

Ordinance No. 2011- 4261

An ordinance of the City Commission of the City of Sanford, Florida substantially revising and amending the provisions of Schedule "P" of the *City of Sanford Code/Land Development Regulations* relating to utilities standards and specifications; providing for a variance process relative to potable water irrigation meters; providing for a savings provision; providing for examples of standards and criteria; providing for conflicts; providing for severability; providing for codification and providing for an effective date.

Be it enacted by the People of the City of Sanford, Florida:

Section 1. Amendment to Schedule "P" of the *City of Sanford Code/Land Development Regulations* relating to potable water irrigation meters. Section 2.0 D. of Schedule "P" of the *City of Sanford Code/Land Development Regulations* is amended to read as follows:

D. *Alternative Water Supply System.*

(1). If reclaimed water is available within the distances listed above, a new development shall be required to connect to the City's system. Developments that are not required to connect to an existing reclaimed water line and which choose not to connect shall be required to connect to an alternative water supply source for irrigation purposes.

(2). The alternative water supply shall be a shallow or brackish well or storm water and all irrigation lines shall be capable of connecting to the City's reclaimed water system. The Developer shall be responsible for all costs necessary to provide an alternative water dual distribution and supply system. The City will not provide a separate potable irrigation meter for new or existing developments, including individual residences that are not required to connect to the City's reclaimed water system pursuant of Section 2.0 C of this Schedule and cannot provide an alternative water source.

(3). The City ~~may shall, if it desires to accept ownership in its sole discretion,~~ own such part or all of all any alternative water dual distribution and supply ~~system~~ systems for residential subdivisions, and other developments of commercial, industrial or other types which which system is located on the property owner's side of the point of service delivery (the onsite irrigation system). As a general rule, the City will obtain ownership and maintenance responsibility only for lines and systems that are not located on private property although the City may obtain the right to spray alternative water on such properties and may, also, impose an obligation upon a property owner to accept such delivery and use of alternative water.

For purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~strickthrough~~ shall constitute deletions to the original text.

When the City determines that it desires to obtain any such rights, appropriate legal instruments of conveyance of such rights as may be desired by the City shall be provided by the developer to the City in a recordable form acceptable to the City and as approved by the City Attorney. Also, as a general rule, the City shall not accept any maintenance obligation for any irrigation system located on private property. Each home shall have an individual reclaim/alternative irrigation meter consistent with City standards. All legal costs and costs of recordation shall be borne by the developer.

(4). A customer may apply for a variance from the requirements of Subsections (1) through (3) of this Section. Such application shall be made and acted upon in accordance with the following provisions:

(i). A potable water irrigation meter may only be set on a single lot or parcel.

(ii). The application shall be in a form established by the Utility Director or designee.

(iii). The application shall be reviewed and acted upon by the Utility Director or designee.

(iv). The potable water irrigation meter must comply with all applicable land development regulations and City policies including, but not limited to: water budget plans, landscape techniques for conserving water, all pertinent utility specifications (i.e. cross connection controls, etc.), all pertinent conservation technology requirements (i.e. rain sensor, etc.), alternative water source feasibility calculation or analysis, all pertinent utility account requirements, all pertinent permits (including irrigation, electrical, etc.), all pertinent inspections (utility, building, etc.), and payment of all pertinent fees and charges.

(v). A potable water irrigation meter size shall be restricted to 1-inch or smaller.

The City Commission shall establish an application fee and other appropriate fees by resolution until which time; however, fees shall be established by the City Manager, or designee. Appeals may be perfected in accordance with the provisions of this Code.

Section 2. Savings.

The prior actions of the City of Sanford relating to water conservation activities and programs are hereby ratified and affirmed.

Section 3. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 5. Codification.

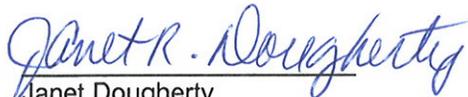
It is the intention of the City Commission of the City of Sanford, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the *Code of Ordinances of the City of Sanford, Florida*; that the Sections of this Ordinance may be renumbered or re-entered to accomplish such intention; that the word, "Ordinance," may be changed to "Section," "Article," or other appropriate word; provided, however, that Sections 2 , 3, 4, 5 and 6 shall not be codified.

Section 6. Effective Date.

This Ordinance shall take immediate effect upon enactment.

Passed and adopted this 9th day of January, 2012.

Attest:



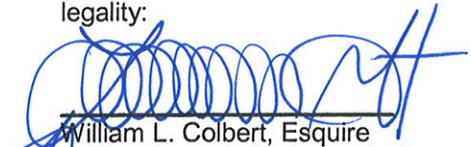
Janet Dougherty
City Clerk

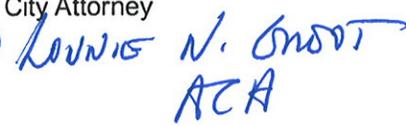
City Commission of the City of Sanford,
Florida
Seminole County, Florida



Jeff Triplett, Mayor

Approved as to form and
legality:



William L. Colbert, Esquire
City Attorney

Lewis N. Onor
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