock a.m. on Saturday and 9 o'clock a.m. on the following Monday:

**Subd. 1.** The owner or occupant of the premises served, or any person working on any pipes or equipment thereon which are connected with the City water supply system has intentionally violated any of the requirements of the Ordinances of the City relative to the water supply system or connections therewith.

**Subd. 2.** The owner or occupant of the premises served threatens to violate, or cause to be violated, any of the provisions of this Code.

**Subd. 3.** Any charge for water, service, meter, meter parts or any other financial obligations imposed on the present or former owner or occupant of the premises served, by the provisions of this Code, is unpaid.

**Subd. 4.** Fraud or misrepresentation by the owner or occupant in connection with an application for service.

**Section 710.67. Deficiency of Water and Shutting Off Water.** The City shall not be liable for any deficiency or failure in the supply of water to consumers, whether occasioned by shutting the water off for the purpose of making repairs or connections, or from any other cause whatever. In case of fire, or alarm of fire, the City may shut off water to insure a supply for fire fighting; or in making repairs or constructing new works, the City may shut off the water at any time and keep it shut off so long as it shall deem necessary.

**Section 710.68. Water Use Restriction.** In the event of a water supply shortage, use of City water for lawn and garden sprinkling, irrigation, car washing or other non-potable uses shall be limited to an odd-even date schedule corresponding to property address, effective upon the public works superintendent or city administrator's designee determination that the shortage of water supply threatens the City Water Supply System. The public works superintendent or city administrator's designee may further limit the days and hours of the City Water Supply System usage at any time as deemed necessary. Special permit allowance will be considered for those property owners with new seed, sod, or other needs if the public works superintendent determines sufficient water for such permits is available.

**Section 710.69. Declared Water Shortage.** If the City Council determines that an emergency is present, the council may declare a water shortage and determine that the users of the public water mains shall be prohibited from using the water from the City Water Supply System for certain functions on their property. All persons within the City of Medina shall comply with regulations imposed as a result of a water shortage. Violation of this section shall be a misdemeanor.

**Section 710.71. Access to Buildings.** Authorized employee of the City shall have free access at reasonable hours of the day to all parts of every building and premises connected with the City water supply system for reading of meters and inspections.

**Section 710.73. Adjustments in Water Charges.** The City Council shall be authorized to make

adjustments in water charges where in its opinion the amount billed was erroneous due to meter deficiency or other mistake.

**710.75. Lawn and Landscape Irrigation Systems.**

**Subd. 1. Purpose.** The purpose of this ordinance is to promote efficient use of water for lawn and landscape irrigation without placing an undue burden on the city's public water supply.

**Subd. 2. Definitions.** For the purpose of this ordinance, the following terms shall have the meanings given to them.

- (a) "Backflow Preventer" means any mechanical or air gap system designed and installed in order to prevent the accidental backflow of water from one source to another.
- (b) "Irrigation Well" means any well that is installed to provide water to supplement the water level of a Storm Water Pond.
- (c) "Lawn and Landscape Irrigation System" means all pumps, lines or sprinkler heads which are located on private property or within the adjacent public right-of-way that have a sole purpose of irrigating landscape plants and/or grass.
- (d) "City Water Supply System" means any well, water tower, reservoir, treatment plant, water main, service line or any private water line connected to any of the above, that the city owns, operates, maintains or supplies.
- (e) "Seed Bed Preparation" means the preparation of top soil for any seeding, sodding or planting. A seed bed shall consist of a minimum of four inches of black top soil and two inches of humus or compost material.
- (f) "Storm Water Pond" means any basin that is designed and constructed to treat storm water runoff from a particular area.

**Subd. 3. Connection of Lawn and Landscape Irrigation Systems to the City Water Supply System.**

- (a) Customers installing an automatic or underground irrigation system are required to install a rain sensor device. Existing irrigation systems are required to retrofit to install a rain sensor device at such time as improvement or extension of the system occurs.
- (b) If located within the City Water Supply System service area, the following are prohibited from connecting a Lawn and Landscape Irrigation System to the City Water Supply System:
  - i) A property located within a subdivision that consists of five or more lots and is zoned residential;

- ii) A multiple dwelling unit structure of any size, except for properties in locations that are served by the city's storm sewer system; and
  - iii) A property that is over two acres in size and is zoned commercial, industrial business park, mixed-use, or public/semi-public.
- (c) This ordinance shall be applicable only to the above-described properties that install Lawn and Landscape Irrigation Systems after the enactment of this ordinance. No property shall be allowed to expand its Lawn and Landscape Irrigation System from the City Water Supply System if a Storm Water Pond is available or established to accommodate lawn and landscape irrigation service. Any property presently served by the City Water Supply System that is requesting to expand its Lawn and Landscaping Irrigation System shall be required to convert and connect its Lawn and Landscaping Irrigation System to a Storm Water Pond if such Storm Water Pond is available or must be established to accommodate lawn and irrigation service.

