

ORDINANCE No. 2021-01

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, CREATING LANDSCAPE IRRIGATION RESTRICTIONS TO ESTABLISH A SCHEDULE IN WHICH NO WATER USE RESTRICTIONS ARE IN EFFECT, TO ENSURE THE SAFETY FOR OUR RESIDENTS AND CHILDREN THAT USE SIDEWALKS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in order to encourage more children to walk and bike to school, parents need to trust that sidewalks and streets are both safe and convenient from a variety of perspectives; and

WHEREAS, traffic on neighborhood roads and streets is a large impediment to most children walking or biking to school; and

WHEREAS, our city is growing rapidly, and the population of school age children grows with it; and

WHEREAS, we know we can do more to ensure safety for our city's youngest travelers; and

WHEREAS, lawn sprinklers present a potential risk as children could dart into the street and potentially into oncoming traffic to avoid getting wet; and

WHEREAS, creating safe routes to school and reducing traffic accidents and injuries is in the City's best interests.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

**CHAPTER 71
ARTICLE I.**

Section 71-13 - Landscape Irrigation Restrictions:

1. **Application** - The provisions of this section shall **apply during all periods of time in which no water use restrictions are in effect.** The provisions of this section shall apply to all use of water for irrigation regardless of source. Irrigation by golf courses shall be exempt from all day of the week and time restrictions.
2. **Restrictions** - The use of water for sprinkling or other irrigation of lawns, landscaped areas or other outdoor vegetation in the city is restricted as follows:
 - a) The use of water for sprinkling and irrigation is prohibited on Monday through Friday between the hours of 7 a.m. and 9 a.m. and 2 p.m. and 4 p.m.
3. **Penalties** - Violation of any provision of this section shall be subject to the following penalties:
 - a) For the first violation, by a fine not to exceed \$50.
 - b) For as second violation, by a fine not to exceed \$150
 - c) For a third violation, by a fine not to exceed \$250 and by termination of water service to the premises until the violation is corrected.
 - d) Each day in violation of this section shall constitute a separate offense. Code enforcement officials and others as delegated may provide violators with no more than 1 written warning. In addition to the sanctions contained herein, the city may take any other appropriate legal action, including but not limited to emergency injunctive action, to enforce the provisions of this section.

Section 2. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

Section 3. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change and that the word “ordinance” may be changes to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

The foregoing Ordinance was offered by Councilmember Mariaca who moved its adoption. The motion was seconded by Councilmember Cabral upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 13 day of January, 2021.

PASSED AND ADOPTED on SECOND READING this 10 day of February, 2021.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY