

SENATE No. 2092

The Commonwealth of Massachusetts

—
In the Year Two Thousand Twenty-Three
—

SENATE, March 19, 2014.

The committee on Environment, Natural Resources and Agriculture to whom was referred the (accompanied by bill, Senate, No. 342) of Stephen M. Brewer, Todd M. Smola, Kimberly N. Ferguson and Jason M. Lewis for legislation relative to irrigation systems, reports recommending that the accompanying bill (Senate, No. 2092).

For the committee,
Marc R. Pacheco

SENATE No. 2092

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to water conservation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 21G of the General Laws is hereby amended by inserting after section 20 the
2 following section:

3 Section 21. (a) The department of environmental protection shall adopt, and may amend,
4 regulations that require that an irrigation system shall not be operated without a functioning
5 interruption device to suspend the programmed or automated operation of the irrigation system
6 during periods of sufficient moisture from rainwater. The department shall specify the criteria
7 that such devices are required to meet under this section, which shall be in accordance with
8 generally accepted standards of irrigation practice..

9 The regulations shall require that no irrigation system shall be operated that is not so
10 equipped with a required interruption device for: (i) all newly installed irrigation systems or
11 established irrigation systems that are expanded, beginning on January 1, 2015; and provided
12 that no person shall install or expand an irrigation system, on or after said date, without such
13 device; and, (ii) all existing irrigation systems that are not equipped with a required device,
14 beginning on July 1, 2016.

15 The regulations shall further require that each municipality notify owners of property
16 within the municipality of the restriction with respect to the operation of irrigation systems
17 without such interruption device.

18 (b) A municipality, public water supply system or water district, may adopt reasonable
19 by-laws, regulations or rules providing for non-criminal penalties for a violation of said
20 regulations under subsection (a); provided any monetary civil penalty or assessment for a
21 violation of such bylaw, regulation or rule shall not exceed \$50 for such violation per calendar
22 day.

23 (c) For the purposes of this section the term "Irrigation system", shall mean, any
24 assemblage of components, materials or special equipment that is permanently constructed and
25 installed underground or on the surface, for controlled dispersion of water from any safe and
26 suitable source for the purpose of irrigating planted turf, ornamental plants and other similar
27 types of landscape vegetation or the control of dust and erosion on landscaped areas; including,
28 integral pumping systems and required wiring within that system and connections to a public
29 water supply system, or private water supply system or well; provided, however, that an
30 irrigation system shall not include: plumbing, as defined in section 1 of chapter 142 or a
31 plumbing system; irrigation systems that are designed and installed in a temporary manner with
32 common garden hoses or other similar materials, which are easily connected to, and
33 disconnected from, a hose spigot of a plumbing system.

34 (d) This section shall not apply to irrigation systems that are installed or operated on land
35 primarily used for: tree farms and nurseries, farming or agriculture for the growing of crops for
36 harvest, and community gardens and fields used to grow local food crops.