

TOWN OF HILLSBORO BEACH, FLORIDA

ORDINANCE NO. 247

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AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, PROVIDING FOR AMENDMENTS TO THE TOWN'S CODE OF ORDINANCES TO PROVIDE FOR WATER CONSERVATION; PROVIDING FOR WATER SHORTAGE CONDITIONS; PROVIDING FOR MAXIMUM FLOW RATES AND CONSUMPTION FOR PLUMBING FIXTURES; PROVIDING FOR STANDARDS FOR LANDSCAPING; PROVIDING FOR THE TRANSMITTAL OF THE PROPOSED AMENDMENTS TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Hillsboro Beach's main source of drinking water is the Biscayne Aquifer; and,

WHEREAS, the Town's water supply and water treatment plant provide water service to the Town's residents and guests; and,

WHEREAS, the Town of Hillsboro Beach is located within the Lower East Coast Planning Area of the South Florida Water Management District; and,

WHEREAS, the South Florida Water Management District has adopted a Water Supply Plan for the Lower East Coast Planning Area; and,

WHEREAS, the Town has incorporated a Water Supply Facility Work Plan within the Town's Comprehensive Plan that provides direction for the Town relative to the Future Land Use Element and the provision of future water supply; and,

WHEREAS, the Town is upgrading the water supply system, water treatment plant and water distribution system to provide for the water needs of the Town's residents; and,

WHEREAS, the Town is seeking to extend the South Florida Water Management's Consumptive Use Permit for the Town's Water Supply System for 20 years; and,

WHEREAS, the Town of Hillsboro Beach finds that reducing water use is essential to meet future water demands in the Lower East Coast Planning Area.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

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Section 2. The Town Commission of the Town of Hillsboro Beach hereby accepts the recommendations of Walter H. Keller, the Town’s planning consultant and does therefore approve the proposed amendments to the Code or Ordinances to provide for water conservation.

Section 3. Chapter 10 – Water of the Town’s Code of Ordinances is hereby amended as follows:

Sec. 10-6. Water Conservation

The following Water Conservation efforts are to be implemented within the Town:

(a) **Emergency Water Shortage Conditions**

The declaration of a water shortage condition or water shortage emergency within all or any part of the Town by the Town Commission shall invoke the provisions of this subchapter. Upon the declaration, all water use restrictions shall be subject to enforcement pursuant to this subchapter. When the Town Commission declares a water shortage condition or water shortage emergency, the Town Commission may invoke alternative water restrictions to water restrictions contained within Chapter 40E-21 of the Florida Administrative Code and restrictions otherwise issued by the South Florida Water Management District and the Department of Environmental Protection. Any violations of the provisions of Chapter 40E-21, Florida Administrative Code, violations of restrictions imposed and issued by the South Florida [Water] Management District and the Department of Environmental Protection or any violations of alternative restrictions invoked by the Town Commission, or any order issued pursuant thereto, shall be in violation of this subchapter.

(b) **Maximum Flow Rates and Consumption for Plumbing Fixtures**

The maximum water consumption flow rates for all plumbing fixtures, fixture fittings and appliances shall be in accordance with Table 604.4 of the Florida Building Code. All new building permit approvals within the Town shall require high efficiency plumbing fixtures, fixture fittings and appliances as provided in Table below:

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY^b
Lavatory, private	2.2 gpm at 60 psi
Lavatory, public, (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi

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Shower heada	2.5 gpm at 80 psi
Sink faucet	2.2 gpm at 60 psi
Urinal	1.0 gallon per flushing cycle
Water closet	1.6 gallons per flushing cycle

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For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa.

- a. A hand-held shower spray is a shower head.
- b. Consumption tolerances shall be determined from referenced standards.

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(c) Landscaping with Native Vegetation

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(d) Irrigation System Design, Installation & Maintenance

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Irrigation System Plans and Specifications to be provided in the Building Permit Plan Set for all Landscape Plans of approved site plans after the effective date of this Ordinance. Irrigation systems shall be designed to meet the water needs of the plants in the Landscape Plan. When feasible, irrigation systems shall be designed to separately serve turf and non-turf areas. The irrigation system plans and specifications shall identify the materials to be used and the construction methods. The design shall consider soil, slope, and other site characteristics in order to minimize water waste, including overspray, the watering of impervious surfaces and other non-vegetated areas, and off-site runoff. The system shall be designed to minimize free flow conditions in case of damage or other mechanical failure. The system shall be designed to use the lowest quality water feasible. Rain switches or other devices, such as soil moisture sensors, to prevent unnecessary irrigation, shall be incorporated.

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1 A recommended seasonal operating schedule and average precipitation
2 rates for each irrigation zone for both establishment and maintenance conditions
3 shall be provided. Control systems shall be able to be programmed for a variety
4 of times and periods, accommodate multiple start times and programs, incorporate
5 automatic shut off after adequate rainfall, the ability to maintain time during
6 power outages and provide operational flexibility to meet applicable year-round
7 water conservation requirements and temporary water shortage restrictions.
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10 Precipitation rates for sprinklers and all other emitters in the same zone
11 shall be matched, allowing that micro-irrigation emitters may be specified to meet
12 the requirements of individual plants. Irrigation systems shall be designed to
13 maximize uniformity, considering factors such as: emitter types, head spacing,
14 sprinkler pattern and water pressure at the emitter. Irrigation systems with main
15 lines larger than two inches or designed to supply more than seventy gallons per
16 minute shall incorporate a means to measure irrigation water use, at a minimum of
17 ninety-five percent accuracy across the flow range.

18 Recommended maintenance activities and schedules shall be provided.
19 Irrigation system plans and specifications shall require the system installer to
20 conduct final testing and adjustments to achieve design specifications prior to
21 completion of the system and acceptance by the owner or owner's representative.
22 Irrigation system plans and specifications shall require the installer provide
23 property owners and users with post-construction documentation, including as-
24 built drawings, recommended maintenance activities and schedules, operational
25 schedule, design precipitation rates, instructions on adjusting the system to apply
26 less water after the landscape is established, maintenance schedule, water source,
27 water shut-off method and the manufacturer's operational guide for their
28 irrigation controller.
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30 **Section 4.** The Town Commission hereby authorizes the appropriate Town
31 Officials to submit the appropriate number of copies of this Ordinance to the South Florida
32 Water Management District and to any other governmental agency having jurisdiction with
33 regard to the approval of same and to keep copies of the Ordinance available for public
34 review and examination at Town Hall.
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36 **Section 6.** The Town Commission hereby certifies that it has conducted and
37 will conduct such public hearings as may be required pursuant to Chapter 163, Florida
38 Statutes, as amended, in order to adopt the amendments to the Town's Code of Ordinances
39 and so directs the Town Administration to conduct and publish same, as provided by general
40 law.
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42 **Section 7.** All Ordinances or parts of Ordinances, Resolutions or parts of
43 Resolutions in conflict herewith be and the same are hereby repealed to the extent of such
44 conflict.

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Section 8. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 9. This ordinance shall be effective as provided for by Florida Statutes following its passage and adoption.

PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON FIRST READING, THIS 6th DAY OF April, 2010.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON SECOND AND FINAL READING, THIS 4th DAY OF May, 2010

By: *Carmen McGarry*
CARMEN R. McGARRY, Mayor

ATTEST:

By: *Carol Ann Wade*
Town Clerk

APPROVED AS TO FORM:

By: *Donald J. Seery*
Town Attorney

