

TOWN OF HILLSBORO BEACH, FLORIDA

ORDINANCE NO. 251

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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.

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

3 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and
4 confirmed as being true and correct and are hereby made a specific part of this Ordinance.
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6 **Section 2.** The Town Commission of the Town of Hillsboro Beach hereby
7 accepts the recommendations of Walter H. Keller, the Town's planning consultant and does
8 therefore approve the proposed amendments to the Code or Ordinances to provide for water
9 conservation.

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11 **Section 3.** Chapter 10 – Water of the Town's Code of Ordinances is hereby
12 amended as follows:

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14 Sec. 10-6. Water Conservation

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

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18 (a) Emergency Water Shortage Conditions

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

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

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38 The maximum water consumption flow rates for all plumbing fixtures,

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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 80 psi
Lavatory, public, (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 80 psi
Shower heada	2.5 gpm at 80 psi
Sink faucet	2.0 gpm at 80 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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Landscape Plans shall utilize and promote “Florida Friendly” design standards, where possible, incorporating new native plant material and preserve existing native trees and vegetation in order to achieve a healthy, beautiful and safe community. Where established natural vegetation is incorporated into the landscape design, irrigation of those areas shall be minimized. The plant inventory and irrigation system shall be appropriate for site conditions, considering that, soil improvement may enhance water use efficiency. Plants shall be grouped together by irrigation demand. The percentage of landscaped area in irrigated high water use with similar plant groupings should be minimized. A majority of the landscape material shall be native species. Submitted Landscape Plans shall provide information substantiating conformity with this section and intended compliance with the irrigation system design regulations in subsection (d). Landscape Plans to be submitted with all site plan approvals for

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1 new development and for remodeling of existing buildings where more than fifty
2 (50) percent of the existing building value is incurred in the remodeling.
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6 (d) Irrigation System Design, Installation & Maintenance
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8 Irrigation System Plans and Specifications to be provided in the Building
9 Permit Plan Set for all Landscape Plans of approved site plans after the effective
10 date of this Ordinance. Irrigation systems shall be designed to meet the water
11 needs of the plants in the Landscape Plan. When feasible, irrigation systems shall
12 be designed to separately serve turf and non-turf areas. The irrigation system
13 plans and specifications shall identify the materials to be used and the
14 construction methods. The design shall consider soil, slope, and other site
15 characteristics in order to minimize water waste, including overspray, the
16 watering of impervious surfaces and other non-vegetated areas, and off-site
17 runoff. The system shall be designed to minimize free flow conditions in case of
18 damage or other mechanical failure. The system shall be designed to use the
19 lowest quality water feasible. Rain switches or other devices, such as soil
20 moisture sensors, to prevent unnecessary irrigation, shall be incorporated.
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22 A recommended seasonal operating schedule and average precipitation
23 rates for each irrigation zone for both establishment and maintenance conditions
24 shall be provided. Control systems shall be able to be programmed for a variety
25 of times and periods, accommodate multiple start times and programs, incorporate
26 automatic shut off after adequate rainfall, the ability to maintain time during
27 power outages and provide operational flexibility to meet applicable year-round
28 water conservation requirements and temporary water shortage restrictions.
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30 Precipitation rates for sprinklers and all other emitters in the same zone
31 shall be matched, allowing that micro-irrigation emitters may be specified to meet
32 the requirements of individual plants. Irrigation systems shall be designed to
33 maximize uniformity, considering factors such as: emitter types, head spacing,
34 sprinkler pattern and water pressure at the emitter. Irrigation systems with main
35 lines larger than two inches or designed to supply more than seventy gallons per
36 minute shall incorporate a means to measure irrigation water use, at a minimum of
37 ninety-five percent accuracy across the flow range.
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1 Recommended maintenance activities and schedules shall be provided.
2 Irrigation system plans and specifications shall require the system installer to
3 conduct final testing and adjustments to achieve design specifications prior to
4 completion of the system and acceptance by the owner or owner's representative.
5 Irrigation system plans and specifications shall require the installer provide
6 property owners and users with post-construction documentation, including as-
7 built drawings, recommended maintenance activities and schedules, operational
8 schedule, design precipitation rates, instructions on adjusting the system to apply
9 less water after the landscape is established, maintenance schedule, water source,
10 water shut-off method and the manufacturer's operational guide for their
11 irrigation controller.

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14 **Section 4.** The Town Commission hereby authorizes the appropriate Town
15 Officials to submit the appropriate number of copies of this Ordinance to the South Florida
16 Water Management District and to any other governmental agency having jurisdiction with
17 regard to the approval of same and to keep copies of the Ordinance available for public
18 review and examination at Town Hall.

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20 **Section 6.** The Town Commission hereby certifies that it has conducted and
21 will conduct such public hearings as may be required pursuant to Chapter 163, Florida
22 Statutes, as amended, in order to adopt the amendments to the Town's Code of Ordinances
23 and so directs the Town Administration to conduct and publish same, as provided by general
24 law.

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26 **Section 7.** All Ordinances or parts of Ordinances, Resolutions or parts of
27 Resolutions in conflict herewith be and the same are hereby repealed to the extent of such
28 conflict.

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

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

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

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, ON SECOND AND FINAL READING, THIS 13th DAY OF September, 2010.

By: 
CARMEN R. McGARRY, Mayor

ATTEST:

By: 
Town Clerk

