

SEWER USE ORDINANCE

AN ORDINANCE OF MANATEE COUNTY COVERING THE USE OF THE COUNTY

WASTEWATER DELIVERY, TREATMENT AND DISPOSAL SYSTEM

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, SUPERSEDING ORDINANCE 85 - 10, SETTING FORTH THE NECESSITY FOR CONTROL OF THE USAGE OF THE PUBLIC WASTEWATER SYSTEM; MANDATING CONNECTION WHEN SERVICE IS AVAILABLE; PROHIBITING THE DISCHARGE OF CERTAIN SUBSTANCES AND MATERIALS; SETTING LIMITS FOR THE CONCENTRATION OF CERTAIN SUBSTANCES AND MATERIALS; PROVIDING FOR SURCHARGES FOR CONCENTRATIONS EXCEEDING ALLOWABLE LIMITS; ESTABLISHING REQUIREMENTS FOR INDUSTRIAL WASTEWATER DISCHARGE PERMITS; ESTABLISHING SEPTAGE REGULATIONS FOR WASTE HAULERS; SETTING FORTH FEES AND OTHER CHARGES, AND SETTING FORTH PENALTIES.

WHEREAS, the County of Manatee, a political subdivision of the State of Florida, is the owner and operator of a County Water system under the "Manatee County Public Works Department", pursuant to the provisions of Chapter 63-1598, Laws of Florida, as amended, the provisions of Chapter 153 of the Florida Statutes, the provisions of County Ordinance 82-1 (codified as Chapter 2-31 Article III Sections 51 through 53 Manatee County Code) and other applicable provisions of law, together with resolutions duly adopted by the Board of County Commissioners of Manatee County, Florida; and

WHEREAS, under Sections 381.272 and 381.273, Florida Statutes, the State of Florida Department of Health and Rehabilitative Services is responsible for privately owned onsite sewage disposal, including septic systems.

WHEREAS, Manatee County has agreed to an EPA and DER grant requirement to enact a sewer use ordinance and that provisions of the ordinance must be in accordance with EPA Regulation 40CFR Part 35.2103;

WHEREAS, the Board of County Commissioners gave notice of a public hearing on an ordinance covering the use of the county's wastewater system and duly held said hearing.

In accordance with the foregoing and for the purposes herein stated, NOW THEREFORE, BE IT ORDAINED by the Manatee County Board of County Commissioners that:

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ARTICLE I

STATEMENT OF PURPOSE

The purpose of these regulations is:

- 1.01 To require, wherever service has been provided, mandatory connection to the Manatee County Wastewater System of those residences and facilities generating normal sewage and wastewater.
- 1.02 To prohibit, wherever service has been provided, the use of septic systems and packaged treatment systems.
- 1.03 To prohibit the contribution of wastes of a nature which in any way create poisonous, flammable, hazardous, or noxious conditions for treatment plant personnel or the general public.
- 1.04 To prohibit the contribution of wastes which create operational or maintenance problems in the collection system, in the treatment plant and in the effluent disposal facilities.
- 1.05 To prohibit the contribution of wastes which require greater treatment expenditures than are required for equal volumes of normal sewage and to surcharge such contributors for the increased expenditure.
- 1.06 To prohibit discharge of substances which cannot be removed by the normal treatment process and which adversely effect sludge(s) and effluent(s), making them unfit for reuse.
- 1.07 To require pretreatment of certain wastewaters before discharge to the County's System.
- 1.08 To prohibit unauthorized use of the County System.

1.09 To set forth enforcement provisions and penalties for violations.

ARTICLE II

DEFINITIONS

Unless the text specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- 2.01 ACT: Means the Federal Water Pollution Control Act, as amended, also known as the Clean Water Act, as amended, Title 33 USC SS1251 et seq.
- 2.02 BOD: (denoting biochemical oxygen demand) - Means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade, expressed in milligrams per liter.
- 2.03 CATEGORICAL STANDARDS: Means the National Categorical Pretreatment Standards of Pretreatment Standard.
- 2.04 COOLING WATER: Means the water discharged from any use such as air conditioning, cooling, or refrigeration, or for which heat is the major pollutant.
- 2.05 COUNTY: Means the Board of County Commissioners of Manatee County, Florida.
- 2.06 CUSTOMER: Means the user of the Manatee County Wastewater system.
- 2.07 DIRECT DISCHARGE: Means the discharge of untreated or treated sewage or wastewater directly to the waters of the State of Florida.
- 2.08 DIRECTOR: Means the Manatee County Director of the

Public Works Department who is the administrative official in responsible charge of the Manatee County Wastewater System, or his authorized deputy, agent, or representative.

- 2.09 DISSOLVED SOLIDS OR DISSOLVED MATTERS: Means the solid matter in solution in the wastewater that can be obtained by evaporation of a sample from which all suspended matter has been removed by filtration as determined by the procedures in "Standard Methods".
- 2.10 DOMESTIC SEWAGE: Means the sewage produced from non-commercial or non-industrial activities, and which results from normal human living processes, and which are substantially similar in origin and strength to those typically produced in households, including sewage from sanitary conveniences.
- 2.11 ENVIRONMENTAL PROTECTION AGENCY OR USEPA: Means the United States Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of said agency.
- 2.12 FDER: Means Florida Department of Environmental Regulation.
- 2.13 GARBAGE: Means solid waste from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- 2.14 HOLDING TANK WASTE: Means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

- 2.15 HRS: Means the State Department of Health and Rehabilitative Services and its Pollution Control Division.
- 2.16 INDUSTRIAL SEWAGE: Means all liquid wastes and sewage excluding domestic wastewater, and includes all wastewater from any producing, manufacturing, processing, industrial, commercial, agricultural, or other operations from which their wastewater discharged includes wastes of nonhuman origin and is not otherwise classified as domestic sewage.
- 2.17 INTERFERENCE: Means the inhibition or disruption of the treatment processes or operation which contribute to a violation of any requirement of the County's permits. The term includes prevention of sewage sludge use or disposal in accordance with Section 405 of the Act (Title 33 USCS S1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State or local criteria (including those contained in any state sludge management plan prepared pursuant to Title iv of the SWDA) applicable to the method of disposal or use employed by the POTW.
- 2.18 MCPWD: Means the Manatee County Public Works Department.
- 2.19 MAXIMUM CONCENTRATION: Means the maximum permissible amount of a specified pollutant in a defined volume of water or wastewater.
- 2.20 NATIONAL CATEGORICAL PRETREATMENT STANDARDS OR PRETREATMENT STANDARDS: Means any regulation containing



pollutant discharge limits promulgated by the USEPA in accordance with Section 307(b) and Section 307 (c) of the Act (Title 33 USC 1317) which applies to a specific category of industrial users.

- 2.21 NATURAL OUTLET: Means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.
- 2.22 NORMAL SEWAGE - NORMAL WASTEWATER: Means the combined bath, laundry, garbage disposal, and sink discharges from residential properties.
- 2.23 MANATEE COUNTY WASTEWATER SYSTEM: Means all facilities and interests in the real and personal property owned, operated, managed or controlled by Manatee County now and in the future, and used to provide wastewater service to existing and future customers within the service area of Manatee County.
- 2.24 PERSON: Means any individual, partnership, or co-partnership, firm company, association, society, corporation, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representative, agents, or assigns. The masculine gender shall include the feminine, and the singular shall include the plural where indicated by the context.
- 2.25 pH: is a symbol for expressing the degree of acidity or alkalinity, meaning the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions in gram equivalents per liter of solution.
- 2.26 POLLUTANT: Means any dredged spoil, solid waste,

incinerator residue, sewage, garbage, sewage sludge, munitions, chemicals, biological materials, radioactive materials, heat, rock, sand, dirt, industrial, materials and agricultural waste discharged into water or any other material capable of degrading local normal environmental conditions upon introduction to the environment.

2.27 PRETREATMENT: Means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, in wastewater to a less harmful state prior to discharging or otherwise introducing such pollutants into the system. The reduction or alteration can be obtained by physical, chemical or biological processes or by other means, except as prohibited by Title 40 CFR 5403.6(d).

2.28 PRIVATE SEWAGE DISPOSAL SYSTEM: Means a collecting, treating, and disposal facility installed, maintained and owned by persons other than the County and not connected to the public system.

2.29 PROPERLY SHREDED GARBAGE: Means the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension.

2.30 SEPTAGE: Means all liquid wastes from any domestic, commercial or industrial source that is carried by any permitted waste hauler, and may be introduced into any Manatee County treatment facility.

2.31 SEWAGE OR WASTEWATER: Means a combination of the water carried wastes from residences, business

buildings, institutions and industrial establishments.

- 2.32 SHALL: When used means that it is mandatory but the term "may" when used means that it is permissive.
- 2.33 STATE: Means the State of Florida
- 2.34 STANDARD METHODS: Means the current edition of "Standard Methods for the Examination of Water and Wastewater" as published or republished from time to time by the American Public Health Association or the current USEPA publication "Methods for Chemical Analysis of Water and Wastes".
- 2.35 STORM DRAIN: (sometimes termed "storm sewer") : Means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 2.36 STORM WATER: Means any flow occurring during or following any form of natural precipitation and resulting therefrom.
- 2.37 SUSPENDED SOLIDS: Means solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by various filtering and settling techniques.
- 2.38 TOXIC POLLUTANT: Means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the USEPA under the provisions of Section 307(a) of the Act, or other acts.
- 2.39 USER: Means any person or facility who contributes, causes, or permits the contribution of sewage or wastewater into the Manatee County Wastewater System.

2.40

WATERS OF THE STATE:

Means any surface or groundwater located within the boundaries of the State of Florida.

ARTICLE III

USE OF THE PUBLIC WASTEWATER SYSTEM

- 3.01 NECESSITY FOR CONTROL: From a public health, safety and cost of service standpoint, regulation of the use of the public wastewater system is required.
- 3.02 SEPTIC TANKS, PRIVIES, CESSPOOLS: Where County service is available, the use of septic tanks, privies, cesspools, and private wastewater systems is prohibited. The conditions under which septic systems can be used are administered by the HRS.
- 3.03 PRIVATE WASTEWATER SYSTEMS: Any private system that is to be turned over to the County for operation must meet MCPWD specifications, which include color coding of all pipe. Prior to construction, designs must be approved by MCPWD. During construction the installation will be subject to MCPWD inspection to insure compliance.
- 3.04 MANDATORY CONNECTION: It is mandatory that all residences and all generators of normal wastewater, including private wastewater systems, connect to the County system when service is available.
- 3.05 UNLAWFUL CONNECTION OR USE: No person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance without first obtaining required approval and paying the appropriate fees and charges.
- 3.06 DISCONTINUED USE OF LATERAL SEWER: Should a structure be destroyed or moved the lateral sewer must be capped by the owner at the owner's expense. Should the owner neglect to do so, capping will be done by the

County and costs paid by the owner.

- 3.07 REUSE OF LATERALS: Lateral sewers capped under 3.06 shall not be reused unless they meet current County and MCPWD specifications and reuse is approved by the County.
- 3.08 SEPARATE LATERALS REQUIRED: Except by approval of MCPWD, each building must be served by at least one lateral sewer line.
- 3.09 UNLAWFUL DISPOSAL: No person shall discharge into any natural outlet within the County, into any storm sewer, or anywhere other than an approved facility waste materials of any nature including but not confined to polluted waters, industrial wastes, septic effluent or overflow, sanitary sewage, hazardous materials, toxic materials, inflammable liquids, solid wastes, pesticides and heavy metals.
- 3.10 OSHA STANDARDS: All construction activity by MCPWD or by Contractors responsible to MCPWD shall be conducted in accordance with safety standards established by the Federal Occupational Safety and Health Agency.
- 3.11 DIRECTOR RESPONSIBLE: Except as otherwise provided herein the Director of the Public Works Department shall administer, implement, and enforce the provisions of this Ordinance.
- 3.12 RIGHT TO ENTER: Authorized personnel from Manatee County Public Utilities Department shall have the right to enter the premises of any individual or business that is discharging into the sanitary sewer system for

the purpose of sampling and inspection.

ARTICLE IV  
PROHIBITIONS AND LIMITATIONS ON  
USE OF THE COUNTY SYSTEM

- 4.01      APPLICABILITY:      The prohibitions and limitations of this article apply to all users of the County system, whether or not the user is subject to the National Categorical Pretreatment Standards or any other national, state or local requirements.
- 4.02      WATERS: No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, swimming pool drainage, or unpolluted industrial process waters to any portion of the system.
- 4.03      SUBSTANCES INTERFERING WITH OPERATIONS: No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or sewage which will interfere with the operation or performance of the Manatee County Wastewater System or any of its treatment plants. A user shall not contribute the following substances to any public sewer:
- 4.03a      FLAMMABLE AND EXPLOSIVE MATERIALS: Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any way to the County Wastewater System or to the operation of said system. At no time shall two successive readings on an explosion hazard meter at the point of discharge into said system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the



meter. Prohibited materials include, but are not limited to, gasoline, kerosene, fuel oil, naphtha, benzene, toluene, xylene, ethers, alcohols, solvents, ketones, aldehydes and sulfides, and any other substances which the County, the FDER, the USEPA, or any other local, regional, state, or federal agency having jurisdiction has notified the user as a fire hazard or a hazard to the systems.

4.03b ANY SOLID, SEMISOLID, OR VISCOUS SUBSTANCES: which may cause interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch, manure, bones, hair, hides, or fleshing, entrails, whole blood, feathers, ashes, cinders, sand lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags spent grains, spent hops, wastepaper, ground paper products, wood plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grindings or polishing wastes. Specifically prohibited is the heating of the contents of grease traps and discharge to the county system.

4.03c pH 6.0 to 8.5: No discharge should be made of any sewage having a pH lower than six (6.0) or higher than eight and five-tenths (8.5), or sewage having any other corrosive or scaling property capable of causing damage or hazard to structures, equipment and/or personnel of the Manatee County Wastewater System.

4.03d TOXIC POLLUTANTS: Any sewage or wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants,

to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals create a toxic effect in the receiving waters of any County Treatment Plant or to exceed the limitations set forth in a categorical pretreatment standard. A toxic pollutant shall include, but not be limited to any pollutant identified pursuant to Section 307(a) of the Federal Water Pollution Control Act as amended and also known as the Clean Water Act, Title 33, USC SS 1251 and Seq.

4.03e NOXIOUS AND MALODOROUS MATERIALS: Any noxious or malodorous liquids, gases, or solids other than normal sewage, which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard.

4.03f MATERIALS AFFECTING EFFLUENT AND SLUDGE DISPOSAL: Any substances which may cause any effluent or any other sediment product, such as residues, sludges, or scums to be unsuitable for reclamation process. In no case shall a substance discharged cause the County to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used.

4.03g SUBSTANCE CAUSING VIOLATION: Any substance which will cause any County treatment facility to violate its NPDES and/or FDER permit or the receiving water quality standards.

4.03h COLOR: Any sewage or wastewater with objectional

color, not removed in the treatment process, such as but not limited to, dye wastes and vegetable tanning solutions.

4.03i NON TREATABLE SUBSTANCES: Waters or wastes containing substances, including non-biodegradable detergents, which are not amenable to treatment or reduction by the sewage treatment process employed or are amenable to treatment only to the degree that the sewage treatment plant effluent cannot meet the requirement of other agencies having jurisdiction over discharge or violates any contract, resolution, law, rule, regulation, permit, or approval applicable to the industrial, commercial, or agricultural reuse of reclaimed water.

4.03j CONCENTRATION OF SOLIDS: Any concentrations of inert suspended solids (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.

4.04 SUBSTANCES INCREASING COST OF OPERATION: No persons shall discharge or cause to be discharged substances, materials, waters or wastes if it appears likely in the opinion of the Director that such wastes can harm either the sewers, wastewater treatment process or equipment, have an adverse effect on effluent disposal facilities or systems, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage

treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- 4.04a HIGH TEMPERATURE WASTEWATER: Any sewage or wastewater having a temperature in excess of 100 degrees Fahrenheit, which will inhibit biological activity in any treatment plant.
- 4.04b FATS, WAXES, GREASES, OILS: Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 72 milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred degrees Fahrenheit.
- 4.04c UNSHREDDED GARBAGE: Any garbage that has not been properly shredded to the extent that particles are 1/2" and less in size.
- 4.04d PICKLING AND PLATING SOLUTIONS: Any waters or wastes containing strong acids, pickling wastes or plating solutions, whether neutralized or not.
- 4.04e SUBSTANCES PRODUCING UNACCEPTABLE ODORS: Any water or wastes containing phenols or other wastes in such concentrations that after treatment exceed limits which may be established as necessary for reuse of effluent or sludge.
- 4.04f ANY RADIOACTIVE WASTES OR ISOTOPES: None of any description.
- 4.04g UNACCEPTABLE FLOW RATES - SLUGS: Any pollutants,

including oxygen demand pollutants (BOD, COD, TOC, etc.), released at a flow rate and/or pollutant concentrations which a user knows or has reason to know will cause interference to treatment. In no case shall a slug load be discharged to the County's wastewater system.

4.05a LIMITS ON CONCENTRATIONS: No person shall discharge sewage or wastewater in excess of the concentrations set forth in the tables below, unless an exception has been granted in writing by the Director, or his representatives:

TABLE A: CONVENTIONAL PARAMETERS

<u>Parameter</u>	<u>Maximum Concentration mg/l (24 hr Flow) Proportional Composite Sample</u>	<u>Maximum Instantaneous Concentration mg/l (Grab Sample)</u>
Biochemical Oxygen Demand	500	750
Total Suspended Solids	500	750
Oil and Grease (Petroleum and/or Mineral)	72	150
Total Nitrogen	50.0	100.0
Total Phosphorus	10.0	---
Total Dissolved Solids	2,500.0	10,000.0
Fluoride	8.0	16.0
Chlorides	300.0	500
Chlorine	25.0	35.0

4.05b SURCHARGES FOR CONVENTIONAL PARAMETERS: Concentration in excess of the amounts specified in the 4.05 (A) table will be subject to a surcharge if they can be reduced to an acceptable limit in the treatment process. The surcharge will be charged at a minimum of \$500.00 per parameter per incident. Not to exceed the limit plus 25% (twenty-five per cent). Amounts in excess of this limit shall be subject to a surcharge of up to \$2,500.00, for the first offense.

TABLE B: TOXIC PARAMETERS

<u>Parameter</u>	<u>Maximum Concentration mg/l (24 hr Flow) Proportional Composite Sample</u>	<u>Maximum Instantaneous Concentration mg/l (Grab Sample)</u>
Arsenic (As)	1.0	2.0
Beryllium	0.2	0.5
Boron (B)	1.0	2.0
Cadmium (Cd)	1.0	2.0
Chromium - Total (Cr)	1.0	2.0
Chromium - Hexavalent (Cr+6)	0.5	0.10
Copper (Cu)	2.0	4.0
Cyanide (CN)	0.1	0.2
Lead (Pb)	0.05	0.1
Mercury (Hg)	0.005	0.01
Nickel (Ni)	0.7	1.4
Phenol	0.5	1.0
Selenium (Se)	1.0	2.0
Silver (Ag)	1.0	2.0
Zinc (Zn)	5.0	10.0

4.05c EXCESSIVE TOXIC PARAMETER CHARGE: Concentrations in excess of the amounts specified in 4.05 (B) table will be subject to a charge of not less than \$500.00 nor more than \$10,000 per day of violation. If the concentration causes the treatment plant to not meet the required permit limits, then the charge shall include the penalty imposed on the treatment plant, an excessive charge of up to \$5,000.00 and all damages to repair the treatment facility to its original working order.

4.05d PRETREATMENT: Concentration in excess of the amounts specified in table 4.05(A) and 4.05(B) must be pretreated to meet the limits set in table 4.05(A) and 4.05(B).

4.05e REPEAT OFFENDERS: Any business, industry, or other contributor to the treatment system, that has shown a propensity for continual violation of the stated limits as set forth in 4.05 TABLES (A) and (B) shall be removed from the system at the discretion of the Director upon presentation of data. The afore mentioned shall also be subject to a charge of up to

\$10,000.00 and termination of service.

4.05f FALSIFICATION OF DATA: Any company, business or person that knowingly falsifies data, shall be subject to a surcharge up to \$10,000.00 and/or termination of service.

4.05g VOLATILE ORGANIC COMPOUNDS: Under no circumstances shall anyone discharge or cause to be discharged any type of volatile organic compound in excess of 0.750 mg/l (milligrams per liter). A charge of not less than \$500.00 nor more than \$10,000 per day of violation will be assessed if these limits are exceeded.

4.05h CARCINOGENS: No person, industry or commercial operation shall discharge or cause to be discharged any known carcinogen in an amount specified hazardous to the operation of the treatment facility, its personnel, the collection system, its personnel or the receiving waters of the discharge waters of the treatment facilities. The charges for such action are the same as stated in the Article under 4.05c.

ARTICLE V  
PROHIBITIONS AND REQUIREMENTS FOR  
INDUSTRIAL, COMMERCIAL AND OTHER  
THAN RESIDENTIAL USERS

- 5.01 FEDERAL AND STATE PRETREATMENT STANDARDS: Certain industrial users have or will have to comply with Federal and State pretreatment standards, specified quantities concentrations of pollutants or other conditions of pollutants. All such industrial users shall comply with such National and State standards and shall also comply with the additional or more stringent standards contained in this Ordinance.
- 5.02 COUNTY STANDARDS: Maximum allowable concentrations of certain materials and elements are listed in the tables in Article IV. Dilution of discharge to meet concentration standards is not an acceptable method of meeting standards. Toxic parameters are not allowed in excess of the stated parameters. Article IV also specifies discharges to the County's system which are prohibited. Industrial and other users whose wastewater does not meet County standards must establish pretreatment facilities providing discharges meeting County standards.
- 5.03 PRETREATMENT FACILITIES: The following are industries whose wastes shall require pretreatment and/or approval before discharge into public sewers: bleaching and dyeing, bottling, brewing, cotton textile manufacture, processing dairies, dairy products, distilling, fat rendering, film processing, galvanizing, glue manufacturing, laundromats, lens grinding operations, manufacturing of syrups, jams or jellies, plating facilities, meat packing, metal pickling or plating, munitions manufacturing, oil refining, optical goods



manufacturing, photographic processing, public laundering, pulp and papermaking, rubber production, salt works slaughterhouses, soap making, sugar refining, tanning, wood scouring or washing, or any industry producing wastes with strong acid or alkaline reactions or which will form deposits in or cause damage to the sewers or to appurtenances of sewage treatment works.

The Director may place additional industries on this list as needed.

5.04 PRETREATMENT FACILITIES: users that must provide pretreatment facilities must design, construct, maintain, and monitor them at their own expense. Such facilities must provide protection against accidental discharge and such protection must be approved by the County prior to connection to the County system. Included must be an effluent sampling manhole ( control Manholes ) which must be available to the County at all reasonable times for sampling. User monitoring schedule must be approved by the County and monitoring schedule must be approved by the County and monitoring results made available for review by the County.

5.05 ACCIDENTAL DISCHARGES: Accidental discharges of prohibited materials or substances regulated by this Resolution require immediate telephone notification of the Director or his representative, the Manatee County Public Works Department, or the representative in charge. Such notification does not relieve the discharger of any liability. Within 5 days following the occurrence, the user shall provide the Director with a written report describing the cause of the discharge and measures taken to prevent future occurrences.

5.06 MEASUREMENTS, TESTS, ANALYSES: All sampling measurements, tests and analyses of the characteristics and composition of waters and wastes to which reference is made in this Ordinance shall be done in accordance with the latest edition of STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER, published by the American Public Health Association, and/or "Methods for Chemical Analysis of Water and Wastes" and any applicable regulations as published by the USEPA for sampling which shall be at the control manhole, or sampling site as designated by MCPWD. If such a site is not available it is incumbent upon the user to place in line, a suitable sampling port, which must be approved by MCPWD.

5.07 BASELINE MONITORING: Any Industrial or Commercial operation having the potential of exceeding any parameter as stated in Article IV, shall provide MCPWD with a baseline monitoring report prior to any permit being issued. The baseline monitoring may be a basic requirement for an annual permit.

ARTICLE VI

PERMITS REQUIRED

6.01 PERMIT ESTABLISHED: The County hereby establishes an industrial wastewater discharge permit. (see 6.03). The Director or his representative may include reasonable and necessary terms, and conditions in the permit. A permit will not be issued until all applicable fees and charges are paid and the provisions of this Ordinance met.

6.02 LATERAL SEWER PERMITS: Lateral sewer lines from the sewer main to the property line are installed by and the responsibility of MCPWD. The portion of the lateral from the property line to the structure is under the jurisdiction of the Manatee County Planning and Development Department. Specifications for on site laterals are set forth in the Manatee County Plumbing Code. Off site specifications are set forth in MCPWD uniform Sewer Specifications.

6.03 WHERE REQUIRED: All industries which discharge into the Manatee County Wastewater system must first obtain a permit. Industrial dischargers connected to the system prior to the effective date of this Ordinance have six (6) months to apply for a permit but such discharger is subject to all other provisions of this Resolution.

6.04 PERMIT APPLICATIONS: An application form prescribed by the County must be completed and filed with the Public Works Department. Where appropriate, the applicant shall submit:

- (a) Name, address, telephone number of applicant, location of the industrial facility, name and

address of the owner of the premises from which wastewater is to be discharged.

- (b) A description of the operations and processes utilized by the operations, type and amount of raw materials processed and type of products produced.
- (c) Average daily and peak hourly wastewater flow rates, include daily, monthly and seasonal variations if any, and estimated time and duration of daily and peak flows.
- (d) An analyses of the wastewater as determined by a qualified laboratory acceptable to MCPWD and in accordance with STANDARD METHODS AND USEPA regulations for sampling and analysis.
- (e) Site plans, floor plans, mechanical and plumbing plans with details showing drains, sewers, sewer connections and appurtenances by size, location and elevation.
- (f) Number and type of employees and hours of operation of the plant.
- (g) A baseline monitoring of the discharge to the MCPWD collection system.
- (h) Any other information deemed necessary by the Director or his representative to evaluate the application.

If an industry changes its operations to the extent that the discharge into the County system is modified a new permit is required prior to the change.

6.05 ISSUANCE OF PERMITS: The permit should be issued or denied within 60 calendar days after all required data has been submitted. A permit may contain appropriate restrictions or requirements. Upon denial an applicant has 30 calendar days in which to modify his application or make whatever processing or other changes necessary. ISSUANCE of a permit does not relieve the discharger from complying with all applicable laws, regulations, and Resolutions of governmental authorities. If pretreatment of a discharge is required to achieve compliance with the limitations in wastewater strength or composition, pretreatment facilities must be in place and approved by the County prior to issuance of a permit.

6.06 PERMIT RESTRICTIONS: The restrictions in permits shall be uniformly enforced by the County and may include, but shall not be limited to the following:

- (a) The maximum permissible concentration of wastewater constituents.
- (b) Limits on rates and time of discharge, or requirements for flow regulation and equalization.
- (c) Requirements for inspection, flow metering and sampling facilities, and alternative sample methods.
- (d) Pretreatment of industrial wastewater before discharge.
- (e) Compliance Schedules.
- (f) Specifications for monitoring programs which may include sampling locations, frequency and method

of sampling, flow metering, number, types and standards for tests and reporting schedule.

- (g) Prohibition of discharge of certain wastewater constituents.
- (h) Requirements for submission of periodic discharge reports to include information concerning volume, rate of flow, constituent concentrations, peak flow rates, hours of operation, number of employees or other information.
- (i) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the County, and affording County access thereof.
- (j) Requirements for notification of the County for any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.
- (k) Requirements for notification of slug or accidental discharge.
- (l) Other conditions as deemed appropriate by the County to ensure compliance with this Resolution.

6.07 DURATION OF PERMITS: Permits shall be issued for a specified period of time not to exceed 3 years.

6.08 MODIFICATION OF PERMITS: The terms and conditions of any permit may be changed by the County during the life of the permit to accommodate changes in local, state,

and federal regulations or in the event that data upon which the permit was issued has changed, permit holders shall be notified of change 60 days prior to the effective date of change.

6.09 PERMITS NOT TRANSFERABLE: Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater permit shall not be transferred to a new owner, new user, or different premises unless approved by the Director or his representative.

ARTICLE VII  
FEES, AND CHARGES  
USER CHARGE SYSTEM

Treatment rates, fees surcharges and other charges related to usage of the County's wastewater system are established under a Rate Resolution adopted by the Board of County Commissioners.

The user charge system shall:

- (1) Provide sufficient revenue to fund all operation, maintenance, replacement, and debt service cost of the system.
- (2) Be based on actual quantities and quantities discharged to the system by user.
- (3) Equitable distribution of operation and maintenance costs to each class of customer.
- (4) Be based on experience and itemized budgeted costs approved by the Board of County Commissioners.
- (5) Provide for annual or biennial review.
- (6) Provide for annual rate notifications to customers.



ARTICLE VIII

ENFORCEMENT & PENALTIES

- 8.01 RIGHT TO ENTER: Duly authorized employees of the County shall be permitted to enter all properties without prior notice for the purposes of inspection, observation, measurement, sampling, and testing. This requirement is hereby made a condition to the issuance of all industrial wastewater discharge permits.
- 8.02 REJECTION OF CERTAIN WASTES: If any sewage, waters or wastes are discharged to the County's system or are proposed to be discharged, which discharge, in the judgment of the Director or his representative, may have a deleterious effect upon the system, create a hazard to life, constitute public nuisance, or adversely affect reuse of effluent and sludge, the Director may:
- (a) Reject the wastes.
  - (b) Require pretreatment to an acceptable condition for discharge.
  - (c) Require control over quantities and rates of discharges.
  - (d) Assess a surcharge to cover added handling, treatment, and disposal costs.
- 8.03 SUSPENSION OF SERVICE: The Director may suspend water and/or wastewater service and/or a permit in order to stop an actual or threatened discharge which represents an eminent or substantial endangerment to the health and welfare of persons, to the environment, or the MCPWD wastewater system, and which could cause a treatment facility to be in non-compliance with Federal, State, and Local Regulations.

Any person notified of a suspension of the wastewater

service and/or the permit shall immediately stop or eliminate the condition. In the event of a failure of a person to comply voluntarily with the suspension order, the County shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage and/or endangerment to any individuals or treatment plant operation. The County shall reinstate the permit and/or the wastewater service upon proof of the elimination on the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution, and the measures taken to prevent any future occurrence, shall be submitted to the County within 5 calendar days of the date of occurrence.

In addition to any other penalties and as a condition of reinstatement, the violator will pay tapping and reconnection cost, if such apply.

8.04

REVOCATION OF PERMIT: In addition to the revocation condition of section 8.03, any user who violates any of the following conditions or applicable federal and state regulations is subject to having his permit revoked.

- (a) Failure to factually report the wastewater discharge constituents and characteristics.
- (b) Failure to report significant changes in wastewater constituents and characteristics.
- (c) Refusal of reasonable access to the user's premises.
- (d) Obtaining a permit by misrepresentation or failure to fully disclose.

(e) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

(f) Violation of any of the conditions of the permit.

8.05 DISCHARGING WITHOUT PERMITS: Any industry discharging to the County's system without permit, in addition to all other penalties, will be charged twice the normal permit fee. Permit fees are set forth in Article 10 of this Ordinance.

8.06 DISCHARGING TOXIC SUBSTANCES: In addition to any other penalties, the full costs to the County of disposal, treatment and all other related costs related to toxic substances in the wastewater will be charged to the discharger.

8.07 DISCHARGES RESULTING IN CORRECTIVE MAINTENANCE, REPAIR OR REPLACEMENT: In addition to any other penalties, discharges that result in damage to any component of the system, or the clogging of lines, will result in all repair, maintenance, and replacement costs being charged to the offender.

8.08 SURCHARGES: Surcharges for treatment of wastewater of higher than normal strength are set forth in this Ordinance.

8.09 UNLAWFUL CONNECTION OR USE OF THE COUNTY SYSTEM: Any person discharging into manholes, or any points of entry to the system, or connecting to the system without approval of the Department, shall be subject to a penalty of \$500.00 for each instance, all additional costs resulting from this action, and twice

the estimated quantity charge.

8.10 SEVERABILITY OF INVALID PROVISIONS: If one or more of the provisions of this Ordinance should be held to be contrary to any express provision of law or shall for any reason be held null and void, such holding shall in no way affect the validity of any other provisions of this ordinance.

8.11 PENALTIES PROVIDED BY STATE STATUTE: Tampering with the system is punishable as a first degree misdemeanor and as such, the offender shall be subject to a (\$1,000) (one thousand) fine and / or a jail term of up to one (1) year.

ARTICLE IX

WASTE HAULERS AND SEPTAGE

9.01 WASTE HAULER: Any person, commercial or industrial enterprise, permitted, licensed or otherwise allowed to carry solid waste, sewage, sewage sludge, chemical wastes or biological materials, which may otherwise be defined as "septage." The waste hauler is subject to all parts of this resolution and to any and all parts of (40 CFR 403), which conforms to the intent of section 307(b) of the Clean Water Act.

9.02 WASTE HAULER PERMIT: A waste hauler must, in addition to any other permit, have a valid, current permit to discharge septage at any treatment facility operated by Manatee County. This permit to discharge septage, shall be issued by the Industrial Compliance Office section of the Manatee County Public Works Department-Utilities.

(a) Permits may be obtained from the Industrial Compliance by completing the necessary application form.

9.03 WASTE HAULER MANIFEST: Any waste hauler discharging into any Manatee County Treatment Facility, shall have a manifest before any discharge will be allowed. This manifest shall include the origin of all septage to be discharged. This means:

(a) The name and address of the facility from which the waste hauler picked up the septage.

(b) A description of the septage as to being:

(1) Residential

(2) Commercial

(3) Industrial

(4) Otherwise

(c) A complete description, in detail

(d) The date of the pick up

(e) The time of the pick up

(f) Person(s) responsible from which the septage was taken.

9.04 MULTIPLE PICK UPS: If the waste hauler has multiple pick ups in a single vehicle, the waste hauler must have separate manifests from each of the locations from which he has picked up.

9.05 MANIFEST FORMS: The manifest forms must conform to the example as shown on figure 9.05(A) below.

FIGURE 9.05(A)

WASTE HAULER MANIFEST FORM

WASTE HAULING COMPANY NAME: \_\_\_\_\_

WASTE HAULER PERMIT No.: \_\_\_\_\_

NO.	DATE	NAME OF CUSTOMER	CUSTOMER ADDRESS	TYPE OF WASTE	ESTIMATED VOLUME OF WASTE
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					

I certify that the information listed here is true, accurate and complete. I am aware of the conditions and requirements of the Waste Hauler Permit. I understand that failure to comply with the Permit may result in immediate suspension of the Permit and/or possible penalties as may be allowed by law.

Driver/Operator Signature: \_\_\_\_\_

TO BE COMPLETED BY TREATMENT FACILITY REPRESENTATIVE AT THE TIME OF DISCHARGE TO THE TREATMENT FACILITY.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Vehicle Discharge Class: \_\_\_\_\_

Sample ID # (if collected): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

9.06 SEPTAGE UNLOADING FEE: A septage unloading fee shall be based upon a rate of ten (10) dollars per thousand (1,000) gallons. The minimum fee shall be ten (10) dollars.

9.07 CONTAMINATED SEPTAGE: Any permitted or otherwise, waste hauler and source of septage, shall be responsible for any introduction of materials that are over burdening with conventional or toxic parameters as described in Article IV, section 4.05(a), (b) of this

resolution, or that are otherwise harmful to the treatment facility as described in this resolution. This means that the waste hauler and the source of the septage will be subject to all surcharges and any other charges as stated within this Ordinance.

9.08 NUMBER OF SEPTAGE LOADS: If the number of waste haulers and the amount of septage poses a hydraulic or other threat to the treatment facility, in the opinion of the treatment facility superintendent, all such loads may be rejected and rescheduled for a different time or a different treatment facility.

9.09 SEPTAGE DISCHARGE: Septage may be discharged during normal working hours as designated by the treatment facility superintendent. The superintendent shall reserve the right to deny any and/or all septage discharges for any reason.

9.10 SEPTAGE SAMPLING: Septage may be sampled by the treatment facility prior to, during or after discharge, to insure compliance with this resolution. If the facility has any reason to suspect the septage as being potentially harmful, the septage will be sampled and analyzed prior to discharge, if possible.

9.11 MODIFICATION, TRANSFERABILITY, REVOCATION AND SURCHARGES - PENALTIES: The treatment facility and/or the Industrial Compliance Office, reserves the right to modify the waste haulers permit at any time. The modification of said permit will come from the Industrial Compliance Office, in writing, within five (5) working days.

(a) At no time is the transferring of a permit to



another vehicle, company, person, industry or enterprise allowed. Any person, company, industry or enterprise found doing so will be subject to surcharges and/or revocations of the permit as defined in this Ordinance.

- 9.12 COSTS OF ANALYSES: If, upon laboratory analysis of the septage from a waste hauler, it is determined that the waste hauler's septage exceeds the limits or considerations of this Ordinance, the waste hauler and / or source will be liable for all costs incurred by the treatment facility and the analytical cost of the septage, and all surcharges as stated within this Ordinance.
- 9.13 WASTE HAULER TRUCK PERMIT FEE: Each truck engaged in the hauling of wastes to any treatment facility shall be required to purchase an identifying permit decal, which shall be issued each year. The cost of this permit fee shall be \$25.00 (twenty five dollars) per transport vehicle. If one company has in excess of (4) (four) vehicles, then after the basic fee for the (4) (four) has been paid the decals will be issued at no charge. These decals are non - transferable and are valid for (1) (one) year only. The Industrial Compliance Office shall be the issuing agency for these decals.
- 9.14 VIOLATION OF WASTE HAULER DECAL: Any person, industry, or commercial operation with an expired decal shall be subject to a charge of twice the cost of the initial cost of the decal. Repeat violations will be subject to loss of permits for a period of up to (1) (one) year.

ARTICLE X

PERMITS, FEES AND OTHER CHARGES

10.01 PERMIT FEE: Shall be based upon two variables. One shall be the potable water meter size and the other being the history of water consumption. In no case shall the annual permit fee be less than \$20.00 (twenty dollars). (see table below).

