

ORDINANCE NO. 77-5

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, PROHIBITING THE MAINTENANCE OF A WASTEWATER TREATMENT PLANT WITHOUT FENCES AND GRATES; PROVIDING A TERM TO ACHIEVE COMPLAINECE; PROVIDING A PENALTY FOR VIOLATIONS THEREOF; DESIGNATING AREAS AFFECTED; ENCOURAGING THE ADOPTION OF RECIPROCAL ORDINANCES BY MUNICIPALITIES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA.

In order to promote the public health, safety, and welfare of the citizens of Manatee County, Florida, the following Ordinance is hereby enacted:

Section 1. It shall be unlawful for any person, firm, or corporation to maintain a Wastewater Treatment Plant, defined as the structures, equipment, and processes required to treat domestic wastes, unless said Wastewater Treatment Plant is enclosed by fences and, whenever possible, covered by grates.

Section 2. All persons, firms, and corporations with a Wastewater Treatment Plant in operation on the effective date of this Ordinance shall have thirty (30) days from that date to suitably fence and grate said Wastewater Treatment Plant. Suitably fenced means enclosed by fencing material of a height, weight, and gauge to deter persons from wandering into Wastewater Treatment Plant areas. Suitably grated means covered by metal bars of sufficient strength and gauge running horizontally and vertically or diagonally in two directions to support the weight of any person stepping upon said bars. All persons, firms, and corporations constructing or beginning operation of a Wastewater Treatment Plant after the effective date of this Ordinance shall not do so until this Ordinance has been complied with.

Section 3. Any person, firm, or corporation violating this Ordinance shall be charged with a misdemeanor for each day of non-compliance and, upon conviction shall be punished as provided by law.

Section 4. This Ordinance shall apply to all of the unincorporated areas of Manatee County, Florida. In the event any municipality within Manatee County duly adopts an Ordinance pursuant to the provisions of Section 5 of this Ordinance, then and in that event, the areas embraced by the provisions of this Ordinance shall include all of the incorporated area of the municipality duly adopting such an Ordinance.

Section 5. In accordance with the purpose of this Ordinance, each of the several municipalities in Manatee County are encouraged to duly adopt an

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MANATEE COUNTY, FLORIDA

Ordinance containing substantially the same material sections and provisions as contained in this Ordinance. In the event any of the municipalities in Manatee County duly adopt such an Ordinance, then and in that event, said Ordinance shall be reciprocal with this Ordinance and the sections and provisions of either Ordinance may be enforced concurrently or separately by the particular municipality adopting such an Ordinance or by Manatee County to the extent authorized by law.

Section 6. This Ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State of the State of Florida and this Ordinance has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida, this the 13th day of December, 1977.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: Louis E. Diggers  
Chairman

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

R. B. Shore

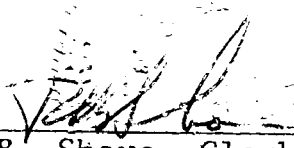
STATE OF FLORIDA

COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of a RESOLUTION adopted by the Board of County Commissioners of said County in session on the 13th day of December 1977

SUBJECT: Ordinance No. 77-5 Prohibiting the Maintenance of a Wastewater Treatment Plant without Fences and Grates; Providing a Term to Achieve Compliance; Providing a Penalty for Violations Thereof; Designating Areas Affected; Encouraging the Adoption of Reciprocal Ordinances by Municipalities; and Providing an Effective Date.

WITNESS My Hand and Official Seal this 14th day of December 1977 in Bradenton, Florida.

  
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R. B. Shore, Clerk of Circuit Court  
Manatee County, Florida