



**CITY COMMISSIONERS OF THE CITY OF WILDWOOD**

**Mayor/Commissioner – Ed Wolf – Seat 1**

**Commissioner/Mayor Pro-Tem Pamala Harrison-Bivins – Seat 2**

**Robby Strickland – Seat 3**

**Don C. Clark – Seat 4**

**Julian Green – Seat 5**

**Bill Ed Cannon – City Manager**

**Monday, February 25, 2013**

**7:00 PM**

**City Hall Commission Chamber**

**PLEASE TURN OFF ALL CELL PHONES AND PAGERS**

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*Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Department, ADA Coordinator, at 352-330-1330, Ext. 102, forty-eight (48) hours in advance of the meeting.*

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*F.S.S. 286.0105A - If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*The City of Wildwood DOES NOT provide this verbatim record.*

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*City Hall Commission Chamber - 100 N. Main Street, Wildwood, FL 34785*

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**AGENDA**

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- INVOCATION
- FLAG SALUTE

**1. TIMED ITEMS AND PUBLIC HEARINGS**

- a. **PUBLIC HEARING – 2<sup>ND</sup> FINAL READING of Ordinance 02013-05**; An Ordinance repealing Article V of Chapter 19 of the City of Wildwood's Code of Ordinances in its entirety and adopting a new Article V, Chapter 19 pertaining to sewer use (Attachments)

\* Quasi Judicial Hearing

**2. REPORTS AND PUBLIC INPUT / SPECIAL PRESENTATION(S)**

**a. Special Presentations**

1. Presentation (verbal) by James Gollahon, of Gollahon Financial Services, Inc. on a Proposed Debt Service Refunding for both General Fund and Enterprise Fund with Financial Advisor Services Agreement with Gollahon Financial Services and Bond Attorney Agreement Services with Akerman Senterfitt (**Board Option** - Attachments)

**b. City Manager**

- 1.

**c. City Attorney**

1. Request to schedule a closed door meeting (calendars attached)

**d. City Clerk**

- 1.

**e. Commission Members**

- 1.

- f. **Public Forum (10 minute time limit)**
  - 1.
- g. **Notes and Reports**
  - 1. **FYI** – Budget Analysis Report – January 2013 (Attachments)
- 3. **NEW BUSINESS – ACTION REQUIRED**
  - a. **MINUTES**
    - 1. Minutes of Regular Meeting held on February 11, 2013 (Attachments – Staff Recommends Approval)
  - b. **ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)**
    - 1. **Ordinance No. O2013-06** – An Ordinance voluntarily annexing 2.67± acres of property owned by Hughes Brothers, LLC located just north of the intersection of CR 213/Walker Road and SR 44. The property to be annexed is a portion of Parcel G07=133 and is intended to be utilized as an office for a construction company (Attachments – Staff Recommends Approval)
    - 2. **Ordinance No. O2013-07** – An Ordinance voluntarily annexing an approximate 1-acre piece of property located along CR 466 east of CR 209 owned by Gary Williams. The property to be annexed is a portion of Parcel D18=038 and is intended to be utilized for service and sales of lawn mowers (Attachments – Staff Recommends Approval)
    - 3. **Ordinance No. O2013-08** – An Ordinance voluntarily annexing the north 100’ of Parcel D30=003, Villages of Legacy Park Subdivision, located along CR 222 west of US 301, omitted from the original annexation because it would have created an enclave (Attachments – Staff Recommends Approval)
  - c. **RESOLUTIONS FOR APPROVAL**
    - 1. None
  - d. **APPOINTMENTS**
    - 1. None
  - e. **CONTRACTS AND AGREEMENTS**
    - 1. Request for a Partial Release of Easement from the City of Wildwood to 301/466, LLC to correct a title defect caused by an incorrect legal description set forth in the “Easement” recorded in OR Book 1719, page 621, public records, Sumter County, Florida to the extent that such Easement may encumber the real property (Attachments – Staff Recommends Approval)
  - f. **FINANCIAL**
    - 1. Bills for Approval (Attachments – Staff Recommends Approval)
    - 2. Request approval of Utility Technicians, Inc. proposal to make necessary repairs to Lift Stations No. 5 and 36 in the amount of \$9,676.00. (Attachments - Staff recommends approval)
    - 3. Request approval to purchase one year of support from Sunstate Meter & Supply, Inc. for the meter reading equipment and software in the amount of \$3,792.00. (Attachments - Staff Recommends Approval)
    - 4. Request to approve payment of Interstate Electric Services of Central Florida, Inc. invoice number 13-101 in the amount of \$29,682.06 for emergency electrical repairs on January 23, 2013 at the CR 501 Water Plant (Attachments – Staff Recommends Approval)
  - g. **GENERAL ITEMS FOR CONSIDERATION**
    - 1. **SP 1210-02 Alliance Coach Site Plan** - Alliance Coach, Inc. seeks Site Plan approval for the construction of a Detail Center (2,500 sq. ft.), Office (1,200 sq. ft.), and Employee Pavilion (600 sq.

ft.) as well as an additional eight (8) acres of impervious area in the Business Park 44 Industrial Park. The P&Z Board/Special Magistrate gave a favorable recommendation on Feb. 5, 2013 subject to approval, exemption, or permitting by all agencies of competent jurisdiction (Attachments – Staff Recommends Approval)

2. **SP 1212-03 Kangaroo Express Store #1433 Site Plan** – The Pantry, Inc. seeks Site Plan approval for construction of a 3,813 sq. ft. Kangaroo Express convenience store/gas station with twelve fueling positions (six pumps) and associated improvements on Parcel D20=013 at the NE corner of C-472 & US 301. The P&Z Board/Special Magistrate gave a favorable recommendation on Feb. 5, 2013 subject to approval, exemption, or permitting by all agencies of competent jurisdiction and that the lighting plan be revised to mitigate off-site impacts (Attachments – Staff Recommends Approval)
3. Greg A. Beliveau, with LPG Urban & Regional Planners, Inc. is requesting a one year extension of the Quadventure Planned Development on behalf of his client, Quadventure LLC, per his attached letter dated January 29, 2013 due to adverse real estate market conditions (Attachments – Staff Recommends Approval)
4. Request to rescind the Nov. 13, 2006 moratorium on installation of irrigation meters (Attachments - Staff recommends approval)

#### 4. **ADJOURN**

#### **IMPORTANT DATES** (No Attachments)

- a. **March 4, 2013 – (Monday)** - **SPECIAL CALLED CITY COMMISSION WORKSHOP MEETING** to discuss the Champagne Farms Well Site – **6:00 PM** – City Hall Commission Chamber
- b. **March 8, 2013 – (Friday)** – Gourmet Food Truck Night – 6:00 PM to 9:00 PM – City Hall Front Courtyard, Oxford & Wonders Streets
- c. **March 11, 2013 – (Monday)** – City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- d. **March 16, 2013 – (Saturday)** – Wildwood Rotary’s Ides of March...Madness 5k run/walk – 8:00 AM – Starts & ends at City Hall
- e. **March 23, 2013 – (Saturday)** – Opening Ceremonies for Wildwood Dixie Youth – 10:00 AM – Millennium Park Ball Fields
- f. **March 25, 2013 – (Monday)** – City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- g. **March 30, 2013 – (Saturday)** – 4<sup>th</sup> Annual Easter Eggstravaganza – 9:00 AM – Millennium Park Baseball Fields
- h. **April 5 & 6, 2013 – (Friday & Saturday)** – Relay for Life – Starts at 6:00 PM April 5<sup>th</sup> – Ends at 12:00 Noon on April 6<sup>th</sup> – Wildwood Community Center

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## CITY OF WILDWOOD

### CITY COMMISSION REPORT

Commission Meeting Date: Feb. 25, 2013

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Subject: City Code of Ordinances, Chapter 19 Article V.

Submitted By: Bruce H. Phillips, PE, PLS, Utility Director

Department: Utility Department

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Staff Recommendation (Motion Ready): Recommend approval of Ordinance O2013-05.

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#### **BACKGROUND:**

Chapter 19, Article V, Sewer Use of the City Code of Ordinances regulates Industrial Waste. The code was originally adopted in 1959 and has undergone numerous revision and additions over the last 50+ years.

#### **FINDING, CONCLUSIONS AND RECOMMENDATIONS:**

##### **FINDINGS:**

The presently codified version of Article V, Sewer Use does not meet the requirements of the Florida Administrative Code (FAC). The Utility Department, Wastewater staff has been working with the Florida Department of Environment Protection and the City Attorney to update the City code to be in compliance with FAC.

##### **CONCLUSIONS:**

The FDEP requires the City code to be in compliance with FAC.

##### **LEGAL REVIEW:**

Utility Department staff has worked with the City Attorney in preparing this attached amendment to Chapter 19, Article V, Sewer Use.

##### **RECOMMENDATIONS:**

Staff recommends approval of the attached Ordinance No. O2013-05

**FISCAL IMPACT:** None

**ALTERNATIVES:** Is required to be in compliance with the FAC.

#### **SUPPORT MATERIAL:**

- Copy of Ordinance O2013-05
- Copy of new Article V, Sewer Use
- Copy of document comparing existing Sewer Use Ordinance to proposed Sewer Use Ordinance.

**ORDINANCE NO. O2013-05**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, REPEALING ARTICLE V OF CHAPTER 19 OF THE CITY OF WILDWOOD'S CODE OF ORDINANCES IN ITS ENTIRETY AND ADOPTING A NEW ARTICLE V, CHAPTER 19; PERTAINING TO SEWER USE; PERTAINING TO DEFINITIONS; PERTAINING TO ABBREVIATIONS; PERTAINING TO DIRECTOR; PERTAINING TO PURPOSE AND POLICY; PERTAINING TO USE OF PUBLIC SEWERS; PERTAINING TO PRIVATE WASTEWATER DISPOSAL; PERTAINING TO SEWERS AND CONNECTIONS; PERTAINING TO DAMAGE; PERTAINING TO POWERS AND AUTHORITY OF INSPECTORS; PERTAINING TO AUTHORITY TO DISCONNECT SERVICE; PERTAINING TO LEGAL REMEDIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, The City wishes to amend Article V, Chapter 19 of the Code of Ordinances in order to be in compliance with requirements of the Florida Department of Environmental Protection.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. Article V, Chapter 19 of the City of Wildwood Code of Ordinances is hereby repealed in its entirety. This includes Divisions 1, 2, 3, 4, 5, 6, and 7 of Article V of Chapter 19 of the City of Wildwood Code of Ordinances and those portions codified into Article V included in Sections 1.1, 1.2, 1.3, 2, 4, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 7, 8.1, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 10.1, 10.2, 10.3, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, Ordinance number 188, which became effective August 24, 1987; Ordinance number 210, which became effective January 8, 1996; Section 1, Ordinance 249, which became effective January 25, 1993; Section 1, Ordinance number 273, which became effective January 23, 1995; Section 1, Ordinance number 279, which became effective August 28, 1995; Sections 1, 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20 and 21, Ordinance number 324, which became effective August 10, 1998; Ordinance number 339, which became effective April 26, 1999; and Section 1, Ordinance number 373, which became effective December 11, 2000.

SECTION 2. Article V, Chapter 19 of the City of Wildwood Code of Ordinances attached hereto, is adopted in its entirety.

SECTION 3. The remainder of Chapter 19 remains in full force and effect.

SECTION 4. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 5. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2013, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

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~~Wildwood, Florida, Code of Ordinances >> CODE OF ORDINANCES >> Chapter 19 - UTILITIES >> ARTICLE V, - SEWER USE >> DIVISION 1, - GENERALLY >> ARTICLE V. SEWER USE~~

DIVISION 1.

GENERAL Sec. 19-181. Definitions.

~~DIVISION 1. GENERALLY~~

- ~~Sec. 19-181. Definitions.~~
- ~~Sec. 19-182. Abbreviations.~~
- ~~Sec. 19-182.1. Director.~~
- ~~Sec. 19-183. Purpose and policy.~~
- ~~Sec. 19-184. Use of public sewers required.~~
- ~~Sec. 19-185. Private wastewater disposal.~~
- ~~Sec. 19-186. Building sewers and connections.~~
- ~~Sec. 19-187. Malicious damage.~~
- ~~Sec. 19-188. Powers and authority of inspectors.~~
- ~~Sec. 19-189. Authority to disconnect service.~~
- ~~Sec. 19-190. Legal remedy.~~
- ~~Secs. 19-191 - 19-205. Reserved.~~

~~Sec. 19-181. Definitions.~~

~~Unless the context specifically indicates otherwise, the following terms and phrases, as used in this article, shall have the meanings hereinafter designated. The singular shall include the plural where indicated by the context.~~

~~Act or the Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended (33 U.S.C. 1251 et seq.).~~

~~Approval authority means the director in an NPDES state with an approved state pre-treatment program and the administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.~~

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Authorized ~~representative~~ or Duly Authorized Representative of industrial user may be the User.

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(1)  
A principal executive officer of at least the level of vice president, if the industrial user. If the User is a corporation;

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit [or general permit {optional}] requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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(2)  
A If the User is a partnership or sole proprietorship: a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively.

(3)  
A duly authorized representative of the individual designated above if such representative is (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3 above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facilities/facility from which the indirect discharge originates, or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Best Management practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Sections 19-207 and 19-208. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Building drain means that part of the piping of a building which collectcollects wastewater inside the walls of the building and conveys it to outside the building wall.-

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Building sewer means the extension from the building drain to the public sewer or other place of disposal, also called "house connection."-

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Categorical industrial user means an Industrial User subject to a categorical Pretreatment Standard or categorical standard.

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Categorical standards means national categorical pretreatment standards or pretreatment standard.-

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Chemical oxygen demand (COD) means a measure of oxygen equivalent of that portion of the organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant.-

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City means the City of Wildwood or the city commission of the city.-

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City commission means the duly elected officials of the city.-

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City manager means the person designated by the city commission to administer all city activities.-

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Control authority means the "approval authority," defined in this section, or the Director if the city has an approved pretreatment program under the provisions of 40 CFR 403.11.-

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Cooling water means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.-

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Customer means every person who is responsible for contracting (expressly or implicitly) with the city in obtaining, having or using sewer connections with, or sewer taps to, the sewer system of the city and in obtaining, having, or using water and other related services furnished by the city for the purpose of disposing of wastewater and sewage through such system. The word "customer" includes the occupants of each unit of a multiple-family dwelling unit building as a separate and distinct customer.-

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Daily maximum means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

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Direct discharge means the discharge of treated or untreated wastewater directly to the waters of the state.-

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Director means director of the POTW.-

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Easement means an acquired legal right for the specific use of land owned by others.-

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Environmental Protection Agency, or EPA means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of such agency.

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Excess strength wastewater means wastewater containing constituents whose parameters are in excess of normal wastewater.

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Existing source means any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

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Floatable oil means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

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Flush toilet means the common sanitary flush commode in general use for the disposal of human excrement.

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Garbage means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

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Grab sample means a sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

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Health officer means the county environmental health director.

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Holding tank waste means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

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Indirect discharge means the discharge or the introduction of nondomestic pollutants from any source regulated under section 307 (b) or (c) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).

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Industrial user means a source of indirect discharge.

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Industrial wastes means the wastewater from industrial processes as distinct from normal wastewater.

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Infiltration/Inflow means groundwater and surface water which leaks into the sewers through cracked pipes, joints, manholes or other openings.

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Instantaneous maximum allowable discharge limit means the maximum concentration of a pollutant allowed to be discharged at any time, determined from and by the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

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Interference means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1)

Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

(2)

Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, the Marine Protection, Research and Sanctuaries Act and any state laws which reflect the same or similar subject matter as these federal laws.

Local Limit means specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

Medical waste means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

National categorical pretreatment standard or pretreatment standard means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.

National pollution discharge elimination system or NPDES permit means a permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).

National prohibitive discharge standard or prohibitive discharge standard means any regulation developed under the authority of section 307(b) of the Act and 40 CFR 403.5.

Natural outlet means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

New source means any:

(1) Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such standards are thereafter

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promulgated in accordance with that section, provided that;

- a) The building, structure, facility, or installation is constructed at a site which no other source is located; or,
- b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or,
- c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

a) Begun, or caused to begin, as part of a continuous onsite construction program:

i) Any placement, assembly, or installation of facilities or equipment; or

ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment;

or

b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Noncontact cooling water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Normal wastewater means wastewater discharged into the sanitary sewers in which the average concentration of total suspended solids and BOD is not more than 250 mg/l, total phosphorus is not more than 15 mg/l, total nitrogen is

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not more than 30 mg/l; COD is not more than 450 mg/l; TSS is not more than 250 mg/l; and a pH range of 6.5 to 8.0 and for which total flow is not more than 25,000 gallons per day.-;

*Pass through* means a discharge which exits the POTW to a water of the United States in quantities or concentrations which alone or in conjunction with a discharge or discharges from all other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation); or wastewater constituent which is not adequately treated by the treatment process resulting in its discharge to the receiving environment.-;

*Person* means any individual, partnership, ~~co-partnership~~ partnership, firm, company, governmental entity or any other legal entity, or their legal representatives, agents or assigns.-;

*pH* means ~~the logarithm (base 10) a measure of the reciprocal acidity or alkalinity of the concentration of hydrogen ions a solution,~~ expressed in ~~grams per liter of solution~~ standard units.-;

*Pit privy* means a shored, vertical pit in the earth completely covered with a flytight slab on which is securely located a flytight riser covered with a hinged flytight seat and lid.-;

*Pollutant* means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharge into water.-;

*Pollution* means the manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.-;

*POTW treatment plant* means that portion of the POTW designed to provide treatment to wastewater.-;

~~*Pretreatment or treatment*~~ means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater ~~to a less harmful state~~ prior to or in lieu of ~~discharging or otherwise~~ introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or by process changes or other means, except as prohibited Rule 62-625.400,410(5), FAC.-;

*Pretreatment requirements* means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.-;

*Pretreatment standards* or *standards* means pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and

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local limits.

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*Prohibited discharge standards or prohibited discharges* means absolute prohibitions against the discharge of certain substances; these prohibitions appear in ~~section 19-207-~~ section 19-207.

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*Properly shredded* means the wastes from the preparation, cooking, and dispensing of food that has 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 inch in any dimension.

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*Public sewer* means a common sewer controlled by a governmental agency or public utility.

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*Publicly owned treatment works (POTW)* means a treatment works as defined by section 212 of the Act (33 U.S.C. 1292) which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this article, POTW shall also include any sewers that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.

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*Sanitary sewer* means a sewer that carries liquid and water-carried wastes from residences, commercial building, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

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*Septic tank* means a subsurface impervious tank designed to temporarily retain sewage or similar waterborne wastes together with:

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(1)

A sewer line constructed with soldered pipe, with the joints sealed, connecting the impervious tank with a plumbing stub out; and

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(2)

A subsurface system of trenches, piping and other materials constructed to drain the clarified discharge from the tank and distribute it underground to be absorbed or filtered.

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*Sewage* means the spent water of a community. The equivalent term is "wastewater," as defined in this section.

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*Sewer* means a pipe or conduit that carries wastewater.

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*Significant industrial user (SIU)* means any industrial user of the city's wastewater disposal system who is:

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Has

(1) An Industrial User subject to categorical Pretreatment Standards; or

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(8)(11)

~~When periodic compliance reports, base-line monitoring reports or other required reports are not received by the director within 30 days after due date; or~~

(12)

~~When any Any other violation(s), which may include a violation or group of violations occurs which, in the judgment of the director, may reasonably be expected to have a significant adverse impact on of Best Management Practices, which [the Superintendent] determines will adversely affect the operation or implementation of the local pretreatment program, the wastewater treatment system, the quality of sludge, the system's reclaimed water quality or air emissions generated by the system, or has the potential to endanger the POTW employees.~~

*Significant violation* means any violation or group of violations of an industrial user's IWDP which establishes significant noncompliance.

*Slug* means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentrations of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater facilities.

*Spill containment plan* means a detailed plan showing facilities and operating procedures to provide protection from accidental discharge.

*Standard industrial classification (SIC)* means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

*Storm drain*, sometimes termed *storm sewer*, means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

*Stormwater* means any flow occurring during or following any form of natural precipitation and resulting therefrom.

*Suspended solids* means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as nonfilterable residue.

*Total nitrogen (TN)* means TKN + nitrate/nitrite.

*Total toxic organics (TTO)* means the summation of all quantifiable values, greater than 0.01 mg/l, of toxic organic substances identified by the EPA for electroplating point source categories listed in 40 CFR 413.02(i) and for metal finishing subcategories listed in 40 CFR 433.44(e), or identified in any equivalent state law.

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Toxic pollutant means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency (EPA) under the provision of CWA 307(1) or other acts.

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Unpolluted water means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

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User means any person who contributes, causes or permits the contribution of wastewater into the city POTW.

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Wastewater means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and stormwater that may be present.

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Wastewater facilities means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

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Watercourse means a natural or artificial channel for the passage of water either continuously or intermittently.

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Waters of the state means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion.

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(Ord. No. 188, § 1.2, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 1, 8-10-98; Ord. No. 339, 4-26-99) Cross reference-Definitions and rules of construction generally, § 1-2.

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Cross reference-Definitions and rules of construction generally, § 1-2.

Sec. 19-182. Abbreviations.

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The following abbreviations shall have the designated meanings:

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BOD, biochemical oxygen demand.

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CA, city attorney.

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CFR, Code of Federal Regulations.

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civil action  
CIVIL ACTION, civil litigation against a user seeking equitable relief, monetary penalties and actual damages.

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COD, chemical oxygen demand.

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Director and ~~staff~~/or Authorized Staff. The director shall be responsible for the administration and enforcement of all sections of this division and shall be responsible for the operation of the POTW.

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(b)  
Records. The director shall keep all records required under this division including records of all IWDPs as required by applicable state and federal regulations.

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(c)  
Public participation requirements. The director shall comply with all applicable public participation requirements of section 101(e) of the Act and 40 CFR Part 25, in the enforcement of national categorical pretreatment standards.

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(d)  
Public notice. The director shall provide individual notice and opportunity to comment to persons or groups who request in writing notification of local limits development.

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(e)  
Public notification. The director shall annually publish in the largest daily newspaper of general circulation within the county a list of the SIUs identified as being in significant noncompliance with applicable pretreatment requirements or standards at least once during the previous calendar year. The notification shall also summarize any enforcement actions taken against the SIUs during the same 12 months. (Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)  
(Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)

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**Sec. 19-183. Purpose and ~~policy~~ Policy.**

(a)  
This article sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the city and enables the city to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and the general pretreatment regulations (Rule 62-625, FAC). The objectives of this article are:

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(1)  
To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge.

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(2)  
To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system.

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(3)  
To protect the general public and wastewater facility personnel.

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(4)  
To improve the opportunity to recycle and reclaim wastewaters and sludgesludge from the system.

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(5)  
To provide for equitable distribution of the cost of the municipal wastewater system.

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(6)  
To enable the wastewater facility to comply with its FDEP wastewater facility permit conditions, residuals use and disposal requirements and any other federal or state laws.

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(b)  
This article provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users and through enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

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(c)  
This article shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the city POTW. Except as otherwise provided herein the director shall administer, implement, and enforce the provisions of this article.

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(Ord. No. 188, § 1.1, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 2, 8-10-98).

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**Sec. 19-184. - Use of public sewers required.**

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(a)  
All premises shall be provided, by the owner thereof, with at least one toilet. All toilets shall be kept clean and in a sanitary working condition.

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(b)  
No person shall dispose of human excrement except in a toilet.

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(c)  
It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

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(d)  
Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the

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disposal of wastewater.-

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(e)

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the city jurisdiction and abutting on any street, alley, or right-of-way in which there is not located or may in the future be located a public sanitary sewer of the city, is hereby required at the owner's expense to install suitable toilet facilities therein.-

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(f)

All sinks, dishwashing machines, lavatories, basins, ~~showerbaths,~~ shower baths, bathtubs, laundry tubs, washing machines, and similar plumbing fixtures or appliances shall be connected to the public sewer; provided, that where no sewer is available, septic tanks or other private subsurface disposal facilities, approved in accordance with all applicable laws, may be used.-

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(g)

The customer shall be notified when the sewer is available.

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(1)

Sewage shall be considered available to an existing single-family dwelling when the dwelling can be connected by gravity flow to a line in any public right-of-way or easement which passes the property at any point.-

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(2)

Sewage shall be considered available to any new single-family dwelling when the dwelling can be connected by the installation of 200 linear feet of gravity flow line from the nearest point of the property.-

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NEW LANGUAGE INSERTED

(h)

Sewer charges shall be in effect upon notification of the availability of sewer service. Even if the sewer system is available, if the City has executed a contract that allows continued use of a properly operating existing septic tank, as long as the terms of the contract are met and the existing septic tank is providing adequate disposal, the terms of the contract will apply.

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(i)

Sewer charges shall be in effect upon notification of the availability of sewer service. (Ord. No. 188, § 2, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)-

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Sec. 19-185. Private wastewater disposal.

(a)



(j) Discharge of septic tanks into sewer system.

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(1) Restricted. It shall be unlawful to empty, dump, throw or otherwise discharge, into any manhole, catch basin or other opening, into the city sewer system, or any system connected with and discharging into the sewer system, the contents of any septic tank, sludge, sewage or other similar matter or material, except as provided in paragraph (2).

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(2) Permits. The director is hereby authorized to grant permits to discharge the contents of septic tanks (from domestic sources only) at locations specified by him and under his supervision. Such permits may be revoked at any time if, in the opinion of the director, continued dumping of such matter into the sewers will be injurious to the sewer system or treatment processes.

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(3) Charges. A charge shall be made for the privilege of dumping contents of septic tanks, as provided in separate rules. A record shall be kept of such dumpings and statements shall be payable within ten days after rendition. Failure to pay the amounts due within such ten-day period shall be cause for revoking the permit.

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(k) Any premises that have a septic tank, privy or any other sewage, industrial waste, or liquid waste disposal system, located thereon that does not function in a sanitary manner shall be corrected within 30 days from the receipt of written notification from the director that the system is not functioning in a sanitary manner, and order that the system be corrected.

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(l) Premises with private water systems shall not be connected with the public sewage system unless approved by the director.

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(m) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the county health officer or director. (Ord. No. 188, § 3, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)

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~~(Ord. No. 188, § 3, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)~~

**Sec. 19-186. Building sewers and connections.**

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Permit required. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the director.

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(b)

Application; fee. The owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the director. A permit and inspection fee as specified elsewhere shall be paid at the time the application is filed.

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(c)

Costs; indemnification. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

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(d)

Separate buildings. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building sewer may be extended to the rear building. However, additional connection fees may be required. The city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

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(e)

Old building sewers. Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the director and community development department, to meet all requirements of this article.

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(f)

Construction. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in construction shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

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(g)

Elevation; flow of sewage. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

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(h)

Surface runoff, groundwater. No person shall make connection of roof

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POTW including, but not limited to, any acids or chemicals damaging the sewer lines or treatment process; any substances which have caused the effluent from the wastewater treatment plant to no longer be of a quality permitted for discharge into the environment; any discharge, industrial waste or wastewater that is in violation of the permit issued by the city; any discharges of wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system; or any discharge of prohibited waste, which results in any fines or penalties being assessed against the city, the city shall have the right to collect from the user or customer the cost of repair of any damage to the system caused by the materials which led to the disconnection. The city shall also be entitled to recover any fine or penalty assessed against the city assessed against the city as a result of the discharge by any regulatory agency with jurisdiction from the customer causing the discharge. If the city is forced to file an action to enforce this these provisions, the city shall be entitled to reasonable attorney's fees and costs.  
(Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 5, 8-10-98).

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~~Secs. 19-191-19-205. Reserved.~~

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~~DIVISION CODE OF ORDINANCES >> Chapter 19 UTILITIES >> ARTICLE V. SEWER USE >>  
DIVISION 2. RESTRICTED USE OF PUBLIC SEWERS >>~~

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~~DIVISION 2. RESTRICTED USE OF PUBLIC SEWERS~~

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- ~~Sec. 19-206. Unpolluted waters.~~
- ~~Sec. 19-207. Prohibited discharges generally.~~
- ~~Sec. 19-208. Restricted discharges.~~
- ~~Sec. 19-209. Action by city.~~
- ~~Sec. 19-210. Interceptors.~~
- ~~Sec. 19-211. Pretreatment or flow equalizing facilities.~~
- ~~Sec. 19-212. Significant industrial users.~~
- ~~Sec. 19-213. Discharge into storm sewer.~~
- ~~Sec. 19-214. Cooling or condensing water.~~
- ~~Sec. 19-215. Information provided by industrial users.~~
- ~~Sec. 19-216. Special agreements.~~
- ~~Sec. 19-217. Federal or state test procedures.~~
- ~~Secs. 19-218-19-235. Reserved.~~

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~~Sec. 19-206. Unpolluted waters.~~

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## RESTRICTED USE OF PUBLIC SEWERS

### Sec. 19-206. Unpolluted waters.

No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer.

(Ord. No. 188, § 5.1, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95).

### Sec. 19-207. Prohibited discharges generally.

(a) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1)

Any substances 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 other way to the POTW or its operation. In no case shall pollutants or wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), as determined by the test methods specified in 40 CFR 261.21, be discharged to the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent, nor any single reading over ten percent, of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which constitute a fire hazard or a hazard to the system.

(2)

Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injury or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.

(3)

Pollutants which will cause corrosion or structural damage to the treatment works, but in no cases discharges with a pH lower than 6.5 or higher than 8.0 be allowed, unless the works is specifically designed to accommodate such discharge.

(4)

Solid or viscous substances in quantities or of such size capable of

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explosive hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. At no time, shall two successive readings on an explosive hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Such materials may exclude, but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, keytones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the city, state, or EPA has notified the user is a fire hazard, a health hazard, or a hazard to the system.

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3) Wastewater containing more than 100 milligrams per liter of oils, fat or grease or any other combination thereof.

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4) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

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5) Any All wastewater discharges discharge, exceeding categorical standards or alternatively having an excess of local limits for metallic substances.

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	Instantaneous Maximum Limit in Milligrams Parameter Per Liter*
Arsenic	2-5
Cadmium	0-4
Chromium, total	6-5
Copper	0-6
Cyanide	2-3
Lead	13-0
Molybdenum	0-3
Nickel	6-4
Selenium	0-9
Silver	6-4
Zinc	3-7
BOD	6,056-plant design criteria
TSS	2,115-plant design criteria

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Local limits shall be set by resolution. The established local limits apply at the point where the wastewater is discharged to the WWF. All



~~enumerated in this division of this article, and which in the judgment of the city manager or director, may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city may:~~

- ~~(1) Reject the wastes.~~
- ~~(2) Require pretreatment to an acceptable condition for discharge to the public sewers.~~
- ~~(3) Require control over the quantities and rates of discharge.~~
- ~~(4) Require surcharge payment to cover added costs of handling and treating the waters.~~
- ~~(5) Require payment of the cost of repair of any part of the system damaged by such discharge.~~
- ~~(6) Require pass-through payment of any fine or penalty assessed against the city as a result of such discharge.~~

~~(b) When considering the above alternatives, the city manager or director shall give consideration to the economic impact of each alternative on the discharger. If pretreatment or equalization of waste flows is permitted, the design and installation of the plants and equipment shall be subject to the review and approval of the city manager and director.~~

~~(c) In any action brought by the city to enforce this section, the city shall be entitled to recover reasonable attorney's fees and costs.~~

~~(Ord. No. 188, § 5.4, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)~~

**Sec. 19-210. - Interceptors.**

~~(a) Grease, oil, and sand interceptors shall be provided when, in the opinion of the director they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the director and shall be located as to be readily and easily accessible for cleaning and inspection. ~~All interceptors shall be of a type and capacity approved by the director and shall be located as to be readily and easily accessible for cleaning and inspection.~~ In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to~~

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review by the director. Any removal and hauling of the collected materials not performed by ~~owner's~~owner's personnel must be performed by currently licensed waste disposal firms.

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(b) If any person fails to comply with this section and said failure results in damage to the city system, the city shall be entitled to recover the cost of repair of the system from said person and any fines or penalties assessed against the city as a result of such failure.

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(c) In any action brought by the city to enforce this section, the city shall be entitled to reasonable ~~attorney's~~attorney's fees and costs.  
(Ord. No. 188, § 5.6, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)

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**Sec. 19-211. ~~Pretreatment or flow-equalizing facilities.~~**

~~Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.~~

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(Ord. No. 188, § 5.6, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)

**Sec. 19-212. ~~Significant industrial users.~~ Industrial Users.**

All significant industrial users discharging to the city sewer system shall comply with the following:

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(1) In order to provide for accurate sampling and measurement of industrial wastes, each designated discharger shall provide and maintain, on each of its industrial waste outlet sewers, a large manhole for sampling, or other devices acceptable to the city to be located outside or near its plant boundary line. If inside of the plant fence, there shall be a gate near the sampling chamber with a key furnished to the city. There shall be ample room provided in each sampling chamber to enable convenient inspection and sampling by the city or its agent. The sampling port shall be of a design approved by the wastewater director.

(2) Each sampling chamber shall contain a Parshall flume, accurate weir, or other approved device, with a recording and totalizing register for measurement of the liquid quantity; or the metered water supply to the industrial plant may be used as the liquid quantity where it is substantiated that the metered water supply and waste quantities are approximately the same, or where a measurable adjustment can be made in the metered supply to determine the liquid quantity. The measuring, totalizing, recording devices are to be supplied, installed, and maintained by the owner. All wastewater samples must be representative of the User's discharge. Wastewater

monitoring flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of the User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

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**Sec. 19-242. Accidental discharge/slug control plans.**

(a) Each user shall provide protection from accidental or slug discharges of prohibited materials of other substances regulated by this article. Facilities to prevent accidental or slug discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense.

(b) An accidental discharge/slug control plan shall address, at a minimum, the following:

(1) Description of discharge practices, including non-routine batch discharges;

(2) Description of stored chemicals;

(3) Procedures for immediately notifying the director of any accidental or slug discharge, as required by section 19-283(f); and

(4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(c) No user who commences contribution to the POTW after the effective date of this article shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the city.

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(d) Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this article.

(e) In the case of an accidental or slug discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident and provide written notification within five days of the accidental or slug discharge. The notification must include location of discharge, type of waste, concentration and volume, and corrective actions. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this division or other applicable law.

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(f) The wastewater director shall evaluate each industrial user at least once every two years to determine if an accidental discharge/slug control plan is required.

(g) Significant Industrial Users are required to notify the director immediately of any changes at its facility affecting the potential for a slug discharge.

**Sec. 19-281– Wastewater discharges.**

(a) It shall be unlawful for any person to discharge without a city permit to the POTW any wastewater except as authorized by the City and director in accordance with the provisions of this article.

(b) Individual Wastewater Discharge Permit – contents.

An individual wastewater discharge permit, or a general permit, shall include such conditions as are deemed reasonably necessary by the director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(1) Individual wastewater discharge permits must contain:

- a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
- b. A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with Section 5.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- d. Self-monitoring, sampling, reporting, notification, and record- keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State and Local law;
- e. The process for seeking a waiver from monitoring for pollutant neither present nor expected to be present in the Discharge in accordance with Section 6.4.B.;
- f. A statement of applicable civil and criminal penalties

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for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State or Local law.

g. Requirements to control Slug Discharge, if determined by the city to be necessary;

h. Any grant of the monitoring waiver by the city must be included as a condition in the user's permit.

#### **Section 19-281(b) Individual Wastewater Discharge Permit contents.**

An individual wastewater discharge permit, or a general permit, shall include such conditions as are deemed reasonably necessary by the director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plants effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(1) Individual wastewater discharge permits must contain:

a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;

b. A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with Section 5.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;

d. Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State and Local law;

e. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State or Local law.

f. Requirements to control Slug Discharge, if determined by the city to be necessary;

#### **Section 19-282(b). Permit application.**

Users required to obtain a wastewater contribution permit shall complete and file with the city an application in the form prescribed by the city and accompanied by a fee as set by the city from time to time. New users shall apply at least 90 days

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prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, and location (if different from the address).
- (2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.
- (3) Wastewater constituents and characteristics including but not limited to those mentioned in division 2 of this article as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures contained in Rule 62-160, F.A.C., as amended.
- (4) Time and duration of contribution.
- (5) Average daily peak wastewater flow rates, including daily, monthly and seasonal variations if any.
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation.
- (7) Description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged.
- (8) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.
- (9) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
  - a. The schedule shall contain increments of progress in the form of dates for the commencement of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
  - b. No increment referred to in paragraph a. shall exceed nine months.
  - c. Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the director including, at a minimum, whether or not it complied with the increment of progress to be met on such date, and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no

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event shall more than nine months elapse between such progress reports to the director.

(10) Each product produced by type, amount, process or processes and rate of production.

(11) Type and amount of raw materials processed (average and maximum per day).

(12) Number and type of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system.

(13) Any other information as may be deemed by the city to be necessary to evaluate the permit application.

(14) A list of any environmental control permits held by or for the facility.

(15) All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater contribution permit subject to the terms and conditions provided herein.

**Sec. 19-283. Reporting requirement for permittee.**

a) Baseline monitoring reports.

(1) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under Rule 62-625.410(2)(d), F.A.C., whichever is later, existing industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the director a report which contains the information listed in paragraph (2) below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the director a report which contains the information listed in paragraph (2), below. New sources shall report the method of pretreatment it

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intends to use to meet applicable pretreatment standards. New source also shall give estimates of the information requested in paragraph (2)(d) and (3) below.

(2) Industrial users described above shall submit the information set forth below:

- a. Identifying information. The name and address of the facility, including the name of the operator and owner.
- b. Permits. A list of any pollution control permits held by or for the facility.
- c. Description of operations. A brief description of the nature, average rate of production, and standard industrial classifications (SIC) codes of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
- d. Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 62-625.41(6) F.A.C.
- e. Measurement of pollutants.
  1. Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow- proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by [the Superintendent]. Where time- proportional composite sampling or grab sampling is authorized by [the City]; the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides and the sulfide samples may be composited in the laboratory. Composite samples for other parameters unaffected by the composting procedures as documented in approved EPA methodologies may be authorized by [the City], as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

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2. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
3. For sampling required in support of a baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12 (b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data are available. [the Superintendent] may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.
4. The categorical pretreatment standards applicable to each regulated process.
5. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the director, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and all laboratory and analytical reports shall comply with Rule 62-160.670, F.A.C.
6. A minimum of four grab samples must be used for any of these applicable tests: pH, cyanide, total phenols, oil and grease, sulfide, volatile organics, temperature dissolved oxygen, chlorine residual, unionized ammonia, microbiology, specific conductance, and dissolved constituents (e.g. ortho phosphate, etc.). For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The control authority shall waive flow-proportional composite sampling for any industrial user that demonstrates that flow-proportional sampling is technically infeasible. In such cases, samples shall be obtained through time-proportional composite sampling techniques or through a minimum of four grab samples where the industrial

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user demonstrates that this will provide a representative sample of effluent being discharged.

7. The industrial user shall take a minimum of one representative sample to compile that data necessary to comply with these requirements.
8. Samples shall be taken immediately downstream from pretreatment facilities, if such exist, or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the industrial user shall measure the flows and concentrations necessary to allow use of the combined waste stream formula of Rule 62-625.410(6), F.A.C., in order to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with Rule 62-625410(6), F.A.C., this adjusted limit, along with supporting data, shall be submitted to the control authority.
9. All activities related to sampling and analysis shall comply with Chapter 62-160, F.A.C., and shall be conducted under the requirements of Rule 62-160.300(5), F.A.C., which is Category 2A.
  - i. Sampling activities and laboratory analyses shall be performed according to procedures specified in "The Department of Environmental Regulation Standard Operating Procedures for Laboratory Operations and Sample Collection Activities" (DER-AQ-001/92) September 1992, herein incorporated by reference. Alternately, an organization with the required protocols listed in their department approved comprehensive quality assurance plan may sample and analyze according to the protocols specified in that document.
  - ii. To the extent possible, analytical tests shall be performed in accordance with the techniques prescribed in chapter 62-160, F.A.C. If a test for a specific component is not available in chapter 62-160, F.A.C., the testing laboratory shall select an alternative method from those listed in DER-QA-001/92 and propose its use to the quality assurance section of the department. The department shall determine if the proposed method is appropriate and applicable for use by the laboratory in accordance with Rule 62-

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160.530, F.A.C.

- iii. Where sampling or analytical techniques for the pollutant in question are not available or approved, or where the department determines that sampling and analysis shall be performed by using analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the control authority or other parties, for which method validation information has been submitted and approved by the Department in accordance with Rules 62-160.430, 62-160.520 and 62-160.530, F.A.C.

10. The industrial user may submit a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.

11. The baseline report shall indicate the time, date and place of sampling; method of analysis; and test results for each component and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

- f. Certification of Permit Applications, User Reports and Initial Monitoring Waiver– The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 4.7; Users submitting baseline monitoring reports on compliance with the categorical Pretreatment Standard deadlines under Section 6.3; Users submitting periodic compliance reports required by Section 6.4 A-D, and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 6.4B(4). The following certification statement must be signed and by an Authorized Representative as defined in Section 1.4C:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

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g. Compliance schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in section 19-283(b).

1. Where the industrial user's categorical pretreatment standard has been modified by the combined waste stream formula in accordance with Rule 62-625.410(6), F.A.C., a removal credit in accordance with Rule 62-625.420, F.A.C., or a fundamentally different factor variance in accordance with Rule 62-625.700, F.A.C., at the time the industrial user submits the report required by this subsection, the information requested in f. and g. of this subsection shall pertain to the modified limits.

2. If the categorical pretreatment standard is modified by the combined waste stream formula, a removal credit, or a fundamentally different factor variance after the industrial user submits the report required by this subsection, any necessary amendment to the information requested in f. and g. of this subsection shall be submitted by the industrial user to the control authority within 60 days after the modified limit is approved.

h. Signature and certification. All baseline monitoring reports must be signed and certified in accordance with section 19-282(b)(14).

(b) Compliance to schedule progress reports. The following conditions shall apply to the compliance schedule required by section 19-283(a)(2)g.:

(1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning on conducting routine operation);

(2) No increment referred to above shall exceed nine months;

(3) The user shall submit a progress report to the director no later than 14 days following each date in the schedule and the final date of compliance, including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken to return the established schedule;

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and,

(4) In no event shall more than nine months elapse between such progress reports to the director.

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(c) Reports on compliance with categorical pretreatment standard deadline. Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the director a report containing the information described in section 19-283(a)(2)d. through f. For users subject to equivalent mass or concentration limits established in accordance with procedures in [Rule] 62-625.410(4) [F.A.C.], this subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with section 19-282(b)(14).

(d) Periodic compliance reports.

(1) All significant industrial users shall, at a frequency determined by the director but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. The city may require more detailed reporting of flows if necessary to comply with the requirements of this article. All periodic compliance reports must be signed and certified in accordance with section 19-282(b)(14).

