

RESOLUTION NO. R-8-20

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, PROVIDING FOR LOCAL RECOGNITION OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT YEAR-ROUND WATER CONSERVATION RULES FOR LANDSCAPE IRRIGATION; AND ACKNOWLEDGEMENT THAT SAID RULES APPLY TO ALL TOWN PROPERTIES; PROVIDING FOR THE PUBLICATION OF SAID RULES AND THE APPLICABLE LANDSCAPE IRRIGATION SCHEDULE AS WELL AS EXCEPTIONS; RECOGNIZING THAT MORE RESTRICTIVE MEASURES SUPERSEDE DURING WATER SHORTAGE PERIODS; ENCOURAGING LOCAL EDUCATION THROUGH THE TOWN'S PROPERTY OWNERS ASSOCIATION AND ENVIRONMENTAL COMMITTEE TO ENCOURAGE COMPLIANCE WITH THE YEAR-ROUND WATER CONSERVATION RULES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the South Florida Water Management District has the responsibility and exclusive authority under Chapter 373, *Florida Statutes*, for regulating consumptive water use within a 16-county region that includes Palm Beach County; and

WHEREAS, the South Florida Water Management District has amended Chapter 40E-24, F.A.C., requiring year-round water conservation for landscape irrigation; and

WHEREAS, Chapter 40E-24, F.A.C. applies to all landscape irrigation with very limited exceptions, 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, Chapter 40E-24, F.A.C. applies to all "users" of water as defined in Subsection 40E-24.101(14), F.A.C.; and

WHEREAS, the residents and property owners of the Town of Palm Beach Shores, as "users" of water located in Palm Beach County, are mandated by the South Florida Water Management District to follow the irrigation conservation measures of Rule 40E-24.201, F.A.C. regardless of whether or not the Town has adopted an ordinance incorporating such measures; and

WHEREAS, Chapter 40E-24.011, F.A.C., provides that a local government may, but is not required to, adopt an ordinance incorporating the year-round landscape irrigation water conservation measures set forth in Rule 40E-24.201, F.A.C; and

WHEREAS, the Town Commission of the Town of Palm Beach Shores does not desire to adopt a local ordinance incorporating the year-round landscape irrigation conservation measures of Rule 40E-24.201, F.A.C, but does desire to re-state such measures herein, encourage all Town residents and property owners to comply with these mandatory rules, and further encourage the Town Property Owners Association and Environmental Committee to assist with educating all Town residents and property owners regarding same.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1: The above stated recitals are true and accurate and are hereby made part of this Resolution.

Section 2: The Town Commission of the Town of Palm Beach Shores, Florida, hereby recognizes the South Florida Water Management District's mandatory year-round landscape irrigation conservation measures as set forth by with Rule 40E-24.201, F.A.C.

Section 3: The Town hereby advises all residents and property owners that they are required by the South Florida Water Management District to follow all applicable year-round landscape irrigation conservation measures as set forth by Rule 40E-24.201, F.A.C.

Section 4: As irrigation users for existing landscapes within in Palm Beach County, residents and property owners in the Town of Palm Beach Shores are generally subject to a '3 days-per-week' schedule pursuant to Subsection 40E-24.201(7):

(1) Users with:

- a. an even-numbered street address;
- b. an irrigation system that irrigates both even and odd addresses within the same zones, such as multi-family units and homeowners' associations; and/or
- c. rights-of-way and other locations with no address

may water lawns and landscapes only on Tuesdays, Thursdays and/or Sundays.

- (2) Users with an odd-numbered street address may water lawns and landscapes on Mondays, Wednesdays and/or Saturdays.
- (3) All users are prohibited from watering lawns and landscapes on all days between the hours of 10:00 a.m. and 4:00 p.m., unless specified otherwise below.
- (4) The following categories of irrigation and watering are generally excused from the above-described day and/or time restrictions, but may be subject to other conditions or restrictions which are described in greater detail by Rule 40E-24.201, F.A.C.:
 - a. Irrigation of new, or not existing, landscaping;
 - b. Operation of irrigation systems for cleaning, maintenance, and repair purposes, when an attendant is on site in the area being tested.
 - c. Landscape irrigation for the purpose of watering-in fertilizers, insecticides, pesticides, fungicides, and herbicides where such watering-in is recommended by authorities.
 - d. Irrigation of plant material using low volume irrigation, micro-irrigation, low-volume hand watering methods, and rain barrels, cisterns, or other similar rain-harvesting devices.
- (5) Pursuant to Rule 40E-24.201, any restrictions or other measures declared during a water shortage which are more restrictive than the above-described day and/or time restrictions shall supersede for the duration of the applicable water shortage declaration.

Section 5: To encourage voluntary compliance with the above landscape irrigation water conservation measures, the Town Commission of the Town of Palm Beach Shores requests and encourages the Town's Property Owners' Association and Environmental Committee to educate Town residents and property owners regarding the above year-round landscape irrigation water conservation measures as set forth in Rule 40E-24.201, F.A.C. Such education efforts may be implemented through classes, lectures, programs, or any other means of instruction or outreach that the Town's Property Owners' Association and Environmental Committee deem necessary and proper.

Section 8: This Resolution shall take effect immediately upon adoption.


DULY PASSED AND ADOPTED this 27th day of July 2020.

TOWN OF PALM BEACH SHORES



Alan Fiers, Mayor

ATTEST:



Evyonne Browning, Town Clerk



(SEAL)