

PAYMENT OFFICE
15925 SW Warfield Blvd.
P. O. Box 397
Indiantown, FL 34956
561.597.2111



ORIGINAL PLANT OFFICE

15851 SW Farms Road
P. O. Box 397
Indiantown, FL 34956
561.597.2121
Fax 561.597.5067

INDIANTOWN COMPANY, INC.

"The Community Planned for Pleasant Living"

January 21, 2005

Ms. Blanca Bayo
Director, Division of the Commission Clerk And Admin. Services
2540 Shumand Oak Blvd.
Tallahassee, Florida 32399-0850

RECEIVED - FPSC
05 JAN 25 AM 10:42
COMMISSION
CLERK

Re: Docket No. 040450-WS--- Staff's Second Data Request

Dear Ms. Bayo

Enclosed find original and five copies of Indiantown Company's Inc. response to the staff's second data request.

Please feel free to call me at (772) 597-3646 if you have any questions

Sincerely,

Mike Abramson
Controller

CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
RCA _____
SCR _____
SEC _____
OTH _____

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FPSC-COMMISSION CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

959305

ORDINANCE NO. 413

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF LAWS AND ORDINANCES OF MARTIN COUNTY, FLORIDA; PROVIDING FOR INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROHIBITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, DEPARTMENT OF ENVIRONMENTAL REGULATION, DEPARTMENT OF COMMUNITY AFFAIRS, AND THE TREASURE COAST REGIONAL PLANNING COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE AND CODIFICATION.

WHEREAS, the County has the authority pursuant to Chapter 125, Florida Statutes, to adopt ordinances to protect the natural resources of the County; and

WHEREAS, the South Florida Water Management District has adopted a water conservation program that affects the water resources in Martin County; and

WHEREAS, the Martin County Comprehensive Growth Management plan requires the County to establish regulations which promote the efficient use of the County's water resources; and

WHEREAS, the Board of County Commissioners finds that it is necessary to protect and conserve the water resources of the County by implementing irrigation restrictions throughout the County in order to protect the health, safety, and welfare of the citizens of the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA:

PART I:

The following sections shall be added to Chapter 31, Martin County Code of Laws and Ordinances.

PART II:

WATER CONSERVATION

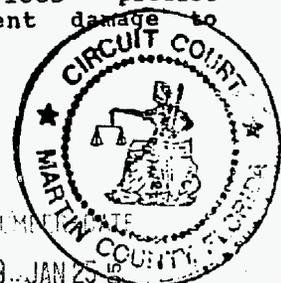
SECTION 1. Intent. The intent of this Article is to set forth uniform countywide water conservation principles in order to provide for the safe and prudent use of a scarce and valuable resource.

SECTION 2. Definitions.

For purposes of this Article the following words shall be defined as follows:

- a) Agricultural Irrigation means the use of equipment and devices specifically designed to provide water to the surface area or root zone of vegetation being grown for harvesting for commercial purposes.
- b) Freeze Protection means the use of water to protect vegetation from freeze damage in situations in which official weather forecasting services predict temperatures likely to cause permanent damage to vegetation.

OR 975/394



- c) Irrigation means the use of equipment and devices to provide water to the surface area or root zone of vegetation.
- d) Irrigation Quality (IQ) Water means tertiary treated wastewater effluent under a DER Permit.
- e) Hand Watering means irrigating by one hose attended by one person.
- f) Low-Volume Irrigation means the use of equipment and devices specifically designed to allow the volume of water delivered to be limited to a level consistent with the water requirement of the vegetation being irrigated and to allow that water to be placed with a high degree of efficiency in the root zone of the vegetation.
- g) Person means any person, natural or artificial, individual, firm, association, organization, partnership, business trust, corporation, company, agent, employee, or any other legal entity, the United States of America, and the State and all political subdivisions, regions, districts, municipalities, and public agencies.
- h) Syringing means wetting down golf course greens by hand watering or sprinkling with water that is at air temperature.
- i) Vegetation means any living plant, shrub, or tree material.
- j) Water Resource means any and all water on or beneath the surface of the ground, including but not limited to natural or artificial water courses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the ground

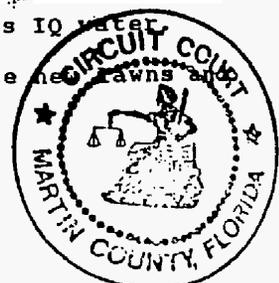
SECTION 3. Prohibitions.

No person shall irrigate or cause to be irrigated vegetation, whether from public or private water resources, between the hours of 9:00 a.m. and 5:00 p.m..

SECTION 4. Exemptions.

Notwithstanding the general prohibition in Section 3, vegetation may be irrigated between the hours of 9:00 a.m. and 5:00 p.m. under the following conditions:

- a) If the vegetation is irrigated using a low-volume irrigation system.
- b) If the vegetation is irrigated using hand watering.
- c) If the vegetation is irrigated for freeze protection.
- d) If the water resource is used for agricultural irrigation.
- e) If the irrigation system is operated for cleaning or maintenance purposes. However, such operation shall be limited to the minimum time necessary to perform the cleaning or maintenance operation. Maintenance includes syringing on golf courses.
- f) If the irrigation system's sole source is IQ water.
- g) If the water resource is used to irrigate new lawns and landscaping for a first time wet down.



