

## RESOLUTION 11-06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, MODIFYING THE RESTRICTIONS ON THE DAYS AND HOURS OF LANDSCAPE IRRIGATION AS AUTHORIZED BY ORDINANCE 10-05, SECTION 18-75(B)(1) OF THE CODE OF ORDINANCES OF THE CITY OF MARCO ISLAND, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Marco Island ("City Council") adopted Ordinance 10-05 on May 17, 2010, amending Section 18-75, "Year round landscape irrigation restrictions" for the purpose of providing necessary regulations and procedures which shall be uniformly applied to the general public's use of water for irrigation purposes; and

**WHEREAS**, Section 18-75(B)(1) of Ordinance 10-05, provides that City Council may by resolution specify the permissible days and times of landscape irrigation within the City; and

**WHEREAS**, City Council adopted Resolution 10-20 which provides for the permissible dates and times of landscape irrigation; and

**WHEREAS**, City Council finds that modifying the adopted schedule related to the use of water for landscape irrigation is in the best interest of the citizens and residents of the City of Marco Island.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2. Policies and Rules.** The following policies and rules shall apply to water irrigation of landscaping within the City:

- A. Landscaping Irrigation – Irrigation of existing landscaping shall comply with the following provisions:
  1. Irrigation is prohibited daily between the hours of 8 a.m. and 11:59 p.m. except as otherwise provided.
  2. Notwithstanding the required irrigation hours and dates provided in subsection 1. above and subsection 3. below, the recommended hours of irrigation operations shall be as follows:
    - a. Odd number address residences: 12:01 a.m. to 8 a.m.

- b. Even number address residences, installations with irrigation systems that irrigate both even and odd addresses within the same zones, such as multi-family units and homeowners' associations, and rights-of-way or other locations with no address as defined in Section 18-62 of the Code: 12:01 a.m. to 8 a.m.

3. Permitted dates of irrigation. – The permitted dates for irrigation shall be as provided in the table below:

<b>City of Marco Island Water Irrigation Restrictions</b>	
<b>Landscaping Irrigation—Established</b>	
Odd numbered addresses	3 days each week; Monday, Wednesday, Saturday; 12:01 a.m. to 8:00 a.m. for irrigation systems
Even numbered addresses	3 days each week; Tuesday, Thursday, Sunday, 12:01 a.m. to 8:00 a.m. for irrigation systems
<b>Landscaping Irrigation--New (in place less than 90 days)</b>	
All addresses	5 days each week; Monday through Friday, 12:01 a.m. to 8:00 a.m. for irrigation systems
<b>Irrigation System Maintenance</b>	
Existing systems	10 minutes per zone per week; person must be present in zone and working on the system during each such operation
New systems	30 minutes per zone, one time only; person must be present in zone and working on the system during such operation
<b>Pesticide, Fungicide, Herbicide, Fertilizer Application</b>	
All addresses	Application shall be coordinated with the scheduled day/time for landscaping irrigation; if applied outside of the allowed hours, and "watering in" is specified by the manufacturer of the applied material, a licensed application technician must be on the premises
<b>Other Outdoor Water Uses</b>	
All other outdoor water uses	Other outdoor water uses, including low volume hand watering, car, truck, and boat washing and the washing of exterior home surfaces and roofs, shall be allowed anytime with the use of low volume pressure cleaning equipment, low volume mobile equipment washing and/or water hose equipped with an automatic self-canceling or automatic shutoff nozzle; in all cases, the water used must drain to a pervious surface or to a water recycling/reuse system

**B. New Landscaping:**

Irrigation of new landscaping shall comply with the following provisions:

- 1. On the day the new landscaping is installed, the new landscaping may be irrigated once without regard to the normally allowable watering days and times. Irrigation of the soil immediately prior to the installation of the new landscaping is also allowable without regard to the normal allowable watering days and times.

2. The ninety (90) day period begins the day the new landscaping is installed. The new landscaping shall be installed within a reasonable time from the date of purchase, which may be demonstrated with a dated receipt or invoice.
3. Irrigation of new landscaping which has been in place for thirty (30) days or less may be accomplished on Monday-Friday.
4. Irrigation of new landscaping which has been in place for thirty-one (31) to ninety (90) days may be accomplished on Monday-Friday.
5. Irrigation of the new landscaping is limited to areas containing the new landscaping only. An entire zone of an irrigation system shall only be utilized for landscape irrigation under this paragraph if the zone in question is for an area that contains at least 50% new landscaping. If a zone contains less than 50% new landscaping, or if the new landscaping is in an area that will not typically be irrigated by an irrigation system, only the individual new plantings are eligible for additional irrigation under this paragraph. Targeted watering may be accomplished by low volume hand watering, or any appropriate method which isolates and waters only the new landscaping.

C. Irrigation System Maintenance. Irrigation system maintenance may be conducted only in accordance with the following schedule:

1. Landscape irrigation systems may be operated during restricted days and/or-times for cleaning, maintenance, and repair purposes no more than ten (10) minutes per zone per week (30 minutes per zone for new irrigation-one time only); an attendant must be present in the zone and working on the system during each such operation.

D. Pesticide, Fungicide, Herbicide, Fertilizer Application.

Landscape irrigation for the purpose of watering-in fertilizers, insecticides, pesticides, fungicides and herbicides, where such watering-in is recommended by the manufacturer, or by federal, state or local law, or best management practices, shall be allowed under the following conditions:

1. Such watering-in shall be limited to one application unless the need for more than one application is stated in the directions for application specified by the manufacturer; and
2. Such watering-in shall be accomplished during normally allowable watering days and times set forth in subsection (a), unless a professional licensed applicator has posted a temporary sign containing the date of application and the date(s) of needed watering-in activity.

E. Other Outdoor Water Uses.

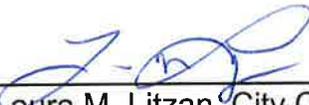
Other outdoor water uses, including low- volume hand watering, car, truck, and boat washing and the washing of exterior home surfaces and roofs, shall be allowed anytime with the use of low volume pressure cleaning equipment, low volume mobile equipment washing and/or water hose equipped with an automatic

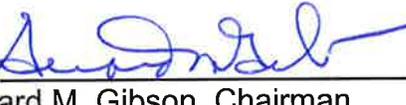
self-canceling or automatic shutoff nozzle; in all cases, the water used must drain to a pervious surface or to a water recycling/reuse system.

**Section 3. Effective Date.** This Resolution shall take effect immediately upon its adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 18<sup>th</sup> day of April, 2011.

**CITY OF MARCO ISLAND, FLORIDA**

By:   
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Laura M. Litzan, City Clerk

By:   
\_\_\_\_\_  
Gerard M. Gibson, Chairman

(SEAL)

Reviewed for legal sufficiency:

By:   
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Alan L. Gabriel, City Attorney