<u>METER SIZE</u>	<u>CONSUMPTION</u>	<u>ANNUAL FEE</u>
< = 3/4 "	< 3,000 gpd	\$30.00
< = 3/4 "	> 3,000 to a maximum of 5,000 gpd	\$45.00
< = 3/4 "	> 5,000	\$70.00
1 "	< 3,000 gpd	\$50.00
1 "	> 3,000 to a maximum of 5,000 gpd	\$75.00
1 "	> 5,000 gpd	\$125.00
1 1/2 "	< 3,000 gpd	\$75.00
1 1/2 "	> 3,000 to a maximum of 5,000 gpd	\$125.00
1 1/2 "	> 5,000 gpd	\$225.00
2 "	< 3,000 gpd	\$100.00
2 "	> 3,000 to a maximum of 5,000 gpd	\$175.00
2 "	> 5,000 gpd	\$400.00
> 2 "	> 3,000 gpd	\$500.00

Any system not covered by any of the above will be charged at a flat rate of (\$250.00) (two hundred fifty dollars), minimum charge. This rate is subject to change after an inspection by the Industrial Compliance Office. The fee will then be based upon the findings of the inspection and noted accordingly.

10.02 INSPECTION FEES: Inspection fees are to be charged at the rate of (\$15.00) (fifteen dollars) per hour, with the fee not to exceed (\$125.00) (one hundred twenty five dollars) for the inspection phase of the permitting process.

10.02a VIOLATION INSPECTION: If an Industry or Commercial operation is found to be out of compliance, the Industry or Commercial operation will be charged at the rate of (\$25.00) (twenty five dollars) per hour per person per visit from the Industrial Compliance Office until said Industry or Commercial operation comes into compliance.

10.02b ANALYTICAL COSTS: The cost of performing analyses on a non - compliance operation will be charged at the current analytical rate as charged by the MCPWD laboratory and/or with any charges incurred by the County in conjunction with another outside laboratory performing analyses that are not analyzed by the MCPWD laboratory.

10.02c ANY ANALYTICAL COSTS NOT COVERED: Any cost incurred in the analytical field during a non - compliance inspection, will be billed to the violator at the County's cost plus the handling charges incurred by the Industrial Compliance Office.

ARTICLE XI

EFFECTIVE DATE

11.01 EFFECTIVE DATE: This Ordinance shall take effect immediately upon the receipt of official acknowledgment from the Office of the Secretary of State, State of Florida, that this Ordinance has been filed with said office.

11.02 SUPERSEDING ORDINANCE 85 - 10: This ordinance shall supersede Ordinance 85 -10 in its entirety.

ORDINANCE NO. 88 - 01

SEWER USE ORDINANCE

PASSED AND DULY ADOPTED by the Board of County  
Commissioners of Manatee County, Florida this 12<sup>th</sup>  
day of January, 1988.

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY:

By Kurt G. Chitt  
Chairman 1-12-88

ATTEST: R.B. Shore

Clerk of the Circuit Court

by Richard H. Ashley  
Richard H. Ashley  
Chief Deputy Clerk

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 an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 12th day of January, 1988.

SUBJECT: **ORDINANCE 88-01**  
**SEWER USE ORDINANCE**

AN ORDINANCE OF MANATEE COUNTY COVERING THE USE OF THE COUNTY WASTEWATER DELIVERY, TREATMENT AND DISPOSAL SYSTEM. AN ORDINANCE OF MANATEE COUNTY, FLORIDA SUPERSEDING ORDINANCE 85-10, SETTING FORTH THE NECESSITY FOR CONTROL OF THE USAGE OF THE PUBLIC WASTEWATER SYSTEM; MANDATING CONNECTION WHEN SERVICE IS AVAILABLE; PROHIBITING THE DISCHARGE OF CERTAIN SUBSTANCES AND MATERIALS; SETTING LIMITS FOR THE CONCENTRATION OF CERTAIN SUBSTANCES AND MATERIALS; PROVIDING FOR SURCHARGES FOR CONCENTRATIONS EXCEEDING ALLOWABLE LIMITS; ESTABLISHING REQUIREMENTS FOR INDUSTRIAL WASTEWATER DISCHARGE PERMITS; ESTABLISHING SEPTAGE REGULATIONS FOR WASTE HAULERS; SETTING FORTH FEES AND OTHER CHARGES, AND SETTING FORTH PENALTIES.

WITNESS My Hand and Official Seal this the 14th day of January, 1988, in Bradenton, Florida.

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

By: Richard H. Ashley  
Richard H. Ashley,  
Chief Deputy Clerk



FLORIDA DEPARTMENT OF STATE

Jim Smith  
Secretary of State

Dorothy W. Joyce  
Division Director

January 20, 1988

Honorable R. B. Shore  
Clerk of Circuit Court  
Manatee County Courthouse  
Post Office Box 1000  
Bradenton, Florida 33506

Attention: Richard H. Ashley, Chief Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of January 14, 1988  
and certified copy/ies of Manatee  
County Ordinance(s) #88-1
2. Receipt of \_\_\_\_\_ County Ordinance(s)  
relative to:  
(a) \_\_\_\_\_  
which we have numbered \_\_\_\_\_  
(b) \_\_\_\_\_  
which we have numbered \_\_\_\_\_
3. We have filed this/these ordinances in this office  
on January 19, 1988.  
one
4. The ~~original~~/duplicate copy/ies showing the filing date  
is/~~are~~ being returned for your records.

Sincerely,

*Liz Cloud*  
Liz Cloud, Chief  
Bureau of Administrative Code

LC/mb

Enclosure

DIVISION OF ELECTIONS, Room 1801, The Capitol, Tallahassee, Florida 32301  
(904) 488-7690

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