



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

July 20, 2023

Alina Hudak
City Manager
City of Miami Beach
1700 Convention Center Dr
Miami Beach, FL 33139-1819

**Subject: Protecting South Florida's Water Resources
Water Conserving Landscape Irrigation Ordinances**

Dear Manager Hudak:

With South Florida's growing demands for water, it's especially important that we work closely together to properly manage and conserve our precious water resources. Implementing water conservation measures promotes efficient water use and decreases water waste.

Since February 2020, the South Florida Water Management District ("District") has been engaged in an initiative to have all local governments within its jurisdiction, including those in Miami-Dade County, adopt permanent local year-round irrigation ordinances that comport with the District's Year-round Landscape Irrigation Conservation Measures ("Year-Round Irrigation Rule") contained in Chapter 40E-24, Florida Administrative Code ("F.A.C."). The District's Year-Round Irrigation Rule is a year-round measure that restricts the times and number of days landscape irrigation is allowed.

Several municipalities in Miami-Dade County have previously indicated a desire to utilize or want to be consistent with Miami-Dade County's irrigation ordinance. In March of 2023, Miami-Dade County ("County") updated their Permanent Landscape Irrigation Restrictions, which can be found in Chapter 32, Article I, Sec 32-8.2, of their County Code (copy attached). The County's updates include provisions that comport with Chapter 40E-24, F.A.C. These newly adopted revisions apply to the entire county (unincorporated and incorporated areas), contain variance (Alternative Method of Compliance) provisions, and address local enforcement of the County codes. The District's preference is for each local government to adopt their own year-round landscape irrigation ordinance equivalent to or more stringent than the County's.

However, if a municipality prefers to rely on the County's ordinance, not all provisions of the County's ordinance are self-implementing. For instance, the provision regarding enforcement (County Code [Sec 32-8.2(a)]) states:

"...in the unincorporated areas of the County shall be enforced as described in section 32-8.2(e), in the incorporated areas of the County shall be enforced by the municipalities, unless the County is notified by a municipality, in the form of a letter from an authorized representative of the municipality or by a duly adopted resolution, that the municipality desires the County to enforce the restrictions identified in this section within that municipality. Any municipality may establish and enforce its own ordinance provided such ordinance is equivalent to or more stringent than the provisions of this section."

Identifying the responsibilities of each entity involved ensures irrigation restrictions are comprehensively addressed and applied consistently countywide. At this time, the District is seeking to ascertain which of the below options your municipality may elect to utilize regarding the restriction of landscape irrigation year-round within your incorporated boundaries:

- a. Adoption of your own year-round landscape irrigation ordinance equivalent to or more stringent than the County's; or
- b. Rely on Miami-Dade's Permanent Landscape Irrigation Restrictions ordinance and enforcement with **submission of a letter** from an authorized representative to the County requesting the County enforce the ordinance within your jurisdiction; or
- c. Rely on Miami-Dade's Permanent Landscape Irrigation Restrictions ordinance and enforcement with **adoption of a resolution** requesting the County to enforce the ordinance within your jurisdiction; or
- d. Rely on Miami-Dade's Permanent Landscape Irrigation Restrictions ordinance but provide enforcement locally either with or without adopting a formal resolution to do so.

As part of each of these options, water conservation education and outreach are necessary components to ensure irrigation is effectively applied when needed, produces healthy landscape and results in the sustainable use of the water resources. Following Miami-Dade County's irrigation ordinance will: (1) increase water use efficiency; (2) prevent and curtail wasteful irrigation practices; (3) prohibit the operation of irrigation systems in a manner causing water to be wasted; and (4) allow for consistent messaging so that residents understand and comply with all irrigation requirements. The District will assist municipalities in adoption and implementation of mandatory year-round landscape irrigation conservation measures, as well as partner in water conservation education and outreach.

We look forward to working with you and your staff to help put consistent rules and ordinances in place across South Florida so that residents clearly understand and comply with all irrigation requirements. The District requests that you please respond to this letter by August 15th, 2023 with which option above your municipality intends to pursue.

If you have any questions or would like to discuss how we can assist, please contact me at melsner@sfwmd.gov or (561) 682-6156; or Jim Harmon, the District's Water Conservation Supervisor, at jharmon@sfwmd.gov or (561) 682-6777.

Sincerely,



Mark E. Elsner, P.E.
Water Supply Bureau Chief

ME/jh

Attachment: Miami Dade County Code, Chapter 32, Article I, Sec 32-8.2

- c: Patrick Martin, Miami-Dade Water and Sewer Department
Armando Vilaboy, South Florida Water Management District