

1 Introduced by the Office of the Mayor:  
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4 **ORDINANCE 2016-404**

5 AN ORDINANCE AMENDING CHAPTER 366 (GROUNDWATER  
6 RESOURCE MANAGEMENT), *ORDINANCE CODE*, PART 5,  
7 (WATER CONSERVATION AND LANDSCAPE IRRIGATION),  
8 AMENDING SECTION 366.502 (LANDSCAPE IRRIGATION  
9 INTENT, JURISDICTION AND PURPOSE) TO CLARIFY  
10 JURISDICTIONAL APPLICABILITY; AMENDING SECTION  
11 366.503 (DEFINITIONS) TO AMEND THE DEFINITION  
12 FOR "LANDSCAPE IRRIGATION", AND TO ADD NEW  
13 SUBSECTIONS AND DEFINITIONS FOR "NON-  
14 RESIDENTIAL LANDSCAPE IRRIGATION" AND  
15 "RESIDENTIAL LANDSCAPE IRRIGATION"; AMENDING  
16 SECTION 366.504 (LANDSCAPE IRRIGATION  
17 SCHEDULE) TO AMEND PROVISION FOR IRRIGATION  
18 WELLS WHERE RECLAIMED WATER IS AVAILABLE;  
19 AMENDING SECTION 366.505 (EXCEPTIONS TO  
20 LANDSCAPE IRRIGATION SCHEDULE) TO INCLUDE  
21 BUBBLER IRRIGATION IN THE EXCEPTIONS, AND TO  
22 AMEND THE WATERING SCHEDULE FOR THE USE OF  
23 RECYCLED WATER FROM WET DETENTION TREATMENT  
24 PONDS; AND PROVIDING AN EFFECTIVE DATE.  
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26 **BE IT ORDAINED** by the Council of the City of Jacksonville:

27 **Section 1. Chapter 366 (Groundwater Resource Management),**  
28 ***Ordinance Code, amended. Chapter 366 (Groundwater Resource***  
29 ***Management), Ordinance Code, is hereby amended to read as follows:***

30 ***CHAPTER 366. GROUNDWATER RESOURCE MANAGEMENT.***  
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2 PART 5. WATER CONSERVATION AND LANDSCAPE IRRIGATION

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4 Sec. 366.502. - Landscape irrigation intent, jurisdiction and  
5 purpose.

6 The City recognizes that the St. Johns River Water Management  
7 District has responsibility and exclusive authority under F.S. Ch.  
8 373, for regulating the consumptive use of water. The District has  
9 adopted Rule 40C-2.042(2)(a) and (b), F.A.C. as its General  
10 Consumptive Use Permit by Rule for that regulates landscape small  
11 irrigation uses that do not meet or exceed any below consumptive  
12 use permitting thresholds in Rule 40C-2.041(1), F.A.C., except as  
13 provided in subsections 40C-2.042(8), (9), and (10), F.A.C. SJRWMD  
14 Rule 40C-2.042(2)(a), F.A.C., grants a general permit to each  
15 person located within the District to use, withdraw or divert water  
16 for ~~such small~~ landscape irrigation ~~uses~~, provided the irrigation  
17 occurs in accordance with the provisions of the rule, provided the  
18 amount of water used is limited to only that necessary for  
19 efficient utilization, and provided the irrigation does not occur  
20 more than two days per week during Daylight Savings Time or one day  
21 per week during Eastern Standard Time, as further described in  
22 Section 366.504, and does not occur between the hours of 10:00 a.m.  
23 and 4:00 p.m. daily, subject to certain exceptions. Rule 40C-  
24 2.042(2)(a), F.A.C., applies to landscape irrigation regardless of  
25 whether the water comes from ground or surface water, from a  
26 private well or pump, or from a public or private utility. Rule  
27 40C-2.042(2)(b), F.A.C., provides that a local government may adopt  
28 an ordinance to enforce SJRWMD Rule 40C-2.042(2)(a) as provided  
29 herein. It is the intent and purpose of this Part to assist the  
30 SJRWMD in implementing its F.A.C. Rule 40C-2.042(2)(a) and thereby  
31 to implement procedures that promote water conservation through

1 more efficient landscape irrigation.

2 Notwithstanding the provisions of Section 366.105, this Part  
3 5, shall apply only within the General Service District, less Urban  
4 Services Districts 2, 3, 4 and 5.

5 **Sec. 366.503. - Definitions.**

6 As used in this part, the following terms, phrases, words and  
7 their derivatives shall have the meaning given herein.

8 (a) Address means the house number of a physical location of  
9 a specific property. This includes "rural route" numbers but  
10 excludes post office box numbers. If a lot number in a mobile home  
11 park or similar community is used by the U.S. Postal Service to  
12 determine a delivery location, the lot number shall be the  
13 property's address. An "even numbered address" means an address  
14 ending in the numbers 0, 2, 4, 6, 8 or the letters A-M. An "odd  
15 numbered address" means an address ending in the numbers 1, 3, 5,  
16 7,9 or the letters N-Z.

17 (b) Landscape irrigation means the outside watering of plants  
18 in a landscape such as shrubbery, trees, lawns, grass, ground  
19 covers, plants, vines, gardens and other such flora that are  
20 situated in such diverse locations as residential areas,  
21 ~~cemeteries~~, public, commercial, and industrial establishments, and  
22 public medians and rights-of-way. The term does not include  
23 agricultural crops, nursery plants, cemeteries, golf course greens,  
24 tees, fairways, primary roughs, and vegetation associated with  
25 intensive recreational areas such as, but not limited to,  
26 playgrounds and football, baseball and soccer fields.