(2) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

(3) If a user subject to the reporting requirements in this section monitors any pollutant more frequently than required by the director, using the procedures prescribed in section 19-283(k), the results of this monitoring shall be included in the report.

(e) Reports of changed conditions. Each user must notify the director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 30 days before the change.

(1) The director may require the user submit such information as may be deemed necessary to evaluate the changed condition, including the

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submission of a wastewater discharge permit application under section 12-282(b).

(2) The director may issue a wastewater discharge permit under section 19-282 or modify an existing wastewater discharge permit under section 19-282(c) in response to changed conditions or anticipated changed conditions.

(3) For purposes of this requirement, significant changed include, but are not limited to, flow increases of 20 percent or greater, and the discharge of any previously unreported pollutants.

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(f) Reports of potential problems.

(1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

(2) Within five days following such discharge, the user shall, unless waived by the director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this article.

(3) A notice shall be permanently posed on the user's bulletin board or other permanent place advising employees whom to call in the event of a discharge described in subsection (1) above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

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(g) Reports from unpermitted users. All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the director as the director may require.

(h) Notice of violation/repeat sampling and reporting. If sampling performed by a user indicates a violation, the user must notify the director within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the director within 30 days after becoming aware of the violation. The user is not required to resample if the director monitors at the user's facility at least once a month, or if the director samples between the user's initial sampling and when the user receives the results of this sampling.

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(i) Notification of discharge hazardous waste.

(1) The industrial user shall notify the control authority and the department's hazardous waste and pretreatment authorities in writing of any discharge into the WWF of a substance, which, if otherwise disposed of, would be hazardous waste under Chapter 62-730, F.A.C. Such notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the WWF, the notification shall also contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. Industrial users who commence discharging after the effective date of this article shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this subsection needs to be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under subsection (e) above. The notification requirement of this section does not apply to pollutants already reported under the self-monitoring requirements of subsections (a), (c) and (d) of this section.

(2) Discharges are exempt from the requirements of subsection (1) above during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in chapter 62-730, F.A.C., requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

(3) In the case of any new department regulations identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the control authority and the department's hazardous waste and pretreatment authorities of the discharge of such substance within 90 days of the effective date of such regulations.

(4)(3) Sample collection techniques.  
a.

Depending on the objectives or requirements of the monitoring program, samples may be collected either manually or with automatic

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samplers. The following general guidelines apply when taking samples:-

1. Exclude large nonhomogeneous particles and objects.
2. Collect the sample facing upstream to avoid contamination.
3. Do not rinse sample container with sample when collecting microbiological samples, but fill it directly to within 2.5 to 5.0 cm from the top.
4. Fill the container completely if the sample is to be analyzed for purgeable organics, oxygen, ammonia, hydrogen sulfide, free chlorine, pH, hardness, sulfite, ammonium, ferrous iron, acidity, or alkalinity.
5. Collect sufficient volume to allow for quality assurance testing.

b.

Types of samples. The two types of samples, grab and composite samples, may be collected either manually or with automatic samplers.-

1. Grab samples. Grab samples are individual samples collected over a period of time not exceeding 15 minutes; the grab sample can be taken manually. The collection of a grab sample is appropriate when a sample is needed to:
  - i. Provide information about instantaneous concentrations of pollutant at specific times.
  - ii. Allow collection of a variable sample volume.
  - iii. Corroborate composite samples.
  - iv. Collect samples for parameters not amenable to automatic sampling (e.g., oil and grease, volatile organics, coliform bacteria).
2. Composite samples. These samples consist of grab samples collected at equal intervals and combined proportional to flow; a sample continuously collected proportional to flow; or equal volumes taken at varying time intervals. Composite

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samples should be used when:-

- i. Determining average pollutant concentration during the compositing period.
- ii. Calculating mass/unit time loadings.
- iii.

Wastewater characteristics are highly variable.

There are six methods for compositing samples; they may be collected using either manual or automatic sampling technologies. The six compositing methods, all of which depend on either continuous or periodic sampling, are shown in Table A. In any manual compositing method, sample manipulation should be minimized to reduce the possibility of contamination.

To determine the pollutant loading rate into a POTW system or to flow proportion a sample, it may be important for the control authority to make an accurate flow measurement for each regulated discharge. Therefore, control authority sampling staff should also be prepared to measure flow in case the SIU does not regularly monitor the amount of wastewater discharged.

TABLE A  
COMPOSITING METHODS

Compositing Principle	Advantages	Disadvantages	Comments
Constant sample volume, constant time interval between samples	Minimal instrumentation and manual effort; requires no flow measurement	May lack representativeness especially for highly variable flows	Widely used in both automatic samplers and manual sampling
Constant sample volume, time interval between samples proportional to stream flow	Minimal manual effort	Requires accurate flow measurement/reading equipment; manual compositing from flow chart	Widely used in automatic as well as manual sampling
Constant time interval between samples, sample volume proportional to total stream flow at time of sampling	Minimal instrumentation	Manual compositing from flow chart in absence of prior information on the ratio of minimum to maximum flow; change of collecting too small or too large individual discrete samples for a given composite volume	Used in automatic samplers and widely used as manual method
Constant time interval between samples, sample volume proportional to total stream flow since last sample	Minimal instrumentation	Manual compositing from flow chart in absence of prior information on the ratio of minimum to maximum flow; change of collecting either too small or too large individual discrete samples for a given composite volume	Not widely used in automatic samplers but may be done manually

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Constant pumping rate	Minimal manual effort, requires no flow measurement	Requires large sample capacity; may lack representativeness for highly variable flows	Practical but not widely used
Sample pumping rate proportional to stream flow	Most representative especially for highly variable flows; minimal manual effort	Requires accurate flow measurement equipment, large sample volume, variable pumping capacity, and power	Not widely used

c.

Sample volume. The volume of samples collected depends on the type and number of analyses that are needed, as reflected in the parameters to be measured. The volume of the sample obtained should be sufficient to perform all the required analyses plus additional amounts to provide for any split samples or repeat analyses. The laboratory performing the analysis should be consulted for any specific volume required. A breakdown of the recommended minimum sample volumes for different pollutant parameters can be found in EPA's "Methods for Chemical Analysis of Water and Wastes," 1979; "Handbook for Sampling and Sample Preservation of Water and Wastewater," 1982; and the current, EPA-approved edition of "Standard Methods."

d.

Selection and preparation of sample containers. The selection and preparation of sample containers will be based on the parameters to be measured. Wastewater samples for chemical analysis are generally collected in plastic (polyethylene) containers. Exceptions to this general rule are oil and grease samples, pesticides, PCBs, and other organic pollutant samples. These are collected in properly rinsed glass jars or bottles and sealed. Bacteriological samples are generally collected in properly sterilized plastic or glass containers.

e.

Sample preservation and holding time. In most cases, wastewater samples contain one or more unstable pollutants that require immediate analysis or preservation. Prompt analysis is the most positive assurance against error from sample deterioration, but this is not feasible for composite samples, in which portion may be stored for as long as 24 hours. It is important that preservation of the samples be provided for during compositing, where possible, in addition to being preserved before being transferred to the laboratory. Procedures used to preserve samples include refrigeration, pH adjustment, and chemical treatment. Proper preservation and holding time for samples is essential to the integrity of the monitoring program.

f.

Other sampling references. The following references shall be utilized

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by the control authority to ensure proper sampling and flow measurement techniques. They include, among others:

1.

Handbook for Sampling and Sample Preservation of Water and Wastewater, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, September 1982. Report No. EPA-600/4-82-029. NTIS PB83124503.

2.

Methods for Chemical Analysis of Water and Wastes, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, 1978. Report No. EPA-600/4-79-020. NTIS PB-297686.

3.

Compliance Evaluation Inspection Manual, EPA, Office of Water Enforcement, July 1976.

4.

NPDES Compliance Sampling Inspection Manual-MCD-51, USEPA Enforcement Division, Office of Water Enforcement, Compliance Branch.

5.

Standard Methods for the Examination of Water and Wastewater, American Public Health Association, 15th Edition.

(4)

The owner of each facility discharging industrial wastes shall submit monthly to the city, on forms supplied or approved by the city, a certified statement of the quantities of its wastes discharged into the sewers and sewage works of the city or into any sewer connected therewith. Copies of pertinent information shall be submitted with the above statement. Such documents shall be filed with the city not later than the fifteenth day of the following month. A separate statement shall be filed for each industrial plant. The report will provide the quantity of water discharged to the city system during the reporting period and will contain results of analysis for parameters as specified in the facility's discharge permit.

(5)

Any industrial user in violation of this article must notify the city within 24 hours of becoming aware of the violation and must resample and test and resubmit both results to the city within 30 days after becoming aware of the violation.

*(Ord. No. 188, § 5.7, 8-24-87; Ord. No. 210, 1-8-96; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, §§ 7, 8, 8-10-98)*

**Sec. 19-213. — Discharge into storm sewer.**

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~~No person shall discharge or cause to be discharged any sanitary wastewater into the storm sewer system, without exception.~~

~~(Ord. No. 188, § 5.8, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)~~

**Sec. 19-214. – Cooling or condensing water.**

~~Cooling and/or condensing water may be discharged to the storm sewer system only if a NPDES permit is obtained from the FDER.~~

~~(Ord. No. 188, § 5.9, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)~~

**Sec. 19-215. – Information provided by industrial users.**

~~The industrial users may be required to provide information needed to determine compliance with this article. These requirements may include:~~

- ~~(1) Wastewater discharge peak rate and volume over a specified time period.~~
- ~~(2) Chemical analyses of wastewaters. In the case of any notification made under this subsection, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.~~
- ~~(5) This provision does not create a right to discharge any substance not permitted to be discharged by this ordinance, a permit issued thereunder, or applicable federal or state law.~~
- ~~(j) Analytical requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in Rule 62-160, F.A.C., unless otherwise specified in an applicable categorical pretreatment standard. If Rule 62-160, F.A.C. does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.~~
- ~~(k) Sample collection.~~
  - ~~(1) Except as indicated in subsection (2), below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the director may authorize the use of time proportional sampling or a minimum of four grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.~~
  - ~~(2) Samples for oil and grease, temperature, pH, cyanide, phenols,~~

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sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(l) Timing. Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall be given.

(m) Record keeping.

(1) Users subject to the reporting requirements of this article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this article and any additional records of such requirements, and documentation associated with Best Management Practices established under Section 2.4C. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration fo any litigation concerning the User or the city, or where the user has been specifically notified of a longer retention period by the city

(2) Except as indicated in Sections b and c below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the city. Where time-proportional composite sampling is authorized by the city, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24 hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfieds the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the city, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

(3) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(4) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic

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compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the city may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

**Section 19-291. Penalties.**

a) *Article violations.* Any person who is found to have violated any provision of this article or any condition of IWDP's issued hereunder, shall be, upon conviction, subject to penalty in an amount not to exceed the maximum amount permissible by law or at least \$1,000.00 or by imprisonment for not more than six months, or by both, for each offense. Each separate violation shall constitute a separate offense, and upon conviction of a specified ordinance violation, each day of violation shall constitute a separate violation. In addition to the penalties provided herein, the city may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this division or the orders, rules, regulations, and IWDPs issued hereunder.

b) *Falsifying information.* Any person who knowingly makes any false statements, representations or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this article, or IWDP, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this article, shall, upon conviction, be subject to a penalty of at least \$1,000.00 or by imprisonment for not more than six months, or by both. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

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~~(3) Information on raw materials, processes and products affecting wastewater volume and quality.~~

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~~(4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.~~

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~~(5) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.~~

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~~(6) Details of wastewater pretreatment facilities.~~

~~(7) Details of the systems to prevent and control the losses of materials through spills to the municipal sewer.~~

~~(8) A description of the activities, facilities, and plant processes on the premises.~~

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~~including a list of all raw materials and chemicals used or stored at the facility which are or could accidentally or intentionally be discharged to the POTW. Material safety data sheets (MSDSs) of all chemicals shall be included and a spill containment plan shall be submitted for stored chemicals.~~

~~(Ord. No. 188, § 5.10, 8-24-87; Ord. No. 273, § 1, 1-23-05; Ord. No. 279, § 1, 8-28-05)~~

~~**Sec. 19-216. – Special agreements.**~~

~~No statement contained in this division shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment. However, there shall be no agreements made that would violate any state or federal pretreatment standard.~~

~~(Ord. No. 188, § 5.11, 8-24-87; Ord. No. 273, § 1, 1-23-05; Ord. No. 279, § 1, 8-28-05)~~

~~**Sec. 19-217. – Federal or state test procedures.**~~

~~All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest test procedures and guidelines for analysis of pollutants as specified in Rule 62-160, FAC.~~

~~(Ord. No. 188, § 5.12, 8-24-87; Ord. No. 273, § 1, 1-23-05; Ord. No. 279, § 1, 8-28-05; Ord. No. 324, § 9, 8-10-08)~~

~~**Secs. 19-218 – 19-235. – Reserved.**~~

~~**–CODE OF ORDINANCES >> Chapter 19 – UTILITIES >> ARTICLE V. – SEWER USE >> DIVISION 2. – RESTRICTED USE OF PUBLIC SEWERS >>**~~

~~**DIVISION 2. – RESTRICTED USE OF PUBLIC SEWERS**~~

~~Sec. 19-206. – Unpolluted waters.~~

~~Sec. 19-207. – Prohibited discharges generally.~~

~~Sec. 19-208. – Restricted discharges.~~

~~Sec. 19-209. – Action by city.~~

~~Sec. 19-210. – Interceptors.~~

~~Sec. 19-211. – Pretreatment or flow equalizing facilities.~~

~~Sec. 19-212. – Significant industrial users.~~

~~Sec. 19-213. – Discharge into storm sewer.~~

~~Sec. 19-214. – Cooling or condensing water.~~

~~Sec. 19-215. – Information provided by industrial users.~~

~~Sec. 19-216. – Special agreements.~~

~~Sec. 19-217. – Federal or state test procedures.~~

~~Secs. 19-218 – 19-235. – Reserved.~~

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**Sec. 19-206. – Unpolluted waters.**

~~No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer.~~

~~(Ord. No. 188, § 5.1, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)~~

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**Sec. 19-207. – Prohibited discharges generally.**

(a)

~~No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:~~

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(1)

~~Any substances 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 other way to the POTW or its operation. In no case shall pollutants or wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), as determined by the test methods specified in 40 CFR 261.21, be discharged to the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent, nor any single reading over ten percent, of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which constitute a fire hazard or a hazard to the system.~~

(2)

~~Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injury or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.~~

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(3)

~~Pollutants which will cause corrosion or structural damage to the treatment works, but in no cases discharges with a pH lower than 6.5 or higher than 8.0 be allowed, unless the works is specifically designed to accommodate such discharge.~~

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(4)

~~Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole~~

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or ground by garbage grinders.

(5)

Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through.

(Ord. No. 188, § 5.2, 8-24-87; Ord. No. 249, § 1, 1-25-93; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 6, 8-10-98).

**Sec. 19-208. - Restricted discharges.**

The following described substances, materials, waters, or waste shall be limited in discharges to municipal waste systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger life, limb, public property, or constitute a nuisance. The city manager may set limitations lower than the limitations established in the regulations listed below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to acceptability, the city manager will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste of wastewater discharged to the sanitary sewer are as follows:-

(1)

Any substance having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit). Unless a higher temperature is allowed under the user's IWDP, no user shall discharge into any sewer line or other appurtenance of the POTW, wastewater with a temperature exceeding 65.5 degrees Celsius (150 degrees Fahrenheit).

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(2)

Any substance which is harmful to the wastewater collection or treatment system, or is hazardous to the wastewater system because it contains flammable or explosive liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either along or by interaction with other substances to cause fire, or explosion or be injurious in any other way to the wastewater system or to the operation of the wastewater system. ~~At no time, shall two successive readings on an explosive hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter.~~ Such materials may exclude, but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the city, state, or EPA has notified the user is a fire hazard, a health hazard, or a hazard to the system.

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(3)

Wastewater containing more than 100 milligrams per liter of oils, fat or grease or any other combination thereof.

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(4)

Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants,

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~~hospitals, catering establishments, or similar places where garbage originals from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.~~

(5)

~~Any wastewater discharges exceeding categorical standards or alternatively having an excess of:~~

	Instantaneous Maximum Limit in Milligrams Parameter Per Liter*
Arsenic	2.5
Cadmium	0.4
Chromium, total	6.5
Copper	0.6
Cyanide	2.3
Lead	13.0
Molybdenum	0.3
Nickel	6.4
Selenium	0.9
Silver	6.4
Zinc	3.7
BOD	6,056 plant design criteria
TSS	2,115 plant design criteria

\*—All concentrations for metallic substances for total metals unless otherwise indicated. In the exercise of discretion, the director may impose mass limitations in addition to, or in place of the concentration-based limitations above.

(6)

~~Any waters or wastes containing odor-producing substances exceeding limits, which may be established by the Director.~~

(7)

~~Any radioactive or isotopes of such half-life or concentrations as may exceed limits established in compliance with applicable state or federal regulations.~~

(8)

~~Quantities of flow, concentration, or both which constitute a "slug" as defined in section 19-181.~~

(9)

~~Waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.~~

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~~Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form solids which interfere with the collection system, or create a condition deleterious to structures and treatment process.~~

(11)

~~Wastewater, which does not constitute normal wastewater as, defined by this ordinance.~~

(12)

~~Any substances that include or will cause pass through or interference.~~

~~(Ord. No. 188, § 5.3, 8-24-87; Ord. No. 240, § 1, 1-25-03; Ord. No. 273, § 1, 1-23-05; Ord. No. 270, § 1, 8-28-05; Ord. No. 373, § 1, 12-11-00; Ord. No. O2000 21, § 1, 12-14-00)~~

~~Gross reference — Solid waste and woods, ch. 15.~~

### **Sec. 19-209. — Action by city.**

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(a)

~~If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this division of this article, and which in the judgment of the city manager or director, may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city may:~~

(1)

~~Reject the wastes.~~

(2)

~~Require pretreatment to an acceptable condition for discharge to the public sewers.~~

(3)

~~Require control over the quantities and rates of discharge.~~

(4)

~~Require surcharge payment to cover added costs of handling and treating the waters.~~

(5)

~~Require payment of the cost of repair of any part of the system damaged by such discharge.~~

(6)

~~Require pass-through payment of any fine or penalty assessed against the city as a result of such discharge.~~

(b)

~~When considering the above alternatives, the city manager or director shall give consideration to the economic impact of each alternative on the discharger. If pretreatment or equalization of waste flows is permitted, the design and installation of the plants and equipment shall be subject to the review and approval of the city~~

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manager and director.  
(e)

In any action brought by the city to enforce this section, the city shall be entitled to recover reasonable attorney's fees and costs.  
(Ord. No. 188, § 5.4, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)

**Sec. 19-210. – Interceptors.**

(a)

Grease, oil, and sand interceptors shall be provided when, in the opinion of the director they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. ~~All interceptors shall be of a type and capacity approved by the director and shall be located as to be readily and easily accessible for cleaning and inspection.~~ In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the director. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently-licensed waste disposal firms.

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(b)

If any person fails to comply with this section and said failure results in damage to the city system, the city shall be entitled to recover the cost of repair of the system from said person and any fines or penalties assessed against the city as a result of such failure.

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(e)

In any action brought by the city to enforce this section, the city shall be entitled to reasonable attorney's fees and costs.  
(Ord. No. 188, § 5.5, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)

**Sec. 19-211. – Pretreatment or flow-equalizing facilities.**

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(Ord. No. 188, § 5.6, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 270, § 1, 8-28-95)

**Sec. 19-212. – Significant industrial users.**

All significant industrial users discharging to the city sewer system shall comply with the following:

(1)

In order to provide for accurate sampling and measurement of industrial wastes, each designated discharger shall provide and maintain, on each of its industrial waste outlet sewers, a large manhole for sampling, or other devices acceptable to the city to be located outside or near its plant boundary

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~~line. If inside the plant fence, there shall be a gate near the sampling chamber with a key furnished to the city. There shall be ample room provided in each sampling chamber to enable convenient inspection and sampling by the city or its agent. The sampling port shall be of a design approved by the wastewater director.~~

(2)

~~Each sampling chamber shall contain a Parshall flume, accurate weir, or other approved device, with a recording and totalizing register for measurement of the liquid quantity; or the metered water supply to the industrial plant may be used as the liquid quantity where it is substantiated that the metered water supply and waste quantities are approximately the same, or where a measurable adjustment can be made in the metered supply to determine the liquid quantity. The measuring, totalizing, recording devices are to be supplied, installed, and maintained by the owner.~~

(3)

~~Sample collection techniques:~~

~~a:~~

~~Depending on the objectives or requirements of the monitoring program, samples may be collected either manually or with automatic samplers. The following general guidelines apply when taking samples:-~~

~~1.~~

~~Exclude large nonhomogeneous particles and objects.~~

~~2.~~

~~Collect the sample facing upstream to avoid contamination.~~

~~3.~~

~~Do not rinse sample container with sample when collecting microbiological samples, but fill it directly to within 2.5 to 5.0 cm from the top.~~

~~4.~~

~~Fill the container completely if the sample is to be analyzed for purgeable organics, oxygen, ammonia, hydrogen sulfide, free chlorine, pH, hardness, sulfite, ammonium, ferrous iron, acidity, or alkalinity.~~

~~5.~~

~~Collect sufficient volume to allow for quality assurance testing.~~

~~b.~~

~~Types of samples. The two types of samples, grab and composite samples, may be collected either manually or with automatic samplers.~~

~~1.~~

~~Grab samples. Grab samples are individual samples collected~~

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over a period of time not exceeding 15 minutes; the grab sample can be taken manually. The collection of a grab sample is appropriate when a sample is needed to:

- i. Provide information about instantaneous concentrations of pollutant at specific times.
- ii. Allow collection of a variable sample volume.
- iii. Corroborate composite samples.
- iv. Collect samples for parameters not amenable to automatic sampling (e.g., oil and grease, volatile organics, coliform bacteria).

2.

Composite samples. These samples consist of grab samples collected at equal intervals and combined proportional to flow; a sample continuously collected proportionally to flow; or equal volumes taken at varying time intervals. Composite samples should be used when:

- i. Determining average pollutant concentration during the compositing period.
- ii. Calculating mass/unit time loadings.
- iii. Wastewater characteristics are highly variable.

There are six methods for compositing samples; they may be collected using either manual or automatic sampling technologies. The six compositing methods, all of which depend on either continuous or periodic sampling, are shown in Table A. In any manual compositing method, sample manipulation should be minimized to reduce the possibility of contamination.

To determine the pollutant loading rate into a POTW system or to flow proportion a sample, it may be important for the control authority to make an accurate flow measurement for each regulated discharge. Therefore, control authority sampling staff should also be prepared to measure flow in case the SIU does not regularly monitor the amount of wastewater discharged.

TABLE A  
COMPOSITING METHODS

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Compositing Principle	Advantages	Disadvantages	Comments
Constant sample volume, constant time interval between samples	Minimal instrumentation and manual effort; requires no flow measurement	May lack representativeness especially for highly variable flows	Widely used in both automatic samplers and manual sampling
Constant sample volume, time interval between samples proportional to stream flow	Minimal manual effort	Requires accurate flow measurement/reading equipment; manual compositing from flow chart	Widely used in automatic as well as manual sampling
Constant time interval between samples, sample volume proportional to total stream flow at time of sampling	Minimal instrumentation	Manual compositing from flow chart in absence of prior information on the ratio of minimum to maximum flow; change of collecting too small or too large individual discrete samples for a given composite volume	Used in automatic samplers and widely used as manual method
Constant time interval between samples, sample volume proportional to total stream flow since last sample	Minimal instrumentation	Manual compositing from flow chart in absence of prior information on the ratio of minimum to maximum flow; change of collecting either too small or too large individual discrete samples for a given composite volume	Not widely used in automatic samplers but may be done manually
Constant pumping rate	Minimal manual effort, requires no flow measurement	Requires large sample capacity; may lack representativeness for highly variable flows	Practical but not widely used
Sample pumping rate proportional to stream flow	Most representative especially for highly variable flows; minimal manual effort	Requires accurate flow measurement equipment, large sample volume, variable pumping capacity, and power	Not widely used

e.

Sample volume. The volume of samples collected depends on the type and number of analyses that are needed, as reflected in the parameters to be measured. The volume of the sample obtained should be sufficient to perform all the required analyses plus additional amounts to provide for any split samples or repeat analyses. The laboratory performing the analysis should be consulted for any specific volume required. A breakdown of the recommended minimum sample volumes for different pollutant parameters can be found in EPA's "Methods for Chemical Analysis of Water and Wastes," 1979; "Handbook for Sampling and Sample Preservation of Water and Wastewater," 1982; and the current, EPA-approved edition of "Standard Methods."

d.

Selection and preparation of sample containers. The selection and preparation of sample containers will be based on the parameters to be measured. Wastewater samples for chemical analysis are generally collected in plastic (polyethylene) containers. Exceptions to this general rule are oil and grease samples, pesticides, PCBs, and

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~~other organic pollutant samples. These are collected in properly rinsed glass jars or bottles and sealed. Bacteriological samples are generally collected in properly sterilized plastic or glass containers.~~

~~e.~~

~~Sample preservation and holding time. In most cases, wastewater samples contain one or more unstable pollutants that require immediate analysis or preservation. Prompt analysis is the most positive assurance against error from sample deterioration, but this is not feasible for composite samples, in which portion may be stored for as long as 24 hours. It is important that preservation of the samples be provided for during compositing, where possible, in addition to being preserved before being transferred to the laboratory. Procedures used to preserve samples include refrigeration, pH adjustment, and chemical treatment. Proper preservation and holding time for samples is essential to the integrity of the monitoring program.~~

~~f.~~

~~Other sampling references. The following references shall be utilized by the control authority to ensure proper sampling and flow measurement techniques. They include, among others:~~

~~1.~~

~~Handbook for Sampling and Sample Preservation of Water and Wastewater, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, September 1982. Report No. EPA-600/4-82-029. NTIS PB83124503.~~

~~2.~~

~~Methods for Chemical Analysis of Water and Wastes, U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, 1978. Report No. EPA-500/4-79-020. NTIS PB 297686.~~

~~3.~~

~~Compliance Evaluation Inspection Manual, EPA, Office of Water Enforcement, July 1976.~~

~~4.~~

~~NPDES Compliance Sampling Inspection Manual MCD-51, USEPA Enforcement Division, Office of Water Enforcement, Compliance Branch.~~

~~5.~~

~~Standard Methods for the Examination of Water and Wastewater, American Public Health Association, 15th Edition.~~

(4)

~~The owner of each facility discharging industrial wastes shall submit monthly to the city, on forms supplied or approved by the city, a certified statement of the quantities of its wastes discharged into the sewers and sewage works of the city or into any sewer connected therewith. Copies of pertinent information shall be submitted with the above statement. Such documents shall be filed with the city not later than the fifteenth day of the following month. A separate statement shall be filed for each industrial plant. The report will provide the quantity of water discharged to the city system during the reporting period and will contain results of analysis for parameters as specified in the facility's discharge permit.~~

(5)

~~Any industrial user in violation of this article must notify the city within 24 hours of becoming aware of the violation and must resample and test and resubmit both results to the city within 30 days after becoming aware of the violation.~~

~~(Ord. No. 188, § 5.7, 8-24-87; Ord. No. 210, 1-8-96; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, §§ 7, 8, 8-10-98)~~

**Sec. 19-213. – Discharge into storm sewer.**

~~No person shall discharge or cause to be discharged any sanitary wastewater into the storm sewer system, without exception.~~

~~(Ord. No. 188, § 5.8, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)~~

**Sec. 19-214. – Cooling or condensing water.**

~~Cooling and/or condensing water may be discharged to the storm sewer system only if a NPDES permit is obtained from the FDER.~~

~~(Ord. No. 188, § 5.9, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)~~

**Sec. 19-215. – Information provided by industrial users.**

~~The industrial users may be required to provide information needed to determine compliance with this article. These requirements may include:~~

(1)

~~Wastewater discharge peak rate and volume over a specified time period.~~

(2)

~~Chemical analyses of wastewaters.~~

(3)

~~Information on raw materials, processes and products affecting wastewater volume and quality.~~

(4)

~~Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.~~

(5)

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~~A plot plan of sewers of the user's property showing sewer and pretreatment facility location.~~

~~(6)~~

~~Details of wastewater pretreatment facilities.~~

~~(7)~~

~~Details of the systems to prevent and control the losses of materials through spills to the municipal sewer.~~

~~(8)~~

~~A description of the activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are or could accidentally or intentionally be discharged to the POTW. Material safety data sheets (MSDSs) of all chemicals shall be included and a spill containment plan shall be submitted for stored chemicals.~~

~~(Ord. No. 188, § 5.10, 8-24-87; Ord. No. 273, § 1, 1-23-05; Ord. No. 270, § 1, 8-28-05)~~

~~**Sec. 19-216. – Special agreements.**~~

~~No statement contained in this division shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment. However, there shall be no agreements made that would violate any state or federal pretreatment standard.~~

~~(Ord. No. 188, § 5.11, 8-24-87; Ord. No. 273, § 1, 1-23-05; Ord. No. 270, § 1, 8-28-05)~~

~~**Sec. 19-217. – Federal or state test procedures.**~~

~~All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest test procedures and guidelines for analysis of pollutants as specified in Rule 62-160, FAC.~~

~~(Ord. No. 188, § 5.12, 8-24-87; Ord. No. 273, § 1, 1-23-05; Ord. No. 270, § 1, 8-28-05; Ord. No. 324, § 9, 8-10-08)~~

~~**Secs. 19-218 – 19-235. – Reserved.**~~

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## ARTICLE V. SEWER USE

### DIVISION 1.

#### **GENERAL Sec. 19-181. Definitions.**

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this article, shall have the meanings hereinafter designated. The singular shall include the plural where indicated by the context.

*Act* or *the Act* means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended (33 U.S.C. 1251 et seq.).

*Approval authority* means the director in an NPDES state with an approved state pre-treatment program and the administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

Authorized or Duly Authorized Representative of the User.

(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit [or general permit {optional}] requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3 above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall

responsibility for environmental matters for the company, and the written authorization is submitted to the City.

*Best Management practices (BMPs)* means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Sections 19-207 and 19-208. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

*Biochemical oxygen demand (BOD)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

*Building drain* means that part of the piping of a building which collects wastewater inside the walls of the building and conveys it to outside the building wall.

*Building sewer* means the extension from the building drain to the public sewer or other place of disposal, also called "house connection."

*Categorical industrial user* means an Industrial User subject to a categorical Pretreatment Standard or categorical standard.

*Categorical standards* means national categorical pretreatment standards or pretreatment standard.

*Chemical oxygen demand (COD)* means a measure of oxygen equivalent of that portion of the organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant.

*City* means the City of Wildwood or the city commission of the city.

*City commission* means the duly elected officials of the city.

*City manager* means the person designated by the city commission to administer all city activities.

*Control authority* means the "approval authority," defined in this section, or the Director if the city has an approved pretreatment program under the provisions of 40 CFR 403.11.

*Cooling water* means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

*Customer* means every person who is responsible for contracting (expressly or implicitly) with the city in obtaining, having or using sewer connections with, or sewer taps to, the sewer system of the city and in obtaining, having, or using water and other related services furnished by the city for the purpose of disposing of wastewater and sewage through such system. The word "customer" includes the occupants of each unit of a multiple-family dwelling unit building as a

separate and distinct customer.

*Daily maximum* means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

*Direct discharge* means the discharge of treated or untreated wastewater directly to the waters of the state.

*Director* means director of the POTW.

*Easement* means an acquired legal right for the specific use of land owned by others.

*Environmental Protection Agency* or *EPA* means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of such agency.

*Excess strength wastewater* means wastewater containing constituents whose parameters are in excess of normal wastewater.

*Existing source* means any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

*Floatable oil* means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

*Flush toilet* means the common sanitary flush commode in general use for the disposal of human excrement.

*Garbage* means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

*Grab sample* means a sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

*Health officer* means the county environmental health director.

*Holding tank waste* means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

*Indirect discharge* means the discharge or the introduction of nondomestic pollutants from any source regulated under section 307 (b) or (c) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).

