

ORDINANCE NO. 26-04

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 50, CITY OF BELLE ISLE CODE OF ORDINANCES; AMENDING SECTION 50-78 GOVERNING ARTIFICIAL TURF REQUIREMENTS; PROVIDING FOR DEFINITIONS; PROVIDING REQUIREMENTS FOR INSTALLATION AND MAINTENANCE OF IMPERVIOUS AND PERVIOUS ARTIFICIAL TURF; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Code of Ordinances currently governs the installation and maintenance of pervious and impervious artificial turf; and

WHEREAS, the City wishes to clarify and enact regulations further governing the installation of artificial turf to comply with Section 125.572, Florida Statutes and Rule 62-308.100, Fla. Admin. Code; and

WHEREAS, the City finds that this Ordinance advances the interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. Amendment of City Code. Section 50-78 of Chapter 50, Article III of the City Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; stars * * * * * indicate breaks between sections, subsections, or paragraphs and do not indicate changes to the City Code; provisions not included are not being amended):

Sec. 50-78. – Artificial turf requirements.

* * * * *

- (a) *Definitions*. The following terms, phrases, words, and their derivations shall have the meaning given in this section. Words used in the present tense include the future tense; words in the plural tense include the singular tense and vice versa. The words “shall” and “must” ~~is~~ are considered mandatory, and the word “may” is considered permissive.

(1) *Artificial turf* means a dense and continuous surface of synthetic fibers mounted on either a permeable or impermeable backing and of sufficient density and green color to replicate the appearance of healthy natural grass or material otherwise meeting the definition of “synthetic turf” under sec. 125.572(1), Fla. Stat.

* * * * *

- (b) *Location*. The installation of artificial turf is permitted on residential, private parks and schools, and commercial sites, and is limited to play areas of public parks and institutions, subject to the requirements of this section. Installation of artificial turf within public and private rights-

of-way is prohibited. ~~Artificial turf may not be installed within 50 feet of any artificial or natural water body.~~

- (1) Buffer zones around natural or man-made waterbodies may be established to protect against erosion and reduce pollution provided that such buffer for artificial turf is no greater or restrictive than what is applicable to natural turf. Where no buffer zone has been established, artificial turf must not be installed within 10 feet of any artificial or natural water body on single-family residential properties of 1 acre or less. This distance shall be measured from the applicable ordinary or mean high water line, except where there is a physical barrier between the artificial turf and the water body (such as, but not limited to, a seawall or bulkhead).
 - a. For all other properties, including commercial, artificial turf must not be installed within 50 feet of any artificial or natural water body.
 - (2) Artificial turf is prohibited within drainage features (e.g., retention ponds, swales, etc.) and must not alter the stormwater management system as articulated in Article IV “stormwater management.”
 - (3) Installation of artificial turf cannot compromise the health of nearby trees, including damage to tree roots, other than those identified as a noxious weed as defined in Chapter 581, F.S.
 - a. Artificial turf shall not be installed inside tree drip lines, whether on the property or adjacent properties, unless the tree is a noxious weed as defined by Chapter 581, F.S., or unless a certified arborist, using site specific information and best professional judgment, certifies that installation within that drip line would not be harmful to the tree.
 - (4) Installation of artificial turf must be designed and installed to prevent pooling or an increase in the stormwater runoff volume, direction, or rates to adjacent properties and, where possible, runoff shall be directed to on-site pervious areas.
 - (5) Artificial turf must provide for access to the septic tank for routine pump out.
 - (6) Artificial turf shall not cause or contribute to violations of state water quality standards. Any violation of state water quality standards linked to a property owner’s artificial turf shall constitute a violation of this subsection.
- (c) Impervious artificial turf is prohibited. Artificial turf must comply with the minimum rate of permeability as described in paragraph (d)(3)(b)(i).
- (1) ~~Unless impervious artificial turf is installed over existing impervious surfaces, a permit to establish the impervious surface ratio shall be required to install impervious artificial turf.~~
 - (2) ~~The installation of impervious artificial turf shall be calculated as an impervious surface. Total impervious area calculations shall be submitted with any impervious artificial turf application. The quantity of impervious artificial turf to be incorporated into the landscaping of a property shall be limited to the minimum or based impervious surface ratio for the subject property within the applicable zoning district and location requirements.~~
 - (3) ~~Impervious artificial turf installation in front yards shall require a variance, which may require specific materials, installation techniques, maintenance techniques, and area~~

~~requirements. Furthermore, artificial turf may not be installed in a front yard over sidewalks, driveways, or other surfaces intended for use for vehicular parking.~~

~~(4) Impervious artificial turf must be installed outside of the drip line of any tree.~~

(d) *Pervious artificial turf.*

(1) A building permit shall be required to install pervious artificial turf.

a. Permit requirements. All permits for pervious artificial turf required under this subsection shall include, at a minimum, the following information:

- i. A complete landscape plan showing the area of ~~synthetic~~ artificial turf, area of living plant material, and area and method of separation between these areas;
- ii. Details regarding existing or proposed irrigation proximate to the ~~synthetic~~ artificial turf;
- iii. Brand and type of ~~synthetic~~ artificial turf, including all manufacturer specifications and warranties;
- iv. A scaled cross section and details of the proposed materials and installation, including but not limited to subgrade, drainage, base or leveling layer, and infill;
- v. A survey of the property, signed and sealed by a licensed surveyor, depicting all existing easements located on the property; and
- vi. A form signed by any holder of an easement on the property consenting to the installation of the ~~synthetic~~ artificial turf within the easement, with an accompanying acknowledgement by the property owner that in the event the easement holder performs work in the easement that it is the property owner's responsibility to repair and replace the ~~synthetic~~ artificial turf disturbed as a result of the work in the easement.
- vii. Proof of testing for per- and polyfluoroalkyl substances (PFAS) performed by manufacturer (such as a nontargeted PFAS test, total fluorine test, etc.).

(2) Pervious artificial turf shall be installed by a Florida licensed general contractor or bonded and insured landscape contractor certified by the manufacturer for installation of the turf.

(3) Material Type

- a. Artificial turf, including backing and infill, must not contain heavy metals or per- and polyfluoroalkyl substances (PFAS).
 - i. Single-family residential properties 1 acre or less may have limited amounts of PFAS material (no more than 50 parts per million of total fluorine).
- b. Artificial turf, including backing and infill, must be disposable under normal conditions at any Chapter 62-701, F.A.C., Florida permitted landfill.

- c. For single-family residential properties 1 acre or less, pervious artificial turf shall preferably should have a backing made of a uniform (ever square inch) woven material, which precludes the use instead of a solid-backed material with periodic holes.
 - i. All commercial properties must have a backing made of a uniform woven material.
 - d. Underlying subgrade material shall be composed of natural materials (such as gravel, drainfield rock, sand setting, certain fabrics, etc.). and shall be included in the design per the manufacturer's specifications to meet the minimum rate of permeability.
 - i. This subgrade material shall be washed prior to installation to prevent fines from binding. This subgrade must be prepared for positive drainage and consist of evenly graded porous material. Soil beneath this subgrade shall not be compacted to the extent that it adversely impacts percolation.
 - e. If used, infill material shall only be clean silica sand, rock, shell, or other natural material, except that coated silica sand may be used provided that any coating used is non-toxic and meets the requirements described in paragraphs (3)(a) and (3)(b). Rubber or any other synthetic infill material is allowed only within the footprint of playground equipment and must also meet the requirements described in paragraphs (3)(a) and (3)(b). Installation shall be designed to prevent washing away of any infill material off the property.
- (4) The required minimum rate of permeability shall be two and one-half inches per hour and shall not be installed over a surface with a permeability of less than two and one-half inches per hour.
- (5) ~~Underlying material (gravel, drainfield rock, sand setting, fabric, etc.) shall be included in the design per the manufacturer's specifics to meet the minimum rate of permeability.~~
- (6) ~~The specifications of allowable impervious artificial turf shall: simulate the appearance and function of live turf, organic turf, grass, sod, or lawn, as determined by the city; have a minimum "no fade" warranty of at least eight years; be lead free; and be flame retardant.~~
- (5) Prior to installation of artificial turf, the property owner shall enter into an agreement, with and in a form acceptable to the city, providing for the property owner's and its successors' and assigns' scheduled maintenance activities. At the option of the city, such agreement may be recorded in the public records of Orange County, Florida, at the property owner's expense, and be binding on the property and the property owner's successors and assigns.

Among other things, such agreement may provide for: (i) property owner's requirement to remove and/or replace the artificial turf in the future if the artificial turf ceases to function as designed and permitted, is not properly maintained and/or if the expiration of the artificial turf's life expectancy occurs; (ii) the city's remedies in the event property owner fails to comply with its maintenance, repair, and replacement obligations; and (iii) property owner's indemnification and hold harmless of the city and its officials and employees with respect to the artificial turf installation, maintenance, and repair, including any drainage problem that may arise therefrom.

- (6) Installations in the front yard of residential or on any commercial land shall contain areas of living plant material equal to or greater than ten percent of the pervious artificial turf. Living plant material for purposes of this subsection shall include a combination of two or more shrubs, vines, trees, or ground cover in planter areas and/or tree wells separate from the pervious artificial turf. Pervious artificial turf shall be separated from planter areas by a concrete mow strip, non-biodegradable bender board, or other barrier with a minimum thickness of three-eighths inch and minimum depth of four inches, which barrier shall not extend to the bottom of the engineered base for the pervious artificial turf.
- (7) Pervious artificial turf shall be considered natural turf for purposes of calculating permeability.
- (8) Pervious artificial turf shall not be considered environmental or green space.
- (9) Existing or new irrigation under the pervious artificial turf shall be on at least one separate zone from natural irrigation site.
 - a. For single-family residential properties of 1 acre or less, in-ground irrigation systems cannot be used to irrigate artificial turf areas.
 - i. If any in-ground system is already installed, the city may require that irrigation heads be removed and pipe capped.
- (e) *Appearance.* Artificial turf shall consist of materials that appear natural in appearance and color from any public or private rights-of-way, neighboring properties, or natural features (wetlands, lakes, parks, common areas, etc.). The use of indoor/outdoor plastic or nylon carpeting as an installation of artificial turf is prohibited.
- (f) *Maintenance.* All artificial turf shall be maintained in a fadeless condition and shall be kept free of dirt, mud, stains, weeds, debris, tears, holes, and impressions. Maintenance shall include, but not be limited to: cleaning, brushing, and debris removal; repairing of depressions and ruts to maintain a visually-level uniform surface; elimination of any odors, flat or matted areas, weeds, and evasive roots; and all edges of the artificial turf shall not be loose and must be maintained with appropriate anchored edging or stakes that can withstand the effects of wind or flooding.

All artificial turf must be replaced if it falls into disrepair with fading, holes, or loose areas. Replacement and repairs shall be done with like materials from the same manufacturer and done so in a manner that results in a repair that blends in with the existing artificial turf.

SECTION 3. Codification. Section 2 of this Ordinance shall be codified into the Belle Isle City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this Ordinance and the City Code may be freely made.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Belle Isle, Florida (the “Effective Date”), and shall apply to all applications for permits received on or after the Effective Date.

ADOPTED this ____ day of _____, 2026, by the City Commission of the City of Belle Isle, Florida.

FIRST READING: August 4, 2026

SECOND READING: _____.

	YES	NO	ABSENT
Ed Gold	_____	_____	_____
Holly Bobrowski	_____	_____	_____
Karl Shuck	_____	_____	_____
Bobby Lance	_____	_____	_____
Beth Lowell	_____	_____	_____
Christopher Oller	_____	_____	_____
Jim Partin	_____	_____	_____

CITY COUNCIL OF THE
CITY OF BELLE ISLE, FLORIDA

Jason Carson, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

Approved as to form and legality

Dan Langley, City Attorney

STATE OF FLORIDA

COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document ORDINANCE 26-04 was duly and legally passed by the Belle Isle City Council, in session assembled on the ____ day of _____, 20____, at which session a quorum of its members were present.

Yolanda Quiceno, CMC-City Clerk