



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3388, **Version:** 1

Subject:

Legislative Intent and Permission to Advertise Amendments to Chapter 46 of the Brevard County Code, creating a new article, Article XI, entitled Landscape Irrigation

Fiscal Impact:

None, unless directed to pursue pro-active enforcement

Dept/Office:

Natural Resources Management Department

Requested Action:

Board consideration of options and for the selected option, approve legislative intent and permission to advertise amendments to create a new article in Chapter 46 of the Brevard County Code, Article XI, entitled Landscape Irrigation

Summary Explanation and Background:

On January 12, 2021, the St. Johns River Water Management District Governing Board approved updates to their Districtwide Cost-Share Program. These updates included a new requirement that to be eligible for District Cost-Share grants, municipalities and counties must have a landscape irrigation ordinance that is consistent with the District's model ordinance. Currently, District grants provide up to 25% of construction-only costs for shovel-ready projects.

Excess irrigation wastes freshwater and carries pollution to sensitive waterways including the Indian River Lagoon. To discourage excess irrigation, the District has established watering schedules based on time of year and street address. For example, during Daylight Savings Time, residential landscape irrigation at odd numbered addresses or no address may occur only on Wednesday and Saturday, while irrigation at even numbered addresses may occur only on Thursday and Sunday. During Eastern Standard Time, residential landscape irrigation at odd numbered addresses or no address may occur only on Saturday, while irrigation at even numbered addresses may occur only on Sunday. Year-round, irrigation shall not occur between 10:00 and 4:00.

For enforcement, the District recommends a written warning for first violations, a \$25 penalty for second violations, and subsequent fines not to exceed \$50 per day of violation. However, in July the District's Office of General Counsel determined that adoption of the model ordinance sections related to enforcement and penalties are optional.

Adopting the watering schedules could provide a beneficial opportunity for local outreach on the importance of water conservation and pollution control. Additionally, including the watering restrictions within the

County Code may make the rules easier for people to find than having to search the Florida Administrative Code.

Options for Board Consideration: Approve legislative intent and permission to advertise amendments to Chapter 46 of the Brevard County Code, creating a new article, Article XI, entitled Landscape Irrigation, as follows:

- **Option 1:** With enforcement provisions delegated to Brevard County Code Enforcement and law enforcement entities having jurisdiction.
- **Option 2:** Without enforcement provisions, leaving enforcement to the District.
- **Option 3:** Take no action and forego future District Cost-Share funding opportunities.
- **Option 4:** Other Board direction.

Clerk to the Board Instructions:

None.