

ORDINANCE NO. 228

AN ORDINANCE AUTHORIZING THE REPLACEMENT OF LEAD, GALVANIZED, OR OTHER HAZARDOUS WATER SERVICE LINES ON PRIVATE PROPERTY

The City Council of Bird Island ordains:

SECTION 1. PURPOSE AND INTENT

The purpose of this ordinance is to protect public health and ensure safe drinking water by authorizing the replacement of lead, galvanized, or other hazardous water service lines on private property. This ordinance establishes the City's authority to conduct the work, hire necessary contractors and engineers, and outline property owner responsibilities in accordance with state and federal guidelines.

SECTION 2. DEFINITIONS

For the purposes of this ordinance, the following definitions shall apply:

Water Service Line - means the pipe that connects a property's internal plumbing to the public water supply system, extending from the water meter to the water main.

Lead or Galvanized Service Line - means any portion of a water service line constructed of lead, galvanized steel, or any other material identified as a potential health hazard by the State of Minnesota or federal regulatory agencies.

Curb Stop - means the shut-off valve located near the property boundary that controls water flow to a private service line.

Property Owner - means the individual, partnership, corporation, or entity holding legal title to a property served by the City's water system.

Contractor - means a licensed professional hired by the City to perform the replacement of water service lines.

SECTION 3. AUTHORITY TO REPLACE WATER SERVICE LINES

- A. The City shall have the authority to replace, or cause to be replaced, water service lines from a property's water meter to the curb stop or watermain if such lines are identified as lead, galvanized, or any other material deemed a potential health hazard.
- B. Replacement shall be carried out in accordance with all applicable state and federal regulations, as well as any guidelines established by the State of Minnesota for such programs. Refusal to provide access shall be addressed pursuant to Section 7 below.

SECTION 4. ACCESS TO PRIVATE PROPERTY

- A. In order for the work to be completed, property owners must allow access into their properties for access to the water service line.

- B. City crew members and contractors shall be allowed on private property to complete the necessary planning and work for the project.
- C. Property owners shall cooperate with the City and its contractors to ensure the completion of the project in timely and efficient manners.

SECTION 5. CONTRACTING AND ENGINEERING SERVICES

- A. The City shall have the authority to hire and contract with qualified engineers, contractors, and other necessary personnel to complete water service line replacement.
- B. All work shall be conducted in compliance with applicable state and local laws and regulations.

SECTION 6. COST AND FUNDING

- A. The cost of replacement shall be funded through the state programs and any applicable grants, loans, or other financial assistance available to the City.
- B. Property owners shall not be assessed any direct costs for the replacement of identified hazardous service lines under this program.

SECTION 7. ENFORCEMENT

- A. If a property owner is not willing to allow access to their property to have the work completed, it will become the property owner's responsibility to have the service line replaced at their own expense.
- B. The City will record in its records that the property owner did not allow the service line to be replaced, and that the City is no longer responsible for doing so.
- C. The City reserves the right to take any necessary action to ensure compliance with this ordinance in order to protect public health and safety.

SECTION 8. SEVERABILITY

If any section, provision, or part of this ordinance shall be found to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance.

SECTION 9. EFFECTIVE DATE

This ordinance shall take effect upon its passage and publication as required by law.

Passed by the Bird Island City Council this 13th day of April, 2026.



Julie Sander, Mayor



Tracey Ahl, Administrator