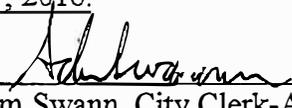


CERTIFICATION

I, Adam Swann, Clerk of the City of Caledonia, Houston County, Minnesota, do hereby certify that the foregoing Ordinance No. 2016-001 was duly passed and approved by the Council of the City of Caledonia, Minnesota on the 11th day of April, 2016; and said Ordinance No. 2016-001 was published in the *Caledonia Argus* a newspaper of general circulation published in the City of Caledonia, Minnesota on the 4th day of May, 2016, all as provided by law.

Dated this 20th day of July, 2016.


Adam Swann, City Clerk-Administrator

CITY OF CALEDONIA, MINNESOTA

.. ORDINANCE NO. 2016-002

AN ORDINANCE REGULATING NONESSENTIAL WATER USAGE UPON CRITICAL WATER DEFICIENCY AS MANDATED BY MINN. STATUTE § 103G.291, subd. 1 and 2.

The City Council of the City of Caledonia, Minnesota hereby ordains as follows:

Sec. 1-1. Purpose.

This ordinance establishes water conservation restrictions, and the plan will be in effect at any time the governor declares by executive order a critical water deficiency, pursuant to Minnesota Statutes section 103G.291.

Sec. 1-2. Definitions.

City means the City of Caledonia

Clerk means the Caledonia clerk-administrator or the person assigned duties pursuant to Minn. Stat. § 412.151

Department means the Caledonia Water Department.

Emergency means the declaration of a critical water deficiency by the governor.

Irrigation means the watering of shrubs, trees, sod, seeded areas, gardens, lawns, or any other outdoor vegetation, except outdoor vegetation utilized for agricultural purposes.

Notification to public means notification through local media, including interviews and issuance of news releases.

Public water supplier means the City or other entity that owns, manages, or operates a public water supply, as defined in Minn. Stat. § 144.382, subdivision 4.

Reclaimed water means water collected from rooftops, paved surfaces, or other collection devices and all water utilized more than once before re-entering the natural water cycle.

Water recirculation system means any system which enables a user to reuse water at least once prior to returning the water to the natural water cycle.

Sec. 1-3. Application.

(a) This ordinance applies to all customers of public water suppliers who own or control water use on any premises.

(b) No person shall make, cause, use, or permit the use of water received from a public water supply for residential, commercial, industrial, governmental, or any other purpose in any manner contrary to any provision in this ordinance.

(c) Mandatory emergency conservation measures shall be implemented based upon the declaration of a critical water emergency by the governor.

Sec. 1-4. Declaration of critical water deficiency.

Upon the declaration of a critical water deficiency by the governor, the public water supplier shall immediately post notice of the emergency declaration at the usual meeting place of the City

Council, or the official City bulletin board. The City shall provide notification to the public as quickly as possible through established water supply emergency response plans or procedures.

Sec. 1-5. Mandatory emergency water conservation measures.

Upon declaration of a water emergency and notification to the public, the following mandatory restrictions upon nonessential water use shall be enforced:

- (1) Outdoor irrigation of yards, gardens, golf courses, parklands, and other non-agricultural land, except for those areas irrigated with reclaimed water, is prohibited.
- (2) Washing or spraying of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas with water from any pressurized source, including garden hoses, except to alleviate immediate health or safety hazards, is prohibited.
- (3) The outdoor use of any water-based play apparatus connected to a pressurized source is prohibited.
- (4) Restaurants and other food service establishments are prohibited from serving water from a public water supplier to their customers, unless water is specifically requested by the customer.
- (5) Operation of outdoor misting systems used to cool public areas is prohibited.
- (6) The filling of swimming pools, fountains, spas, or other exterior water features is prohibited.
- (7) The washing of automobiles, trucks, trailers, and other types of mobile equipment is prohibited, except at facilities equipped with wash water recirculation systems, and for vehicles requiring frequent washing to protect public health, safety, and welfare.

Sec. 1-6. Variances.

The City clerk or his or her designee, is authorized to grant variances to this ordinance where strict application of its provisions would result in serious hardship to a customer. A variance may be granted only for reasons involving health or safety. An applicant may appeal the denial of a variance within five (5) days of the decision by submitting a written appeal to the City clerk. The City Council shall hear the appeal at the next City Council meeting. The decision of the City Council is final.

Sec. 1-7. Violation.

- (a) Violations shall be determined and cited by the City clerk or his/her designee. Upon discovery of a first violation, a violator shall be issued, either personally or by mail, a warning letter that sets forth the violation and describes the remedy and fines for future violations. Upon subsequent violations within the same calendar year, a violator shall be fined \$40 for each additional day that he or she violates the mandatory emergency water conservation measures.
- (b) A violator may appeal a citation within five (5) days of its issuance by submitting a written appeal to the City. The City Council shall hear the appeal at the next City Council meeting. The decision of the City Council is final. Violators may be granted an administrative waiver if evidence is provided that equipment failure was the cause of the violation.
- (c) Fines shall be added to the monthly water bill of the owner or current occupant of the premises where the violation occurred. The imposition of the fine shall in no way limit the right of the City to pursue other legal remedies.

Sec. 1-8. Enforcement.

The City clerk or his/her designee is authorized to designate city employees or law enforcement personnel to enforce the provisions of this ordinance.

Sec. 1-9. Severability.

If any provision of this ordinance or the application of any provision to a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of the ordinance and the application of the ordinance to any other situation shall not be invalidated.

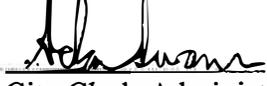
Sec. 1-10. Effective date.

This ordinance shall be in effect from and after the date of its final passage and publication as provided by law.

ADOPTED by the City Council this 11th day of July, 2016.


Mayor

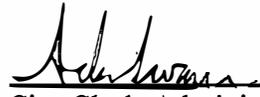
ATTEST:


City Clerk-Administrator

CERTIFICATION

I, Adam Swann, clerk-administrator of the City of Caledonia, Houston County, Minnesota, do hereby certify that the foregoing Ordinance No. 2016-002 was duly passed and approved by the Council of the City of Caledonia, Minnesota on the 11th day of July 2016; and said Ordinance No. 2016-002 was published in the *Caledonia Argus* a newspaper of general circulation published in the City of Caledonia, Minnesota on the 20th day of July, 2016, all as provided by law.

Dated this 20th day of July, 2016.


City Clerk-Administrator