

By the Committee on Environmental Preservation and Conservation
and Senator Bennett

592-02104-09

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1 A bill to be entitled
2 An act relating to water conservation; amending s.
3 373.62, F.S.; revising the requirements for automatic
4 lawn sprinkler systems; requiring irrigation
5 contractors to test for the correct operation of
6 system devices or switches and ensure their proper
7 operation before completing other work on the system;
8 requiring the adoption of model ordinances; providing
9 penalties; providing for the disposition of funds
10 raised through penalties imposed; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 373.62, Florida Statutes, is amended to
16 read:

17 373.62 Water conservation; automatic sprinkler systems.—

18 (1) Any person who operates purchases and installs an
19 automatic irrigation lawn sprinkler system after May 1, 1991,
20 shall properly install, and must maintain, and operate
21 technology, a rain sensor device or switch that inhibits or
22 interrupts operation of will override the landscape irrigation
23 cycle of the sprinkler system during periods of sufficient
24 moisture when adequate rainfall has occurred.

25 (2) A licensed contractor who performs work on an automatic
26 irrigation system shall test for correct operation of each
27 device or switch on that system. If such devices or switches are
28 not installed in the system or are not in proper operating
29 condition, the contractor shall install new ones or repair the

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30 existing ones and confirm that each device or switch is in
31 proper operating condition before completing any other work on
32 the system.

33 (3) The department shall create a model ordinance by
34 January 15, 2010, to be adopted and enforced by governments in
35 order to administer this section. Such ordinance shall, at a
36 minimum, provide:

37 (a) Penalties for the operators of automatic sprinkler
38 systems who do not properly install and maintain the required
39 devices or switches and penalties for licensed contractors who
40 do not comply with this section. The minimum penalties shall be
41 \$50 for a first offense, \$100 for a second offense, and \$250 for
42 a third or subsequent offense.

43 (b) Requirements for licensed contractors to report to the
44 appropriate authority systems that are not in compliance with
45 this section.

46 (c) Penalties for licensed contractors who do not comply
47 with the provisions of this section, which shall be \$50 for a
48 first offense, \$100 for a second offense, and \$250 for a third
49 or subsequent offense.

50
51 For the purpose of this section, regular maintenance and
52 replacement of worn or broken technology that interrupts or
53 inhibits the operation of a device or switch is not considered a
54 violation of this section if such repairs are conducted within a
55 reasonable time.

56 (4) Local governments shall adopt the model ordinance no
57 later than October 1, 2010.

58 (5) Funds generated by such penalties shall be retained by

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59 the local government to further water-conservation activities.

60 Section 2. This act shall take effect July 1, 2009.