

Ordinance 142

AN ORDINANCE REGULATING CITY WATER SERVICES WITHIN THE CITY OF MEDICINE LAKE ADOPTING SECTION 720 OF THE CITY OF PLYMOUTH, MINNESOTA CODE.

WHEREAS, The City of Medicine Lake entered into a Joint Powers Agreement dated 09/08/2023 (hereinafter referred to as JPA) with the City of Plymouth to provide potable water services to the City of Medicine Lake as an extension of the City of Plymouth's water system; and

WHEREAS, The JPA requires the City of Medicine Lake to adopt the City of Plymouth's current potable water code and ordinance (Section 720 of the City of Plymouth Code) as well as future amendments.

NOW, THEREFORE, the City Council of Medicine Lake does ordain as follows:

Section 1 Purpose

It is the intent of the City of Medicine Lake to adopt the City of Plymouth's potable water codes and ordinances including future amendments where such amendments do not conflict with other codes and ordinances of the City of Medicine Lake.

Section 2 Adopting City of Plymouth Code governing City Water Services

Subd. 1 Section 720 of the City of Plymouth Code governing the City Water Service shall serve as the regulating ordinance for City Water Services in the City of Medicine Lake.

Subd. 2 Unless notice is provided to the City of Plymouth that a conflict exists with any amendment to Section 720 of the City of Plymouth Code and any code or ordinances of the City of Medicine Lake, such amendments shall be enforceable within the City of Medicine Lake upon adoption by the City of Plymouth without action required by the City of Medicine Lake.

Subd. 3 In the event future amendments to Section 720 of the City of Plymouth Code governing the City Water Service are in conflict with the other codes and ordinances in the City of Medicine Lake, the City of Medicine Lake shall have 60 days from the date of notice to the City of Plymouth to resolve such conflicts by amending its own codes and ordinances.

Section 3 General Rules

Subd 1. Where applicable, certain standards governed by the JPA shall rule when in conflict with Section 720 of the City of Plymouth Code or any codes of the City of Medicine Lake.

Subd. 2 Any references within Section 720 of the City of Plymouth Code to the Zoning Ordinance of the City Code shall mean the Zoning Ordinance of the City of Medicine Lake.

Subd. 3 The following actions shall require any existing residential property improved with one or more structures and not connected to City Water Services for the purposes of potable water to connect to the City water system:

- A. Any demolition, remodel, rebuild, or addition to a private property where the value of the project as reported on the official building permit is equal to or more than \$100,000 or 50% of the existing value of the property as reported on the current Hennepin County Assessors estimated market value.
- B. Any act of splitting, subdividing, or combining of property.
- C. When the property is sold, advertised for sale or there is any other change or prospective change in the ownership of the property (ex: owner added by deed, transfer on death deed, transfer to a trust, etc.)

Subd. 4. Before any change in the ownership of the property may occur, the then-current owner of the property shall obtain a Certificate of Approval (“COA”) from the City, which COA shall be provided to any prospective buyer of the property.

Subd. 5. If the person selling the property or otherwise proposing to modify the ownership (the “Transferor”) fails to comply with this provision, the person buying the property or otherwise acquiring an ownership interest in the property shall immediately obtain the COA and complete the connection. If compliance with the requirements of this paragraph is not timely achieved, the City may make the necessary connection, and the City's costs will be a lien against and may be assessed against the property in the same manner as delinquent utility bills. The City may file an appropriate document in the chain of title for non-complying properties providing notice of these requirements.

Subd. 6 Any drilling of a new private water well for potable water is prohibited.

Section 4 Effective Date

This ordinance shall have full force and effect upon its passage and adoption.

Adopted by the City Council of Medicine Lake on this 5th day of February, 2024.

Chris Heim, Mayor

ATTEST: Therese Polum, City Clerk