

**CITY OF KANNAPOLIS
ORDINANCE**

WHEREAS, in 2009 the North Carolina General Assembly passed General Statute 143-355.4 requiring all local government water systems to separately meter all new in-ground irrigation systems connected to their systems.

WHEREAS, the purpose of the new law is to provide a means to limit the abuse of irrigation by customers connected to the Potable system during times of severe Water Emergency. Existing in-ground irrigation customers will not be required to separately meter irrigation.

WHEREAS, in order for the City of Kannapolis to comply and enforce the new law an amendment to Chapter 17, Water and Sewer, Article II of the Code of Ordinance for the City of Kannapolis is required adding Section 17-45, Irrigation.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that the Code of Ordinance is hereby amended to add Chapter 17, Water and Sewers, Article II, Section 17-45, Irrigation, which shall read in its entirety as follows:

“Section 17-45. Irrigation

(a) *Purpose.* The purposes of this Section are:

- (1) To regulate the use of water from the City of Kannapolis Water System for irrigation.
- (2) To ensure that conservation measures are used to prevent the waste of water.

(b) *Duties of the City of Kannapolis.*

- (1) City of Kannapolis shall ensure that each person or entity using water from the City System for irrigation does so in a responsible manner.
- (2) City of Kannapolis shall be responsible for inspection to ensure that each irrigation system has appropriate measures to conserve and prevent water waste.
- (3) The customer shall be responsible for operating their irrigation system in a manner as to prevent waste of water.
- (4) The customer shall be responsible for maintaining their irrigation system to ensure irrigation heads, timer, rain sensor switch, and backflow prevention assemblies are operating properly to prevent water waste and protect the City of Kannapolis Water System from contamination.

(c) *Required equipment.*

- (1) Irrigation systems connected directly or indirectly to water provided by the City of Kannapolis shall be equipped with a minimum of a double check valve assembly to prevent contamination of the City System.
- (2) Irrigation systems connected directly or indirectly to water provided by the City of Kannapolis shall be equipped with a rain sensor switch.

- (3) All irrigation services shall be metered separately. Non-residential properties and/or land uses shall provide a separate service for irrigation.

(d) *Required maintenance.*

- (1) Rain sensors shall be adjusted and set so that they automatically shut off the irrigation system after one-fourth inch of rainfall or more has occurred. Rain sensors shall be installed according to manufacturer's instructions in a location that will provide full exposure to rainfall such that accuracy of operation is ensured and shall be maintained in good working condition. No person shall, with the intent of circumventing the purpose of this section, adjust either the rain sensor or the irrigation system so that the rain sensor is not able to override and turn off the irrigation system after one-fourth inch of rain has fallen.
- (2) Irrigation heads shall be adjusted as to prevent water from landing on impervious surfaces to the extent that running water leaves the property and enters gutters, storm drains, ditches, and other conveyances or ponding is accumulated.
- (3) Backflow prevention assemblies shall be tested annually by a certified backflow technician to ensure proper operation in accordance with the City of Kannapolis' Cross Connection Control Ordinance.

(e) *Operating schedule.*

- (1) Irrigation systems shall be allowed to operate only on the scheduled day/days and time period set forth by the City of Kannapolis.
- (2) Irrigation systems shall not be allowed to operate during periods of rainfall.
- (3) During water emergencies, irrigation systems shall only be allowed to operate during times as set forth in any order of the City Manager or Director of Public Works adopted pursuant to Section 17-45 of this Code.

(f) *Penalties.*

- (1) Violations by residential customers of this Section shall subject the offender to a civil penalty in the amount of \$100.00. Each day a violation continues shall be considered a separate offense.
- (2) Violations by non-residential customers of this Section shall subject the offender to a civil penalty in the amount of \$300.00. Each day a violation continues shall be considered a separate offense.
- (3) In addition to the issuance of a citation and imposition of civil penalties, the City may restrict or terminate the water service associated with the violation.”

ADOPTED, this the 14, day of February, 2011.

Robert S. Misenheimer
Mayor

ATTEST:

Bridgette Bell, MMC
City Clerk