

## SECTION 1

**WHEREAS**, the Saint Paul Board of Water Commissioners has approved recommended changes to Chapter 91 of the Legislative Code pertaining to Water Code – Miscellaneous Provisions via Board Resolution number 24-1814 on January 14, 2025; and

**WHEREAS**, the changes in terminology serve to update the code; now, therefore, be it

**RESOLVED**, that the COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

## SECTION 2

Section 91.05 of the Legislative Code is hereby amended as follows:

Sec. 91.05. Outside watering~~Sprinkling~~ restrictions.

The Board's General Manager is authorized to declare or rescind water use restrictions to meet water use/demand requirements dependent upon the applicable drought phases defined by the State of Minnesota.

Drought Warning, Restrictive Phases, and Emergency Phases may require any combination of the following restrictions to comply with State requirements:

- (a) Outside watering may be prohibited between 10:00 am and 6:00 pm.
- (b) Outside watering may be limited to two hours per day.
- (c) Outside watering may be limited to specific days such as alternate days, 2 days per week, or 1 day per week.
- (d) Outside watering for irrigation may be prohibited.
- (e) Outside watering for dust control may be prohibited.
- (f) Any other restriction deemed necessary for the purpose of protecting the public welfare.

The customer is responsible for complying with established restrictions. Those who violate restrictions will be subject to the following penalties:

- (a) For a first violation, the customer will be advised in writing and informed that a monetary charge will be added to the water bill for subsequent violations.
- (b) For a second violation, the customer will be advised in writing and an Outside Water Use Second Violation charge in the amount listed in the fee schedule established pursuant to Sec. 85.08 will be added to the water bill.
- (c) For a third violation, the customer will be advised in writing and an Outside Water Use Third Violation charge in the amount listed in the fee schedule established pursuant to Sec. 85.08 will be added to the water bill.
- (d) For a fourth and any subsequent violation of any restriction, the customer will be advised in writing and an Outside Water Use Fourth Violation charge in the amount listed in the fee schedule established pursuant to Sec. 85.08 will be added to the water bill. In addition, service may be suspended temporarily until all outstanding charges and the current Turn-On Service Charge have been paid.

Notwithstanding the foregoing, the use of water for lawn sprinkling outside watering purposes shall at all times be subject to the express condition that the board of water commissioners may, at any time when in its opinion the condition of the public water supply demands it, limit the time during each day when water may be used for sprinkling outside watering purposes; and the board may forbid the use of water for lawn sprinkling outside watering for any period not exceeding thirty (30) days at one time. Notwithstanding this limitation, the board may forbid the use of water for lawn sprinkling outside watering if required to do so by any federal, state or local authority for any period of time determined by said authority.

### SECTION 3

Section 91.13 of the Legislative Code is hereby amended as follows:

Sec. 91.13. Turn-On Service Charge.

- (a) When water has been turned off for nonpayment of charges due, for any infraction of rules or upon request of the owner or authorized agent, the water may not be turned on again until a Turn-On Service Charge in the amount of \$50.00 has been paid or arrangements for payment have been made and approved by the water utility. This charge shall be in the amount listed in the fee schedule established pursuant to Sec. 85.08.
- (b) If a water utility truck is dispatched to a property during established working hours for the purpose of turning off the water service for nonpayment of delinquent charges and the owner or tenant pays the delinquent charges rather than have the water service terminated, a collection service fee equal in amount to the current Turn-On Service Charge shall be charged even though the water service is not actually shut off.
- (c) Whenever water has been turned off for nonpayment of charges due or for infraction of the rules, all outstanding charges must be paid or arrangements for payment must be made and approved by the water utility, in addition to the Turn-On Service Charge or collection service fee, before water is turned on again. Water service will only be turned on during established working hours.

### SECTION 4

Section 91.14 of the Legislative Code is hereby amended as follows:

Sec. 91.14. Unpaid service charges.

The property owner is responsible for all charges for water service and sewer service against the property. If the owner desires to have bills sent to a tenant, the water utility will do so. This does not, however, relieve the property owner of the responsibility for payment of the charges. All charges for water and sewer service are a continuing lien against the property until they are paid. The utility may annually certify delinquent water and sewer charges to the county auditor to be collected with the real estate taxes for the property on the date specified by the county taxing authority. An Administrative Certification Fee of fifteen dollars (\$15.00), or as otherwise set by resolution of the board of water commissioners, and twelve (12) months of interest, at an interest rate determined by the city, in the amount listed in the fee schedule established pursuant to Sec. 85.08 will be added to the delinquent water and sewer charges at

the time these charges are certified to the county auditor. Charges so collected shall be remitted to the city treasurer in the same manner as assessments for local improvements.

## SECTION 5

Section 91.16 of the Legislative Code is hereby amended as follows:

Sec. 91.16. Private mains.

- (a) The board shall have the authority to enter into private main agreements in such cases where a private water main is deemed necessary. The board shall determine the terms of the private main agreement.
- ~~(b) For private mains in streets which have not been officially graded (formerly called temporary mains), the private main shall be the property of the board, and all repairs shall be paid for by the water users supplied by such main.~~

~~Private mains which are located in officially graded streets and in other streets which meet the criteria for ungraded streets established in section 91.15 (permanent mains) shall be owned by the board and maintained at water utility expense.~~

## SECTION 6

Section 91.17 of the Legislative Code is hereby amended as follows:

Sec. 91.17. Private water facilities, maintenance.

Private water facilities located on private property shall at all times be maintained by the owner in accordance with water utility standards and the Minnesota Plumbing Code at the owner's sole expense. If the owner fails to provide said maintenance, the water utility may, upon due notice, shut off water service thereto until the maintenance is completed. "Private water facilities" includes all hydrants, mains, service connections, main and service connection valve boxes, and their related appurtenances.

## SECTION 7

Section 91.24 of the Legislative Code is hereby amended as follows:

Sec. 91.24. Special purpose lateral mains.

The board may, at its discretion, install special purpose lateral mains within street rights-of-way from the public main in the street to the property line. Special purpose lateral mains may be used for connections to private water mains, hydrants, and multiple street service connections. Charges for special purpose lateral mains shall be in accordance with charges for street service connections and fire services, in the amount listed in the fee schedule established pursuant to Sec. 85.08 ~~sections 87.13 and 87.16~~. Special purpose lateral mains shall be maintained by the water utility as part of the public water main system.

## **SECTION 8**

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.