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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/23/2010	.	
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The Committee on Governmental Oversight and Accountability
(Sobel) recommended the following:

Senate Amendment (with title amendment)

Between lines 130 and 131
insert:

Section 3. Section 373.228, Florida Statutes, is amended to
read:

373.228 Landscape irrigation ~~design~~.-

(1) The Legislature finds that multiple areas throughout
the state have been identified by water management districts as
water resource caution areas, which indicates that in the near
future water demand in those areas will exceed the current
available ~~water~~ supply and that conservation is one of the



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13 mechanisms by which future water demand will be met.

14 (2) The Legislature finds that landscape irrigation
15 comprises a significant portion of water use and that current
16 typical landscape irrigation systems, and Florida-friendly
17 landscaping designs, and landscape irrigation restrictions offer
18 significant potential water conservation benefits.

19 (3) It is the intent of the Legislature to improve
20 landscape irrigation water use efficiency by ensuring that
21 landscape irrigation systems meet or exceed minimum design
22 criteria, and that, pursuant to s. 373.609, the landscape
23 irrigation restrictions of a water management district may be
24 implemented by local government ordinance.

25 (4) The water management districts shall work with the
26 Florida Nursery, Growers and Landscape Association, the Florida
27 Native Plant Society, the Florida Chapter of the American
28 Society of Landscape Architects, the Florida Irrigation Society,
29 the Department of Agriculture and Consumer Services, the
30 Institute of Food and Agricultural Sciences, the Department of
31 Environmental Protection, the Department of Transportation, the
32 Florida League of Cities, the Florida Association of Counties,
33 and the Florida Association of Community Developers to develop
34 landscape irrigation and Florida-friendly landscaping design
35 standards for new construction which incorporate a landscape
36 irrigation system and develop scientifically based model
37 guidelines for urban, commercial, and residential landscape
38 irrigation, including drip irrigation, for plants, trees, sod,
39 and other landscaping. The standards must ~~shall~~ be based on the
40 irrigation code defined in the Florida Building Code, Plumbing
41 Volume, Appendix F. Local governments shall use the standards



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42 and guidelines when developing landscape irrigation and Florida-
43 friendly landscaping ordinances. By January 1, 2011, the
44 agencies and entities specified in this subsection shall review
45 the standards and guidelines to determine whether new research
46 findings require a change or modification of the standards and
47 guidelines.

48 (5) Local governments may adopt ordinances that implement
49 landscape irrigation restrictions set forth in water management
50 district rules or orders. In evaluating water use applications
51 from public water suppliers, water management districts shall
52 consider whether the applicable local government has adopted an
53 ordinance implementing such landscape irrigation restrictions
54 and ordinances for landscaping and irrigation systems consistent
55 with the Florida-friendly landscaping provisions of s. 373.185.

56 Section 4. Subsection (9) is added to section 373.246,
57 Florida Statutes, to read:

58 373.246 Declaration of water shortage or emergency.—

59 (9) Local governments may adopt ordinances that implement
60 water shortage and emergency orders under this section and s.
61 373.175.

63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete line 18

66 and insert:

67 from certain rulemaking requirements; amending ss.
68 373.228 and 373.246, F.S.; authorizing local
69 government to adopt landscape irrigation restrictions
70 by ordinance; providing an