

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.
25

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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/s/ Cherry Shaw Pollock

Office of General Counsel

Legislation Prepared By: Cherry Shaw Pollock & Jason Teal

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