



**INTRODUCED BY:**

**ORDINANCE NO. 2010-05**

MAYOR HARRIET PRUETTE, VICE MAYOR FRED LEE, COUNCILOR ERIC PARDEE,  
COUNCILOR KARA TUCKER, COUNCILOR JOHN WELDON

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 AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, the St. Johns River Water Management District has responsibility and exclusive authority under Chapter 373, Florida Statutes, for regulating the consumptive use of water; and

**WHEREAS**, the St. Johns River Water Management District has amended Rule 40C-2.042, F.A.C., its General Consumptive Use Permit by Rule that regulates small irrigation uses below consumptive use permit thresholds in Rule 40C-2.041(1), F.A.C.; and

**WHEREAS**, Rule 40C-2.042(2)(a), F.A.C., grants a general permit to each person located within the District to use, withdraw or divert water for small landscape irrigation uses, provided that irrigation occurs in accordance with Rule 40C-2.042(2)(a), F.A.C.; and

**WHEREAS**, Rule 40C-2.042(2), F.A.C., applies to landscape irrigation regardless of whether the water comes from ground or surface water, from a private well or pump, or from a public or private utility; and

**WHEREAS**, Rule 40C-2.042(2)(b), F.A.C., strongly encourages a local government to adopt an ordinance to enforce Rule 40C-2.042(2)(a), F.A.C., within its jurisdiction by adopting a landscape irrigation ordinance that incorporates each of the provisions set forth in Rule 40C-2.042(2)(a), F.A.C.; and

**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 ("F.A.C."), as set out below in Sections 1 through 3.

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

**Section 1. Sec. 23-27. Lawn watering restrictions shall be amended as follows:**

**Sec. 23-27. Lawn watering restrictions.**

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Passed on Second and Final Reading this 5<sup>th</sup> of April, 2010.

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Harriet Pruette  
Mayor

ATTEST:

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Lisa Volpe, CMC  
City Clerk

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Approved as to form and correctness:

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Christopher A. White  
City Attorney

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