**Subd. 4. Connection to Storm Water Ponds.** Lawn and landscape irrigation water may be obtained for any property from a Storm Water Pond under the following conditions:

- (a) All pumps associated with the Lawn and Landscape Irrigation System shall be free standing or located in a structure that is not connected to the City Water Supply System; and
- (b) No water pumped for the Lawn and Landscape Irrigation System shall enter and no pump or irrigation system shall in any way be connected to any structure that is connected to the City Water Supply System.

**Subd. 5. Connection of Irrigation Wells to Storm Water Ponds.**

- (a) An Irrigation Well may be installed on any property in order to provide additional water to a Storm Water Pond under the following conditions:
  - i) Any Irrigation Well shall be constructed according to Minnesota Statutes Chapter 103I and Minnesota Rules Chapter 4725 ("Minnesota Well Code");
  - ii) A Water Use (Appropriation) Permit must be obtained from the Minnesota Department of Natural Resources;
  - iii) Each Irrigation Well shall be equipped with either a water flow meter or a time meter;
  - iv) The property owner shall provide the city with a well log and yearly pumping records on the last day of each calendar year for each Irrigation Well located on the property;
  - v) The Irrigation Well shall be protected from accidental back flow of water with

a Backflow Preventor that shall be approved in advance by the city; and

vi) Irrigation Well water shall not be used to provide flow to any water feature where the water then flows to waste.

(b) Irrigation Well water shall be used only for irrigation of landscaping. It shall not be used for any other use, including uses that provide flow to water features where the water then flows to waste.

**Subd. 6. Construction of a Lawn and Landscape Irrigation System.** The location of lines and sprinkler heads for a Lawn and Landscape Irrigation System may be located within the city right-of-way or easement subject to the following conditions and prior approval of the city:

(a) The owner of the Lawn and Landscape Irrigation System is responsible for any maintenance or repair of the Lawn and Landscape Irrigation System;

(b) The owner of the Lawn and Landscape Irrigation System signs a written agreement with the city in which the owner agrees to assume all liability and responsibility for damages to the Lawn and Landscape Irrigation System that is caused by city activities, including, but not limited to, snow removal;

(c) All Lawn and Landscape Irrigation System lines located with city right-of-way or easement shall have a location wire installed in accordance with the city's specifications;

(d) All Lawn and Landscape Irrigation System lines that cross city streets or shall be encased in an oversized carrier pipe; and

(e) The owner of the Lawn and Landscape Irrigation System shall provide the city with an as-built plan of the irrigation system.

**Subd. 7. Operation of Lawn and Landscape Irrigation Systems.** The operation of a Lawn and Landscape Irrigation Systems shall be subject to the following restrictions:

(a) Turf and Landscape Irrigation Best Management Practices as set forth by the Irrigation Association for landscape irrigation systems shall be followed by the owner at all times;

(b) Prior to any seed, sod or landscaping being placed within the Lawn and Landscape Irrigation System area, there shall be proper Seed Bed Preparation by the owner; and

(c) Under weather conditions where the city places an irrigation ban or other restrictions on the use of any lawn or landscape irrigation that is connected to the City Water Supply System, the city may also prohibit or place limitations on the pumping

from any Irrigation Well that is being utilized by a Lawn or Landscape Irrigation System.

**Subd. 8. Penalties.** Any person convicted of violating this ordinance shall be guilty of a misdemeanor and shall be subject to a maximum fine or maximum period of imprisonment, or both, as specified by Minnesota Statutes, Section 609.03.

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**Amendment History of this Section**

*April 4, 2006 (Ord. 402).* Added Subsection 710.75 regarding Lawn and Landscape Irrigation Systems.

*July 17, 2007 (Ord. 426).* Added Subsection 710.68 regarding water use restrictions and amending 710.75 regarding Lawn and Landscape Irrigation Systems. Changing text to reflect consistent language for the Water Supply System.