



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 06/19/07

SUBJECT: Ordinance No. 2007- ~~18~~ ¹⁹ Revising Reclaimed Water System Protocol and Policy
DEPARTMENT: Public Utilities

RECOMMENDED MOTION: Approve the referenced ordinance, defining hours and days of use for reclaimed water, authorizing the City Manager to restrict reclaimed usage from three days to two days per week as necessary, and replacing Ordinance No. 1999-18.

SUMMARY: In 2001 the St Johns River Water Management District issued a water shortage order restricting irrigation uses to two days per week for both Potable (drinking) water and private wells or alternate sources. Public Access Reclaimed water was not addressed in this order, and has remained at three (3) days per week irrigation on an alternating schedule.

The current drought conditions and continued extreme demand for reclaimed water for irrigation, as well as the potential additional demand from future development, require that we now look at restricting the use of reclaimed water for irrigation to two days per week as well. This restriction would be under "conservation" conditions and would not be continuous throughout the year.

Two schedules are proposed. Schedule A, the current schedule, is a protocol for "environmental preservation." This schedule encourages usage three days per week, thereby reducing discharge to the Halifax River. Staff anticipates operating under this schedule the majority of the year, based upon current usage patterns and climatic conditions.

Schedule B is a protocol of "conservation," restricting usage to two days per week. The conservation schedule would be implemented (as well as rescinded) solely at the direction and discretion of the City Manager, when recommended by the Public Utilities Department in response to drought conditions or demands upon the reclaimed system.

In either case, council must recognize that future expansion of the public reclaimed system will increase the need for active enforcement of tightening watering restrictions if we are to provide service to all potential customers. Approval by Ordinance is required to supercede the existing ordinance and to provide for enforcement of watering use violations.

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD	<i>Roger M. Smith</i>	Roger M. Smith	Date	5-16-07
FINANCE DEPARTMENT	N/A	Approved as to Budget Requirements	Date	N/A
CITY ATTORNEY	<i>B. P. White</i>	Approved as to Form and Legality	Date	6-8-07
CITY MANAGER	<i>Shawn De</i>	Approved Agenda Item For:		6.19.07

COUNCIL ACTION: Approved as Recommended Disapproved Tabled Indefinitely
 Continued to Date Certain Approved with Modification:

ORDINANCE NO. 2007- 28

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 74, ARTICLE VI, SECTION 74-202 OF THE CODE OF ORDINANCES, CITY OF PORT ORANGE, FLORIDA, RELATING TO RECLAIMED WATER SYSTEM PROTOCOL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orange, Florida, operates a reclaimed water distribution system; and

WHEREAS, the City's consulting engineers have prepared a report entitled "Reclaimed Water Master Plan Update '93"; and

WHEREAS, said report recommends the establishment of an operating protocol for the reclaimed water system; and

WHEREAS, the City established reclaimed water protocols and now seeks to amend the protocols; and

WHEREAS, for purposes of this Ordinance text with underlined (underlined) type shall constitute additions to the original text and text with strike-through (~~strike-through~~) type shall constitute deletions to the original text.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. Section 74-202 of the Code of Ordinances, City of Port Orange, Florida is hereby amended to read as follows:

Sec. 74-202. Reclaimed water system protocol.

~~The City Council of the City of Port Orange hereby adopts the reclaimed water system protocol, revised April 1999, attached to Ordinance No. 1999-18 as Exhibit A, and incorporated by reference as if fully set out herein.~~

(a) Use Categories. The Use Categories for reclaimed water customers shall include Residential User, Institutional User and Major User, defined as follows:

- (1) Institutional user shall mean multi-family property, schools, commercial property, governmental property, churches, and other properties, which are not covered by either Residential User category or Major User category.
- (2) Major user shall mean any property which utilizes 175 gallons per minute or more, or 100,000 gallons per day or more, including but not limited to Cypress Head Golf Course, Crane Lakes Golf Course and Port Orange City Hall complex.

(3) Residential user shall mean single-family lots, duplex lots, mobile home lots, and other properties, which are privately owned and maintained as residential land uses.

(b) Requirements for use of reclaimed water. Reclaimed water customers shall be permitted to irrigate with reclaimed water or withdraw reclaimed water in compliance with all requirements applicable to the Use Category as defined in this Section and in compliance with the Availability Standard established in accordance with this Section.

