

DRAFT LANDSCAPE IRRIGATION SYSTEM REGULATIONS
December 24, 2020

310 CMR xx.00: Landscape Irrigation System Regulations

Section

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xx.01: Purpose and Scope

- (1) The purpose of 310 CMR xx.00 is to protect, preserve and maintain the Commonwealth's water resources, and the health, safety and welfare of the citizens of the Commonwealth, by promoting the efficient delivery of water to the landscape.
- (2) 310 CMR xx.00 shall apply to all irrigation systems used on residential, commercial and industrial landscaped areas regardless of the water supply source, except for irrigation systems used for golf courses, nurseries, greenhouses, or agricultural production systems. M.G.L. c. 21, § 67 requires all irrigation systems installed prior to the effective date of 310 CMR xx.00 to conform to 310 CMR xx.00 at the time of renovation.

xx.02: Definitions

As used in 310 CMR xx.00, the following words shall, unless the context otherwise requires, have the following meanings:

Department means the Massachusetts Department of Environmental Protection.

Irrigation system means a set of components which includes the water source, water distribution network (e.g., pipe), control components (e.g., valves and controllers), emission devices (e.g., sprinklers and emitters) and possibly other general irrigation equipment (e.g., quick coupler and backflow preventer) used for the purpose of irrigating landscape vegetation or the control of dust and erosion on landscaped areas, excluding plumbing, as defined in M.G.L. c. 142, § 1.

Moisture sensor means a device used to turn irrigation water on or off according to the moisture levels in the soil.

Irrigation Professional means an individual holding current Irrigation Contractor Certification issued by the Irrigation Association, or any other national organization deemed acceptable to the Department, in the design and management of irrigation systems. Irrigation Association, and other national associations, provides voluntary certification of landscape irrigation professionals.

The Department does not endorse Irrigation Professionals based on certifications provided by private associations.

Rain shut-off device means a calibrated device that is designed to detect rainfall and override the irrigation cycle of the sprinkler system when a predetermined amount of rain fall has occurred.

Renovation means to substantially repair, replace or expand an irrigation system that was installed prior to the effective date of 310 CMR XX.00.

Weather-based irrigation controller means a controller that uses local weather data and/or soil conditions to automatically adjust an irrigation system's station run times that meets efficiency and performance criteria detailed in the *WaterSense Specification for Weather-Based Irrigation Controllers* available at <https://www.epa.gov/sites/production/files/2017-01/documents/ws-products-spec-irrigation-controllers.pdf>.

xx.03: Best Management Practices for Landscape Irrigation Systems

- (1) Any person installing a new landscape irrigation system, or renovating an existing system, is required by M.G.L. c. 21, § 67, to properly install, maintain, and operate technology that inhibits or interrupts operation of the system during periods of sufficient moisture. An automatic landscape irrigation system equipped with a rain sensor or other shutoff device, such as soil moisture sensors or weather-based irrigation controllers, meets this requirement.
- (2) Any person who owns or operates a landscape irrigation system is required by M.G.L. c. 21, § 67, to employ or engage an Irrigation Professional to inspect the system's rain shut-off device(s) at least every 3 years, or sooner if required by local law, to ensure the device is properly functioning.
- (3) For each newly installed or renovated irrigation system within a municipality, the irrigation contractor shall complete and submit documentation, along with a reasonable fee, to the host municipality upon establishment of local requirements for such documentation and fee by the municipality. A model form which municipalities may adopt, with or without revisions, for purposes of such documentation is provided in Appendix A hereto.
- (4) Any person installing a new landscape irrigation system, or renovating an existing system, is required by M.G.L. c. 21, § 67 to apply irrigation best management practices to promote the efficient use of water. Installations consistent with the publication entitled, *Landscape Irrigation Best Management Practices*, prepared by the Irrigation Association and American Society of Irrigation Consultants, dated May 2014, satisfy this requirement. *Landscape Irrigation Best Management Practices* is available at: <http://asic.org/wp-content/uploads/2016/03/BMPDesign-Install-Manage.3-18-142.pdf>.

xx.04: Relationship to Other Laws

- (1) 310 CMR xx.00 shall not be construed to prevent any municipality in the Commonwealth from exercising its authority to adopt, issue and administer any additional bylaws,

ordinances, rules or regulations pertaining to landscape irrigation systems or necessary for the administration, operation and enforcement of such bylaws, ordinances, rules and regulations, provided such rules and regulations are not less stringent than the provisions of 310 CMR xx.00.

- (2) No provision in 310 CMR XX shall be construed to prohibit any municipality from exercising its authority to impose nonessential outdoor water use restrictions for private and public water users under their police powers to protect public health and welfare under M.G.L. c. 40, § 21, or to otherwise regulate water use under M.G.L. c. 41, § 69B, or under any other law.

xx.05: Enforcement

- (1) Property owners and operators are responsible for complying with applicable state and local laws pertaining to the installation, use and maintenance of landscape irrigation systems.
- (2) The enforcement of local bylaws, ordinances, rules and regulations pertaining to landscape irrigation systems is generally the responsibility of local governments.

Appendix A
Example Irrigation System Certification Form

Property Information

- System Owner Name:
- System Owner Address:
- System Owner Email:
- System Owner Phone #:
- Test Address (if different):

Location Description (check one)

- Single family residence
- Multi-family residence
 - Number of residences: _____
- Commercial property
- Industrial property
- Institutional property
- Estimated area (in square feet) of landscape: _____

Test Information

- Test Date: (check one)
 - New System
Installation Date: _____
 - Existing System
Installation Date (if known): _____
- Result: (check one)
 - Pass
 - Fail

Water Source

- Public water
- Private Well
- Other: (specify) _____

Irrigator Information

- Irrigation Company:
- Inspector's Name:
- Inspector's Email:
- Inspector's Phone #:
- Inspector's Signature:
- Date: