

ORDINANCE 56 - 22

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL CODE OF ORDINANCES, CHAPTER 19, WATER AND SEWER UTILITIES, ARTICLE VII, WATER MANAGEMENT; SECTION 19-90, IRRIGATION WATER USAGE, BY AMENDING THE DAYS AND TIMES IRRIGATION WATER SHALL BE ALLOWED; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the result of the overabundance of users during these certain days and hours is very low irrigations water pressure; and

WHEREAS, separating the irrigation water usage into numerous differing times of the day depending on the address of the property allows for more hours of use but less demand during those hours; and

WHEREAS, Section 373.228. Florida Statutes, recognizes landscape irrigation as a significant source of water use and directs local governments to improve landscape irrigation and design standards; and

WHEREAS, the City of Cape Coral hereby finds and declares that adoption of this ordinance is necessary, appropriate, and in the public interest of citizens of this community.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS THIS ORDINANCE AS FOLLOWS:

SECTION 1. The City of Cape Coral Code of Ordinances, Chapter 19, Water and Sewer Utilities, Article VII, Water Management, is hereby amended as follows:

§ 19-90 - Irrigation water usage.

(a) *Limitations on watering of lawns and landscape.* It shall be unlawful for any person to use water for irrigation except as described herein:

(1)

When the last number of an address ends in:	Watering shall be allowed:
0	Monday and Friday 12:00 a.m. to 4:00 a.m.
1	Monday and Friday 4:00 a.m. to 8:00 a.m.
2 or 4	Thursday and Sunday 12:00 a.m. to 4:00 a.m.
3 or 5	Wednesday and Saturday 12:00 a.m. to 4:00 a.m.
6 or 8	Thursday and Sunday 4:00 a.m. to 8:00 a.m.
7 or 9	Wednesday and Saturday 4:00 a.m. to 8:00 a.m.

<u>When the last number of an address ends in:</u>	<u>Watering shall be allowed:</u>
<u>0</u>	<u>Monday and Thursday 8 p.m. to 11:59 p.m.</u>
<u>1</u>	<u>Monday and Thursday 12 a.m. to 4 a.m.</u>
<u>2</u>	<u>Monday and Thursday 4 a.m. to 8 a.m.</u>
<u>3</u>	<u>Tuesday and Friday 8 p.m. to 11:59 p.m.</u>
<u>4</u>	<u>Tuesday and Friday 12 a.m. to 4 a.m.</u>
<u>5</u>	<u>Tuesday and Friday 4 a.m. to 8 a.m.</u>
<u>6</u>	<u>Wednesday and Saturday 8 p.m. to 11:59 p.m.</u>
<u>7</u>	<u>Wednesday and Saturday 12 a.m. to 4 a.m.</u>
<u>8</u>	<u>Wednesday and Sunday 4 a.m. to 8 a.m.</u>
<u>9</u>	<u>Thursday and Sunday 8 p.m. to 11:59 p.m.</u>

- (2) For properties or developments up to and including five acres in size that have an irrigation system that simultaneously irrigates multiple properties with different watering times including, but not limited to, duplexes, multi-family units, compound use and mixed-use units, the watering schedule shall not be as described in the chart above, but shall be allowed on ~~Mondays and Fridays from 4:00 a.m. to 8:00 a.m.~~ Thursday and Sunday from 12:00 a.m. to 4:00 a.m.
- (3) For properties or developments more than five acres in size that have an irrigation system that simultaneously irrigates multiple properties with different watering times including, but not limited to, multi-family, compound use and mixed-use units, the watering schedule shall not be as described in the chart above, but shall be allowed on Mondays and Fridays from 12:00 a.m. to 8:00 a.m.
- (4) Watering of new lawns and landscaping during a ~~45~~30-day establishment period shall be permitted on Monday, Tuesday, Wednesday, Thursday, Saturday and Sunday ~~any day of the week~~ from 2:00 a.m. to 8:00 a.m. Irrigation of new landscaping which has been in place for thirty-one (31) to ninety (90) days shall be permitted on Monday, Wednesday, Thursday and Saturday from 2:00 a.m. to 8:00 a.m.
- (5) During any time change from Standard to Daylight Savings or vice versa, a 30-day grace period shall be in effect to allow residents to reset their sprinkler timers. Residents will not be cited for watering within one hour before the beginning or one hour after the end times provided above within the 30-day grace period.
- (6) Businesses with watering times between 8 p.m. to 11:59 p.m. have the option of watering between 12:00 a.m. and 4:00 a.m. so as not to interfere with normal business operations.

SECTION 2. Severability. In the event that any portion or Section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or Sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. This ordinance shall become effective immediately after its adoption by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS 15th DAY OF June, 2022.


 JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER	<u>Aye</u>	WELSH	<u>Aye</u>
NELSON	<u>Aye</u>	TATE	<u>Aye</u>
HAYDEN	<u>Aye</u>	LONG	<u>Excused</u>
SHEPPARD	<u>Aye</u>	CODSEN	<u>Aye</u>

ATTESTED TO AND FILED IN MY OFFICE THIS 17th DAY OF June,
2022.

Kimberly Bruns
KIMBERLY BRUNS
CITY CLERK

APPROVED AS TO FORM:

Dolores D. Menendez
DOLORES D. MENENDEZ
CITY ATTORNEY
Ord/Irrigation Schedule