



879040

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/17/2009	.	
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The Committee on Environmental Preservation and Conservation
(Detert) recommended the following:

Senate Amendment (with title amendment)

Delete lines 19 - 45
and insert:

(1) Any person who operates ~~purchases and installs~~ an automatic irrigation ~~lawn sprinkler~~ system ~~after May 1, 1991,~~ shall properly install, ~~and must~~ maintain, and operate technology, ~~a rain sensor device or switch~~ that inhibits or interrupts operation of ~~will override~~ the landscape irrigation ~~cycle of the sprinkler system~~ during periods of sufficient moisture ~~when adequate rainfall has occurred.~~



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12 (2) A licensed irrigation contractor shall test for correct
13 operation of each rain or soil-moisture sensor device or switch
14 on any system upon which the contractor performs work. If one or
15 more rain or soil-moisture sensor devices or switches are not
16 installed in the system or are not in proper operating
17 condition, the contractor shall install new ones or repair the
18 existing ones and confirm that each such device or switch is in
19 proper operating condition before completing any other service
20 to the system.

21 (3) The Department of Environmental Protection shall create
22 a model ordinance to be adopted and enforced by local
23 governments to administer this section. The model ordinance
24 shall, at a minimum, provide:

25 (a) Authority to delegate enforcement of this section to
26 local governments.

27 (b) Penalties for a property owner who fails to properly
28 install the required device. The minimum penalties shall be \$50
29 for a first offense, \$100 for a second offense, and \$250 for a
30 third or subsequent offense.

31 (c) Requirements for contractors to report noncomplying
32 systems to the appropriate authority.

33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 10

37 and insert:

38 Protection to create a model ordinance to be adopted by local
39 governments; providing penalties;