27 (c) Micro-irrigation system means a micro-spray, micro-jet or  
28 drip irrigation system.

29 (d) "Non-residential landscape irrigation" means the  
30 irrigation of landscape not included within the definition of  
31 "residential landscape irrigation," such as that associated with

1 public, commercial and industrial property, including commercial or  
2 transient housing units, hotel and motel units, and public medians  
3 and rights-of-way.

4 (e) "Residential landscape irrigation" means the irrigation  
5 of landscape associated with any housing unit having sanitary and  
6 kitchen facilities designed to accommodate one or more residents,  
7 including multiple housing units and mobile homes.

8 **Sec. 366.504. - Landscape irrigation schedule.**

9 (a) During the time period when Daylight Savings Time is in  
10 effect, the following landscape irrigation schedule shall apply and  
11 is limited to only that necessary for efficient utilization. No  
12 more than ¾-inch of water may be applied per irrigation zone on  
13 each day that irrigation occurs, and in no event shall irrigation  
14 occur for more than one hour per irrigation zone, on each of the  
15 following specified irrigation days:

16 (1) Landscape irrigation at odd numbered residential  
17 addresses or places without an address shall occur only on  
18 Wednesday and Saturday and not between 10:00 a.m. and 4:00 p.m.;

19 (2) Landscape irrigation at even numbered residential  
20 addresses shall occur only on Thursday and Sunday and not between  
21 10:00 a.m. and 4:00 p.m.;

22 (3) Non-residential landscape irrigation shall occur  
23 only on Tuesday and Friday and not between 10:00 a.m. and 4:00 p.m.

24 (b) During the time period when Eastern Standard Time is in  
25 effect, the following landscape irrigation schedule shall apply to  
26 both residential and non-residential landscape and property owners  
27 are advised to limit landscape irrigation to only that necessary  
28 for efficient utilization. No more than ¾ inch of water may be  
29 applied per irrigation zone on each day that irrigation occurs, and  
30 in no event shall irrigation occur for more than one hour per  
31 irrigation zone on each of the following specified irrigation days:

1 (1) Landscape irrigation at odd numbered residential  
2 addresses or at places without an address shall occur only on  
3 Saturday and not between 10:00 a.m. and 4:00 p.m.;

4 (2) Landscape irrigation at even numbered residential  
5 addresses shall occur only on Sunday and not between 10:00 a.m. and  
6 4:00 p.m.;

7 (3) Non-residential landscape irrigation shall occur  
8 only on Tuesday and not between 10:00 a.m. and 4:00 p.m.:

9 (c) All landscape irrigation shall be limited to only that  
10 needed to meet landscape needs;

11 (d) Where reclaimed water is available, the use of private  
12 irrigation wells for landscape irrigation is not authorized under  
13 subsection 40C-2.042(2), F.A.C. Reclaimed water is deemed available  
14 when reclaimed water is provided by a utility through a point of  
15 connection.;

16 (e) Any person who irrigates landscape with an automatic lawn  
17 sprinkler system installed after May 1, 1991, shall install,  
18 maintain and operate a rain sensor device or switch that overrides  
19 the irrigation system when adequate rainfall has occurred.

20 **Sec. 366.505. - Exceptions to landscape irrigation schedule.**

21 Landscape irrigation is subject to the following exceptions:

22 (a) Irrigation using a micro-irrigation or bubbler irrigation  
23 system is allowed anytime provided the amount of water used is  
24 limited to only that necessary for efficient utilization.

25 (b) Irrigation of new landscape is allowed at any time of day  
26 on any day for the initial 30 days following installation and on  
27 every other day for the next 30 days for a total of one 60-day  
28 period, provided that the irrigation is limited to the minimum  
29 amount necessary for such landscape establishment.

30 (c) Watering in of chemicals, including insecticides,  
31 pesticides, fertilizers, fungicides and herbicides when required by

1 law, the manufacturer, or best management practices is allowed  
2 anytime within 24 hours of application. Watering in of chemicals  
3 shall not exceed ¼-inch of water per application except as  
4 otherwise required by law, the manufacturer, or best management  
5 practices.

6 (d) Irrigation systems may be operated any time of day, on  
7 any day, for maintenance and repair purposes not to exceed 20  
8 minutes per hour per zone.

9 (e) Irrigation using a hand-held hose equipped with an  
10 automatic shut-off nozzle is allowed anytime.

11 (f) Discharge of water from a water-to-air air-conditioning  
12 unit or other water-dependent cooling system is not limited.

13 (g) The use of water from a reclaimed water system is allowed  
14 any day, but not between 10:00 a.m. and 4:00 p.m. For the purpose  
15 of this subsection, a reclaimed water system includes systems in  
16 which the primary source is reclaimed water, which may or may not  
17 be supplemented from another source during peak demand periods.  
18 This exemption promotes use of reclaimed water and aids area  
19 utilities in expanding reclaimed water availability and  
20 distributing more reclaimed water to reduce treated effluent  
21 discharge to the river.

22 (h) The use of recycled water from wet detention treatment  
23 ponds for irrigation is allowed anytime ~~any day, but not between~~  
24 ~~10:00 a.m. and 4:00 p.m.,~~ provided the ponds are not augmented from  
25 any ground or off-site surface water or public supply sources.

26 (Ord. 2008-30-E, § 2; Ord. 2009-360-E, § 1)

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28 **Section 2. Effective date.** This Ordinance shall become  
29 effective upon signature by the Mayor or upon becoming effective  
30 without the Mayor's signature.

31 Form Approved:

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2  /s/ Cherry Shaw Pollock

3 Office of General Counsel

4 Legislation Prepared By: Cherry Shaw Pollock & Jason Teal

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