

ORDINANCE 26-25

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO HAZARDOUS MATERIALS INCIDENT COST RECOVERY; AMENDING ARTICLE III OF CHAPTER 2-13 OF THE MANATEE COUNTY CODE; MAKING CERTAIN FINDINGS; ADDING AND REVISING CERTAIN DEFINITIONS; AND OTHERWISE REVISING FOR CONSISTENCY WITH OTHER CODE PROVISIONS AND THE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN; SUPERSEDING CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 252.38, Florida Statutes, provides that safeguarding the life and property of citizens is an innate responsibility of the governing body of each political subdivision of the State; and

WHEREAS, Section 252.38(3)(a)5., Florida Statutes, provides that a county that has declared a state of local emergency has the power and authority to waive the procedures and formalities otherwise required by law pertaining to: (1) performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community, (2) entering into contracts, (3) incurring obligations, (4) employment of permanent and temporary workers, (5) utilization of volunteer workers, (6) rental of equipment, (7) acquisition and distribution, with or without compensation, of supplies, materials, and facilities, and (8) appropriation and expenditure of public funds; and

WHEREAS, the Board of County Commissioners of Manatee County, Florida, (Board) adopted a Hazardous Materials Incident Cost Recovery Ordinance to provide for recovery by Manatee County (County), its officials, employees or agents, of unbudgeted costs incurred in response and recovery efforts related to hazardous material incidents and for cost recovery for damages to natural resources, and government owned properties which is codified in Chapter 2-13 of the Manatee County Code of Ordinances (Code); and

WHEREAS, the Florida Legislature enacted Florida Senate Bill 180, Chapter 2025-190, Laws of Florida, which created new requirements for county emergency management programs, including annual notification requirements, post-storm permitting plans, emergency contract provisions, debris management site authorization, and post-hurricane regulatory restrictions; and

WHEREAS, it is necessary and in the best interest of the County to revise and update the provisions of the Hazardous Materials Incident Cost Recovery Ordinance to comply with state law and ensure operational readiness for emergency response and recovery; and

WHEREAS, the Board finds that the provisions of this ordinance are in the best interests of the County, its citizens, taxpayers, and business community; and

WHEREAS, in accordance with Section 125.66(3), Florida Statutes, a business impact estimate has been prepared and posted.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County:

Section 1. Incorporation of Recitals. The recitals set forth above are hereby adopted as findings of this Board and are incorporated herein by reference.

Section 2. Modification of Article III. Article III of Chapter 2-13, Section 2-13-37 and Section 2-13-39 of the Hazardous Materials Incident Cost Recovery Ordinance is hereby amended as set forth in Exhibit "A" to this Ordinance.

Section 3. Codification. Pursuant to Section 125.68(1), F.S., the codifier of the County's Code is hereby directed to codify the substantive amendments contained in Exhibit A of this ordinance. The Codifier shall not codify any other portions of this ordinance. For purposes of codification of any section of the Manatee County Code herein amended, words underlined indicate additions to the original text, and words ~~stricken~~ indicate deletions from the original text.

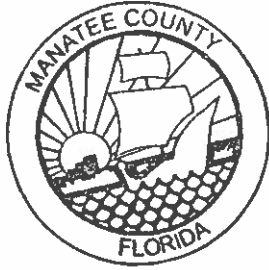
Section 4. Superseding Conflicting Ordinances. Any existing ordinance or portion thereof which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this ordinance shall, as to such terms or provisions, be deemed as superseded by this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, provision or word of this ordinance is held invalid, same shall be severable and the remainder of this ordinance shall not be affected by such invalidity, such that any remainder of the ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the ordinance and its regulatory scheme even absent the invalid part.

Section 6. Effective Date. This ordinance shall take effect immediately upon filing with the State of Florida Department of State.

DULY ADOPTED with a quorum present and voting this 16th day of June, 2026.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**



By: 
Chairperson

**ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: 
Deputy Clerk

EXHIBIT A

Sec. 2-13-37. Definitions.

As used in this article, the following words and phrases shall have the meaning indicated unless the context otherwise requires:

Administrator means the county administrator or acting county administrator of Manatee County, Florida.

Board means the board of county commissioners of Manatee County, Florida.

Cost(s) means and includes, but is not limited to, those expenses that are extraordinary in nature, including those for which funds are not provided for in the Manatee County or Manatee County Fire Districts' annual budgets including:

...

County means Manatee County, Florida.

Hazardous material means any substance or material defined, listed, characterized, or classified as a hazardous material, hazardous substance, hazardous waste, or toxic substance according to any or all of the following: Title 40 Code of Federal Regulations, Chapter 1, Subchapter I, Part 261 (Identification and Listing of Hazardous Wastes); Title 40 Code of Federal Regulations, Chapter 1, Subchapter J, Part 302, § 302.4, (Designation of Hazard Substances); Title 40 Code of Federal Regulations, Chapter 1, Subchapter J, Part 355, Appendices A and B (List of Extremely Hazardous Substances), and Title 49 Code of Federal Regulations, Subchapter C, Part 172, Subpart B, §§ 172.101 and 172.102 (Hazardous Materials Table); or Section 252.82(5), Florida Statutes.

...

Sec. 2-13-39. Collection and disbursement of funds for cost recovery.

- (a) *Agent for collection.* The public safety department, or other department or person designated by the county administrator, shall serve as the county's agent for collecting invoices and billing the responsible party for costs in the unincorporated area. Agencies of the county and agencies responding to a hazardous material incident in the county according to the responsibilities set forth in the Comprehensive Emergency Management Plan (~~RS-F-40~~FSF-10 Hazardous Materials Response) [as amended] or at the request of the county are eligible to submit bills.

(b) *Procedure for submitting invoices.* An invoice identifying eligible costs under this article shall be submitted to the public safety department, or other department or person designated by the ~~county~~-administrator, within a reasonable time after the cost was incurred or identified. Submitted invoices must include sufficient documentation for cost reimbursement (e.g. copies of time sheets for specific personnel, copies of bills for materials, equipment and supplies procured or used, etc.). Accepting invoices from agencies other than the county for collection by the county, shall not incur liability to the county to reimburse invoiced costs from such agencies until payment is received by the county from the responsible party. Provided that in no event shall the county have a legal obligation to collect or undertake collection efforts on behalf of any other entity.

(c) *Method of payment.* The county public safety department, or other department or person designated by the ~~county~~-administrator, shall prepare and submit one or a series of consolidated invoices to the responsible party identifying agencies, agents and their specific costs or reimbursements. The responsible party shall issue a certified check made payable to the county or governmental entity that responded and submitted an invoice. The final payment will be made to Manatee County within sixty (60) days of receiving a consolidated invoice. The collected funds shall be deposited with the Clerk of the Court. The public safety department, or the department or person designated by the ~~county~~-administrator, shall prepare audit slips to each responding agency for disbursement of funds collected on their behalf by the clerk of the court.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 17, 2026

Angelina Coloneso
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 26-25, which was filed in this office on June 17, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

From: [Municode Ords Admin](#)
To: [Robin Toth](#)
Subject: Re: Manatee County, FL Code of Ordinances - 1981(10428)
Date: Tuesday, June 23, 2026 8:24:36 AM
Attachments: [image001.png](#)

[**NOTICE:** This message originated outside of Manatee County Clerk's Office -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

We have received your files.

Thank you and have a nice day.

Ords Administrator
Municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to Municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

svj (she/her/hers)

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Powering and Empowering Local Governments

From: Robin Toth <robin.toth@ManateeClerk.com>
Sent: Wednesday, June 17, 2026 3:08 PM
To: 'County Ordinances' <CountyOrdinances@dos.myflorida.com>; Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: Manatee County Ordinance 26-25

EXTERNAL EMAIL - Caution: This email originated outside of CivicPlus. Do not click links or open attachments unless you recognize the sender and expected the message.

Good Afternoon,

Attached is Manatee County **Ordinance 26-25**, adopted by the Manatee County Board of County Commissioners on 6/16/26.

Thank you,

Robin Toth
Deputy Clerk, Board Records Department



For Angelina "Angel" Colonnese
Manatee Clerk of the Circuit Court & Comptroller
(941) 749-1800 Ext. 4179
1115 Manatee Ave W, Bradenton, FL 34205
www.ManateeClerk.com

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