

HB 755

2009

1 A bill to be entitled
 2 An act relating to water conservation; amending s. 373.62,
 3 F.S.; revising the requirements for automatic lawn
 4 sprinkler systems; requiring irrigation contractors to
 5 inspect such systems for compliance with requirements for
 6 rain or soil-moisture sensor devices or switches and
 7 ensure that such systems are in compliance before
 8 completing other work on the systems; authorizing the
 9 Department of Environmental Protection to adopt rules;
 10 providing penalties; providing for the disposition of
 11 funds raised through penalties imposed; providing an
 12 effective date.

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

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

18 373.62 Water conservation; automatic sprinkler systems.--

19 (1) Any person who operates ~~purchases and installs~~ an
 20 automatic lawn sprinkler system ~~after May 1, 1991,~~ shall
 21 install, ~~and must maintain,~~ and operate, ~~a rain or soil-moisture~~
 22 sensor devices ~~device~~ or switches ~~switch~~ that will override the
 23 irrigation cycle of the sprinkler system when adequate rainfall
 24 has occurred.

25 (2) A licensed irrigation contractor shall test for
 26 correct operation of each rain or soil-moisture sensor device or
 27 switch on any system upon which the contractor performs work. If
 28 one or more rain or soil-moisture sensor devices or switches are

29 not installed in the system or are not in proper operating
30 condition, the contractor shall install new ones or repair the
31 existing ones and confirm that each such device or switch is in
32 proper operating condition before completing any other service
33 to the system.

34 (3) The Department of Environmental Protection may adopt
35 rules to administer this section. Such rules shall, at a
36 minimum, provide:

37 (a) Penalties for a property owner who fails to install
38 the required device. The minimum penalties shall be \$50 for a
39 first offense, \$100 for a second offense, and \$250 for a third
40 or subsequent offense.

41 (b) Requirements for contractors to report noncomplying
42 systems to the appropriate authority.

43 (c) Authority to delegate enforcement of this section to
44 water management districts or local governments.

45 (d) A model ordinance to be used by local governments.

46 (4) Funds generated by such penalties shall be retained by
47 the appropriate entity to further water-conservation activities.
48 Penalties remitted to the Department of Environmental Protection
49 shall be deposited into the Water Protection and Sustainability
50 Program Trust Fund.

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