

ATTACHMENT 1

ORDINANCE NO. 2023-23

AN ORDINANCE BY THE CITY OF GROVELAND TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE TO REQUIRE PLANS REVIEW, INSPECTIONS AND APPROVAL RELATING TO IRRIGATION AND LANDSCAPING FOR WATER CONSERVATION PURPOSES, AS WELL AS FOR RIGHT-OF-WAY AND ENGINEERING; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

WHEREAS, section 553.73(4)(a) and (k), Florida Statutes, allows adoption of local administrative amendments to the *Florida Building Code* provided local amendments are more stringent than the minimum standards for issuance of mandatory certificates of occupancy, minimum types of inspections, and procedures for plans review and inspections to protect and provide for more efficient use of water resources; and

WHEREAS, the City Council has determined that it is in the public interest to adopt the proposed regulations which require application, plans review, and inspections for water conservation measures implemented through irrigation and landscaping to protect and provide for more efficient use of water resources; and

WHEREAS, the City Council has also determined that it is in the public interest to adopt regulations requiring final engineering and right-of-way inspection prior to issuance of a certificate of occupancy to ensure construction in accordance with approved plans, that drainage of the finished lot complies with the lot and block grading plan for the community to ensure the lot drains as designed, and that the driveway approach, water meter installation and other improvements in the right-of-way are undamaged, and constructed and/or installed as required by plans and specifications.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Groveland that the following local administrative amendments to the 2020 *Florida Building Code*, are hereby adopted.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. Chapter 18 of the Code of Ordinances of the City of Groveland is hereby amended by the following administrative amendments to the *Florida Building Code, Building*.

Sec. 111.2, Florida Building Code

Add a new Sec. 111.2.1 as follows:

111.2.1 Modifications to issuance of certificate of occupancy. Prior to the Building Official issuing a certificate of occupancy, irrigation and landscaping must receive final inspection approval from the City confirming installation is in accordance with approved plans that protect and provide for more efficient use of water resources. In addition, prior to issuing a certificate of occupancy, final engineering and right-of-way inspection approval from the City is required confirming construction in accordance with approved plans, specifications, and improvements, including but not limited to driveway approach and water meter in the right-of-way are undamaged.

Add a new Sec. 111.2.2 as follows:

111.2.2 Application, plans review and inspections. All single-family residential and commercial building permit submittals must be accompanied by a Water Conservation application, the Checklist/Affidavit completed by the irrigation/landscape contractor, as well as the irrigation system and landscape design plans. The plans will be reviewed to ensure water conservation measures are being implemented to protect and provide for more efficient use of water resources. Once the City reviews and approves the Water Conservation application and site irrigation system and landscape design plans, this portion of the review will be approved. Once the installation is complete and a Water Conservation final inspection is requested by the builder an inspection will be conducted by the City.

SECTION 3. FISCAL IMPACT STATEMENT.

In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 4. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Groveland. This ordinance shall apply to all applications for development of new residential, commercial, and institutional construction where a new landscape irrigation system is required and subdivision proposals, submitted on or after **June 1, 2023**.

SECTION 5. REPEALER.

Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 6. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the City of Groveland's Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 8. EFFECTIVE DATE.

This ordinance shall take effect on **June 1, 2023.**

ADOPTED in regular session of the City Council of the City of Groveland, Lake County, Florida, this ___ day of _____, 2023.

Evelyn Wilson, Mayor
City of Groveland, Florida

ATTEST:

Virginia Wright
City Clerk



Approved as to Form:

Anita Geraci-Carver
City Attorney

Passed First Reading _____

Passed Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Barbara Gaines		
Mike Radzik		
Richard Skyzinski		
Dina Sweatt		
Evelyn Wilson		

ATTACHMENT 2

Ad Preview

NOTICE OF PUBLIC HEARING

The City of Groveland proposes to adopt Ordinance 2023-23. The City Council will hold a public hearing at the E.L. Puryear Building located at 243 S. Lake Avenue, Groveland, Florida on Monday, May 15, 2023 and Monday, June 5, 2023. The City Council public hearings begins at 7:00 p.m. or as soon thereafter as possible. The title of the ordinance is as follows:

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You may appear at the City Council public meetings and be heard with respect to the proposed Ordinance. Persons with disabilities needing assistance to participate in this proceeding should contact the City Clerk at least 48 hours before the meetings at 352-429-2141 ext. 2014.

The ordinance is available at the Community Development Department located in the Public Safety Complex at 6825 State Road 50, Groveland, Florida, for inspection on Monday through Friday, from 8:00 a.m. to 5:00 p.m.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes.

If you have any questions in advance of the scheduled public hearings, please contact the Building Division at 352-429-2141 ext. 2 or permitting@groveland-fl.gov.

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