



## ORDINANCE NO. 2010

### A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA ADDING (d) TO SECTION 23-27 IN THE CODE OF ORDINANCES ADOPTING THE ST JOHNS RIVER WATER MANAGEMENT DISTRICT'S WATER CONSERVATION RULE FOR LANDSCAPE IRRIGATION.

**Whereas**, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to insure that water conservation is provided for in Neptune Beach by adopting and enforcing the Water Conservation Rule for Landscape Irrigation of the St Johns River Water Management District ("District") in accordance with District Rule 40C-2.042(2)(a)and(b),Florida Administrative Code, as set out below in Section 1.

**Now, Therefore**, be it ordained by the City Council of Neptune Beach, Florida:

**Section 1.** The City hereby adopts each of the provisions set forth in District Rule 40C-2.042(2)(a),F.A.C.

**Section 2.** A variance from the specific landscape irrigation days or day set forth in Rule 40C-2.042(2)(a)1. and 2.,F.A.C., may be granted if strict application of the scheduled days or day would lead to unreasonable or unfair results in particular instances, provided that the applicant demonstrates with particularity that compliance with the scheduled days or day will result in a substantial economic, health or other hardship on the applicant requesting the variance or those served by the applicant. Where a contiguous property is divided into different zones, a variance may be granted hereunder so that each zone may be irrigated on different days or day than other zones of the property. However, in no event shall a variance allow a single zone to be irrigated more than two days per week during Daylight Savings Time or more than one day per week during Eastern Standard Time.

**Section 3.** District Rule 40C-2.042(2)(a), F.A.C., will be enforced by the Code Enforcement Officer through the City's code enforcement process as authorized by Florida Statute.

**Section 4.** The Ordinance shall become effective on after passage by the City Council.

### VOTE RESULTS OF FIRST READING:

Mayor Harriet Pruette  
Vice Mayor John Weldon  
Councilor Eric Pardee  
Councilor Fred Lee  
Councilor Kara Tucker

Passed on First Reading this day.

**VOTE RESULTS OF SECOND AND FINAL READING:**

Mayor Harriet Pruette  
Vice Mayor John Weldon  
Councilor Eric Pardee  
Councilor Fred Lee  
Councilor Kara Tucker

Passed on Second and Final Reading this.

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Harriet Pruette  
Mayor

ATTEST:

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Lisa Volpe, CMC  
City Clerk

Approved as to form and correctness:

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Christopher A. White  
City Attorney