(c) Availability Standards. The Availability Standards shall include standards for environmental preservation and for conservation of reclaimed water. The City Manager shall be authorized to establish the Availability Standard that the City shall require and enforce within the city's jurisdictional boundaries and to amend the Availability Standards, from time to time, consistent with the provisions of this section. The City Manager shall select the applicable standard based upon data provided by the Public Utilities Department and other available reclaimed water resources and operational conditions, including current weather conditions, anticipated weather patterns, reclaimed water demand, reclaimed water use patterns, system draw down restrictions, system surplus volume, interruptible customer service restrictions, system operational efficiency, production capability, reclaimed reservoir capacity, availability of storm and groundwater augmentation sources, and other agency regulatory restrictions. The City shall issue a notice of proposed change in the Availability Standards prior to changing the standard. The notice shall be included in the city utility bill for reclaimed water customers and shall state the effective date of the proposed change. The notice shall be mailed at least 10 days in advance of the effective date of such change. In the event of a system outage resulting from severe weather conditions or emergency conditions, the city shall provide notice after the event to its customers as soon as reasonably possible using public service announcements.

(1) Environmental Preservation Standard. The Environmental Preservation Standard (EPS) shall be required at varying times throughout the year based upon seasonal and operational conditions of the reclaimed water system. During the EPS period, reclaimed water is generally abundant and available for distribution to the reclaimed customers. This standard reduces discharge of reclaimed water to the Halifax River.

(2) Conservation Standard. The Conservation Standard (CS) shall be required at varying times throughout the year, generally during drought conditions or system operations that reduce the availability of the reclaimed water surplus. The CS shall restrict the number of hours that a customer may use reclaimed water to irrigate or otherwise withdraw from the system.

(d) Time Period Restrictions for Environmental Preservation Standards. The reclaimed water customer shall be permitted to use reclaimed water, in accordance with the EPS, only during the time period specified for the customer's Use Category as follows:

(1) From 12:00 midnight to 8:00 a.m. for EPS

a. Residential user may use reclaimed water for automated or manual irrigation according to the street address as follows:

1. Sunday, Tuesday, Thursday
Even number address

2. Monday, Wednesday, Saturday
Odd number address

- b. Institutional User shall not use irrigation (manual or automated).
- c. Major user shall not make withdrawals from City System.

(2) From 8:00 a.m. to 6:00 p.m. for EPS as follows:

- a. Residential user may not use automated irrigation. Testing of automated systems and hand watering shall be permitted.
- b. Institutional User shall not use irrigation (manual or automated).
- c. Major user may fill private storage tanks and/or on-site lakes.
- d. Alternate times and/or quantities by Major Users other than those specified require prior written approval with City Public Utilities Department Director.

(3) From 6:00 p.m. to 12:00 midnight for EPS as follows:

- a. Residential user may not use irrigation (manual or automated). Testing of automated systems and hand watering permitted.
- b. Institutional User may use irrigation (manual or automated) and hand watering permitted according to the street address as follows:
 - 1. Sunday, Tuesday, Thursday
Even number address
 - 2. Monday, Wednesday, Saturday
Odd number address
- c. Major user shall not withdraw from City system except by prior written approval with the City Public Utilities Department Director. City tanks shall continue to be filled and topped off and made ready for the maximum withdrawal period between 12:00 midnight to 8:00 a.m.

(e) Time Period Restrictions for Conservation Standards. The reclaimed water customer shall be permitted to use reclaimed water, in accordance with the conservation standards, only during the time period specified for the customer's Use Category as follows:

(1) From 12:00 midnight to 8:00 a.m. for CS as follows:

- a. Residential user may use reclaimed water for automated or manual irrigation according to the street address as follows:
 - 1. Sunday and Thursday
Even number address

2. Wednesday and Saturday
Odd number address
 - b. Institutional User shall not use irrigation (manual or automated).
 - c. Major user shall not make withdrawals from City System.
- (2) From 8:00 a.m. to 6:00 p.m. for CS as follows:
- a. Residential user may not use automated irrigation. Testing of automated systems and hand watering shall be permitted.
 - b. Institutional User shall not use irrigation (manual or automated).
 - c. Major user may fill private storage tanks and/or on-site lakes.
 - d. Alternate times and/or quantities by Major Users other than those specified require prior written approval with City Public Utilities Department Director. City owned reclaimed water storage tanks are filled at this time.
- (3) From 6:00 p.m. to 12:00 midnight for CS as follows:
- a. Residential user may not use irrigation (manual or automated). Testing of automated systems and hand watering permitted.
 - b. Institutional User may use irrigation (manual or automated) and hand watering permitted according to the street address as follows:
 1. Sunday and Thursday
Even number address
 2. Wednesday and Saturday
Odd number address
 - c. Major user shall not withdraw from City system except by prior written approval with the City Public Utilities Department Director. City tanks shall continue to be filled and topped off and made ready for maximum withdrawal period between 12:00 midnight to 8:00 a.m.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 4. This ordinance shall become effective immediately upon final passage by the City Council.

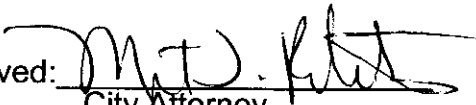
MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Passed on first reading on the day of

Passed and adopted on second and final reading on the day of

Reviewed and Approved: 
City Attorney