SECTION 5. Penalties.

Persons who violated this Article may be subject to a civil penalty, in addition to any other penalty allowed by law, not to exceed \$500.00 per violation, as set by the Board of County Commissioners by resolution.

PART III. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART IV. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance of any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

PART V. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout Martin County's jurisdiction except where in conflict with a municipal ordinance to the extent of such conflict.

PART VI. FILING WITH DEPARTMENT OF STATE.

The Clerk be and hereby is directed forthwith to send a certified copy of this ordinance to the Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

PART VII. FILING WITH DEPARTMENT OF ENVIRONMENTAL REGULATION.

In order to comply with Section 373-023, FLORIDA STATUTES, the County Attorney shall send a certified copy of this ordinance to the Bureau of Water Resources Management, Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301.

PART VIII. FILING WITH DEPARTMENT OF COMMUNITY AFFAIRS.

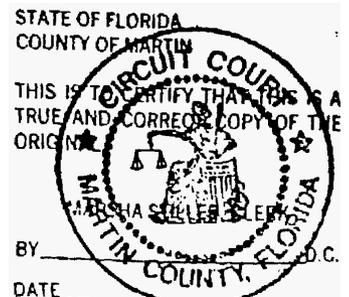
The County Attorney shall send by certified mail a certified copy of this ordinance to Treasure Coast Region Planner/DRI Section, Department of Community Affairs, 2740 Centerview Drive Circle, East, Tallahassee, Florida 32399.

PART IX. FILING WITH TREASURE COAST REGIONAL PLANNING COUNCIL.

The County Attorney shall send a certified copy of this ordinance to Treasure Coast Regional Planning Council, Post Office Box 396, Stuart, Florida 34995.

PART X. EFFECTIVE DATE.

This ordinance shall take effect upon receipt of official acknowledgment from the Office of Secretary of State that this ordinance has been filed in that office.



PART XI. PENALTIES.

Violation of this ordinance is a misdemeanor pursuant to Section 125.69, FLORIDA STATUTES, and is punishable under said section by imprisonment for up to sixty (60) days, or a fine of up to \$500.00, or both such imprisonment and fine.

PART XII. CODIFICATION.

Provisions of this ordinance shall be incorporated in the County Code and the word "ordinance" may be changed to "section," "article" or other word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that PARTS III to XII shall not be codified.

DULY PASSED AND ADOPTED: THIS 25th DAY OF August, 1992.

ATTEST:

BOARD OF COUNTY COMMISSIONERS,
MARTIN COUNTY, FLORIDA

Marsha Stiller

Mary E. Dawson

MARSHA STILLER, CLERK

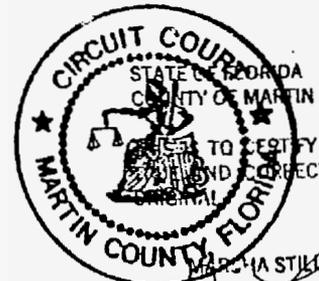
MARY E. DAWSON, CHAIRMAN



APPROVED AS TO FORM AND
CORRECTNESS:

Noreen S. Dreyer
NOREEN S. DREYER
COUNTY ATTORNEY

FILED FOR RECORD
MARTIN COUNTY
12 SEP -4 PH 2:07
MARSHA STILLER
CLERK OF CIRCUIT COURT
BY D.C.



TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
MARSHA STILLER, CLERK
BY *Marsha Stiller* D.C.
DATE 9/4/92

Responses to Staff Data Request #2

#34

In regard to the parcels noted in this request, please review the attached map which indicates the parcels and surrounding roads. This map was prepared by GCY, Inc., one of the area's foremost land surveyors, to be used in our request for territory expansion resulting in PSC Order No. PSC-04-0967-FOF-WS. This territory expansion was applied for as a result of our becoming aware of the fact that our approved PSC territory did not cover all of the areas within the county's Urban Services District. Since the County would expect us to service any customers in this area, we felt we should make application to have these 5 areas included in our PSC approved territory to reconcile this situation.

All 5 of the areas included in this expansion are undeveloped. No roadways were acquired with any of these parcels and the closest roadways are as follows:

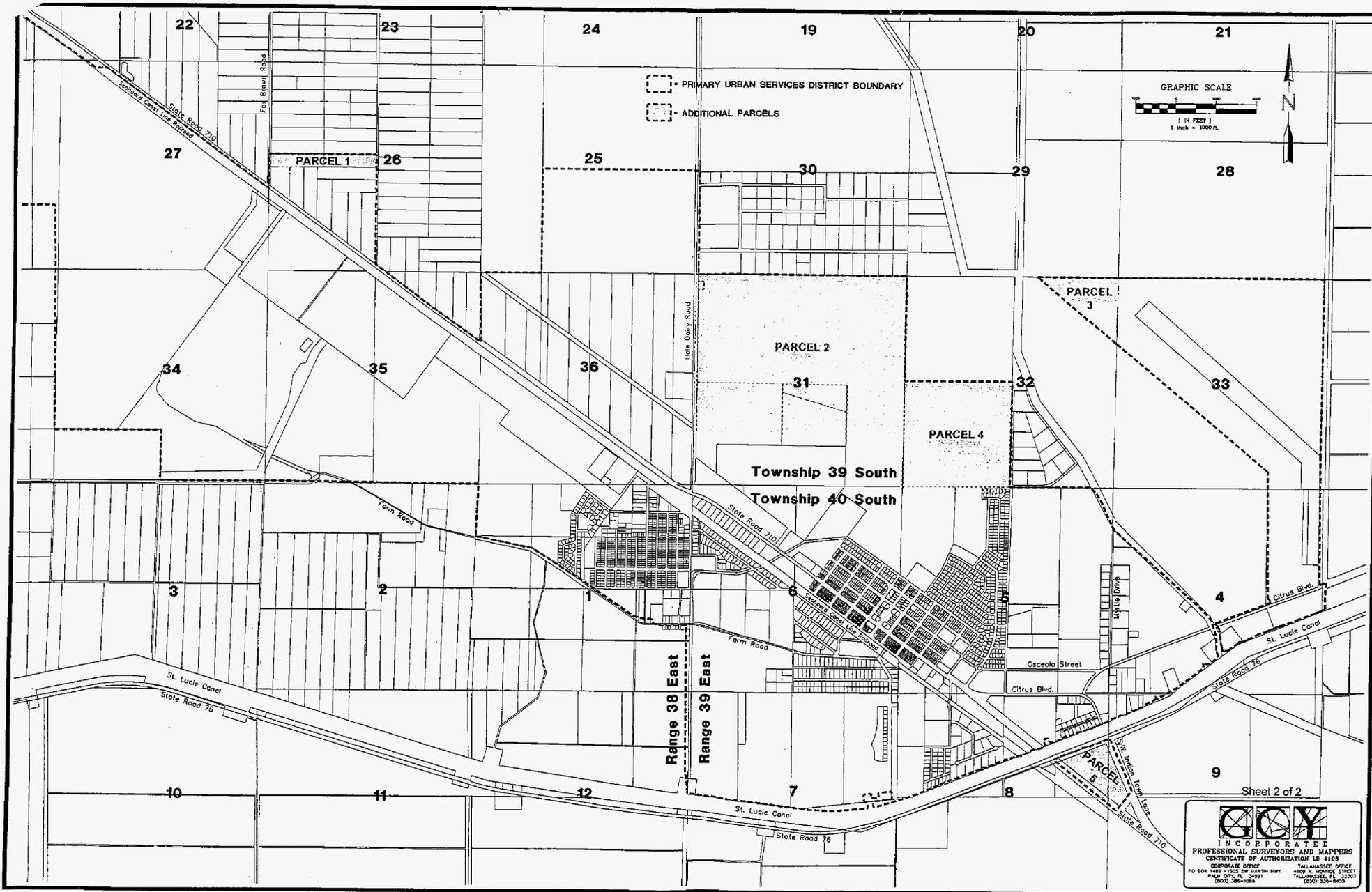
<u>Parcel No.</u>	<u>Closest Roadways Near Acquired Parcel</u>
1	Closest roads – Fox Brown Rd & S.R. 710
2	Closest roads – S.W. Allapattah Rd & S.W. Indianwood Cir.
3	Closest roads – Citrus Blvd & American St.
4	Closest roads – American St. and Indian Mound Drive
5	Closest roads – S. W. Indian Town Lane & SR – 710

#35.

<u>Parcel No.</u>	<u>Type of Zoning(s) for Each Parcel</u>
1	Agricultural
2	5 Units per acre
3	Industrial
4	Half is 1 unit per acre other half is 2 units per acre
5	Commercial General

Docket No. 040450-WS
Staff's Second Data Request
Number 36

<u>Month/Year</u>	<u>Monthly Gallons Sold (000)</u>	
	<u>Residential Class</u>	<u>General Service</u>
January 2003	14,685	4,848
February 2003	13,995	4,926
March 2003	12,866	4,063
April 2003	13,851	4,455
May 2003	15,499	4,740
June 2003	12,950	4,628
July 2003	13,248	5,089
August 2003	11,951	4,862
September 2003	13,029	5,263
October 2003	12,677	4,942
November 2003	13,161	4,698
December 2003	13,063	5,352
Total	160,975	57,866




 O.C.Y.
 INCORPORATED
 PROFESSIONAL SURVEYORS AND MAPPERS
 CERTIFICATE OF AUTHORIZATION LB 4108
 CORPORATE OFFICE: TALLAHASSEE OFFICE
 PO BOX 1489 - 1400 SW MARTIN HWY. 4009 N. MONROE STREET
 PALM BAY, FL 32909 TALLAHASSEE, FL 32303
 (800) 586-1000 (904) 535-8455