*Industrial user* means a source of indirect discharge.

*Industrial wastes* means the wastewater from industrial processes as distinct from normal wastewater.

*Infiltration/Inflow* means groundwater and surface water which leaks into the sewers through cracked pipes, joints, manholes or other openings.

*Instantaneous limit* means the maximum concentration of a pollutant allowed to be discharged at any time, determined from/and by the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

*Interference* means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes use or disposal; and

(2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, the Marine Protection, Research and Sanctuaries Act and any state laws which reflect the same or similar subject matter as these federal laws.

*Local Limit* means specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

*Medical waste* means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

*National categorical pretreatment standard or pretreatment standard* means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.

*National pollution discharge elimination system or NPDES permit* means a permit issued pursuant to section 402 of the Act (33 U.S.C. 1342).

*National prohibitive discharge standard or prohibitive discharge standard* means any regulation developed under the authority of section 307(b) of the Act and 40 CFR 403.5.

*Natural outlet* means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

*New source* means:

(1) Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

- a) The building, structure, facility, or installation is constructed at a site which no other source is located; or,
- b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or,
- c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

- a) Begun, or caused to begin, as part of a continuous onsite construction program:
  - i) Any placement, assembly, or installation of facilities or equipment; or
  - ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment;

or

b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without

substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

*Noncontact cooling water* means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

*Normal wastewater* means wastewater discharged into the sanitary sewers in which the average concentration of total suspended solids and BOD is not more than 250 mg/l, total phosphorus is not more than 15 mg/l, total nitrogen is not more than 30 mg/l; COD is not more than 450 mg/l; TSS is not more than 250 mg/l; and a pH range of 6.5 to 8.0 and for which total flow is not more than 25,000 gallons per day.

*Pass through* means a discharge which exits the POTW to a water of the United States in quantities or concentrations which alone or in conjunction with a discharge or discharges from all other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation); or wastewater constituent which is not adequately treated by the treatment process resulting in its discharge to the receiving environment.

*Person* means any individual, partnership, co-partnership, firm, company, governmental entity or any other legal entity, or their legal representatives, agents or assigns.

*pH* means a measure of the acidity or alkalinity of a solution, expressed in standard units.

*Pit privy* means a shored, vertical pit in the earth completely covered with a flytight slab on which is securely located a flytight riser covered with a hinged flytight seat and lid.

*Pollutant* means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharge into water.

*Pollution* means the manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

*POTW treatment plant* means that portion of the POTW designed to provide treatment to wastewater.

*Pretreatment* means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical,

chemical or biological processes, or by process changes or other means, except as prohibited Rule 62-625.410(5), FAC.

*Pretreatment requirements* means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

*Pretreatment standards* or *standards* means pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

*Prohibited discharge standards* or *prohibited discharges* means absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 19-207.

*Properly shredded* means the wastes from the preparation, cooking, and dispensing of food that has 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 inch in any dimension.

*Public sewer* means a common sewer controlled by a governmental agency or public utility.

*Publicly owned treatment works (POTW)* means a treatment works as defined by section 212 of the Act (33 U.S.C. 1292) which is owned in this instance by the city. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this article, POTW shall also include any sewers that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the city, users of the city's POTW.

*Sanitary sewer* means a sewer that carries liquid and water-carried wastes from residences, commercial building, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

*Septic tank* means a subsurface impervious tank designed to temporarily retain sewage or similar waterborne wastes together with:

- (1) A sewer line constructed with soldered pipe, with the joints sealed, connecting the impervious tank with a plumbing stub out; and
- (2) A subsurface system of trenches, piping and other materials constructed to drain the clarified discharge from the tank and distribute it underground to be absorbed or filtered.

*Sewage* means the spent water of a community. The equivalent term is "wastewater," as defined in this section.

*Sewer* means a pipe or conduit that carries wastewater.

*Significant industrial user (SIU)* means any industrial user of the city's wastewater disposal system who is:

- (1) An Industrial User subject to categorical Pretreatment Standards; or
- (2) An Industrial User that:
  - (a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blow down wastewater);
  - (b) Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
  - (c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

*Significant noncompliance* or *SNC* means an SIU shall be in significant noncompliance when any one or more of the following criteria are satisfied:

- (1) Chronic violations of wastewater discharge limits defined here as those in which sixty-six percent (66%) or more of all measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2 ;
- (2) Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined in Section 2, multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (3) Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that [the Superintendent] determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- (4) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in [the Superintendent's] exercise of its emergency authority to halt or prevent such a discharge;
- (5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit [or general permit] or enforcement order for starting construction, completing

construction, or attaining final compliance;

(6) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports and reports on compliance with compliance schedules;

(7) Failure to accurately report noncompliance; or

(8) Any other violation(s), which may include a violation of Best Management Practices, which [the Superintendent] determines will adversely affect the operation or implementation of the local pretreatment program.

*Significant violation* means any violation or group of violations of an industrial user's IWDP which establishes significant noncompliance.

*Slug* means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentrations of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater facilities.

*Spill containment plan* means a detailed plan showing facilities and operating procedures to provide protection from accidental discharge.

*Standard industrial classification (SIC)* means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

*Storm drain*, sometimes termed *storm sewer*, means a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

*Stormwater* means any flow occurring during or following any form of natural precipitation and resulting therefrom.

*Suspended solids* means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as nonfilterable residue.

*Total nitrogen (TN)* means TKN + nitrate/nitrite.

*Total toxic organics (TTO)* means the summation of all quantifiable values, greater than 0.01 mg/l, of toxic organic substances identified by the EPA for electroplating point source categories listed in 40 CFR 413.02(i) and for metal finishing subcategories listed in 40 CFR 433.11(e), or identified in any equivalent state law.

*Toxic pollutant* means any pollutant or combination of pollutants listed as toxic

in regulations promulgated by the administrator of the Environmental Protection Agency (EPA) under the provision of CWA 307(1) or other acts.

*Unpolluted water* means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

*User* means any person who contributes, causes or permits the contribution of wastewater into the city POTW.

*Wastewater* means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water and stormwater that may be present.

*Wastewater facilities* means the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

*Watercourse* means a natural or artificial channel for the passage of water either continuously or intermittently.

*Waters of the state* means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion. (Ord. No. 188, § 1.2, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 1, 8-10-98; Ord. No. 339, 4-26-99) Cross reference-Definitions and rules of construction generally, § 1-2.

## **Sec. 19-182. Abbreviations.**

The following abbreviations shall have the designated meanings:

BOD, biochemical oxygen demand.

CA, city attorney.

CFR, Code of Federal Regulations.

CIVIL ACTION, civil litigation against a user seeking equitable relief, monetary penalties and actual damages.

COD, chemical oxygen demand.

CRIMINAL ACTION, pursuing punitive measures against an individual and/or organization through a court of law.

D, waste water director.

EPA, United States Environmental Protection Agency. FDEP, Florida Department of Environmental Protection.

FINE, monetary penalty assessed by the city.

I, inspector (environmental specialist).

IWDP, industrial wastewater discharge permit.

l, liter.

LATE FEE, monetary penalty imposed for late reporting.

LOV, letter of violation.

MG, milligrams.

MG/l, milligrams per liter.

NOSNC, notice of significant noncompliance.

NPDES, national pollutant discharge elimination system.

POTW, publicly owned treatment works.

PUBLICATION, publication in the annual list of significant violators.

SIC, standard industrial classification.

SIU, significant industrial user.

SNC, significant noncompliance.

SWDA, Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)

TSS, total suspended solids.

USC, United States Code.

(Ord. No. 188, § 1.3, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)

**Sec. 19-182.1. Director.**

(a) *Director and/or Authorized Staff.* The director shall be responsible for the administration and enforcement of all sections of this division and shall be responsible for the operation of the POTW.

(b) *Records.* The director shall keep all records required under this division including records of all IWDPs as required by applicable state and federal

regulations.

(c) *Public participation requirements.* The director shall comply with all applicable public participation requirements of section 101(e) of the Act and 40 CFR Part 25, in the enforcement of national categorical pretreatment standards.

(d) *Public notice.* The director shall provide individual notice and opportunity to comment to persons or groups who request in writing notification of local limits development.

(e) *Public notification.* The director shall annually publish in the largest daily newspaper of general circulation within the county a list of the SIUs identified as being in significant noncompliance with applicable pretreatment requirements or standards at least once during the previous calendar year. The notification shall also summarize any enforcement actions taken against the SIUs during the same 12 months. (Ord . No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)

### **Sec. 19-183. Purpose and Policy.**

(a) This article sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the city and enables the city to comply with all applicable state and federal laws required by the Clean Water Act of 1977 and the general pretreatment regulations (Rule 62-625, FAC). The objectives of this article are:

(1) To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge.

(2) To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system.

(3) To protect the general public and wastewater facility personnel.

(4) To improve the opportunity to recycle and reclaim wastewaters and sludge from the system.

(5) To provide for equitable distribution of the cost of the municipal wastewater system.

(6) To enable the wastewater facility to comply with its FDEP wastewater facility permit conditions, residuals use and disposal requirements and any other federal or state laws.

(b) This article provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users and through enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable

distribution of costs resulting from the program established herein.

(c) This article shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the city POTW. Except as otherwise provided herein the director shall administer, implement, and enforce the provisions of this article. (Ord. No. 188, § 1.1, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 2, 8-10-98)

**Sec. 19-184. Use of public sewers required.**

(a) All premises shall be provided, by the owner thereof, with at least one toilet. All toilets shall be kept clean and in a sanitary working condition.

(b) No person shall dispose of human excrement except in a toilet.

(c) It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

(d) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

(e) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the city jurisdiction and abutting on any street, alley, or right-of-way in which there is not located or may in the future be located a public sanitary sewer of the city, is hereby required at the owner's expense to install suitable toilet facilities therein.

(f) All sinks, dishwashing machines, lavatories, basins, shower baths, bathtubs, laundry tubs, washing machines, and similar plumbing fixtures or appliances shall be connected to the public sewer; provided, that where no sewer is available, septic tanks or other private subsurface disposal facilities, approved in accordance with all applicable laws, may be used.

(g) The customer shall be notified when the sewer is available.

(1) Sewage shall be considered available to an existing single-family dwelling when the dwelling can be connected by gravity flow to a line in any public right-of-way or easement which passes the property at any point.

(2) Sewage shall be considered available to any new single-family dwelling when the dwelling can be connected by the installation of 200 linear feet of gravity flow line from the nearest point of the property.

(h) Even if the sewer system is available, if the City has executed a contract that allows continued use of a properly operating existing septic tank, as long as the terms of the contract are met and the existing septic tank is providing

adequate disposal, the terms of the contract will apply.

(i) Sewer charges shall be in effect upon notification of the availability of sewer service. (Ord. No. 188, § 2, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)

### **Sec. 19-185. Private wastewater disposal.**

(a) Where a public sanitary sewer is not available under the provisions of section 19-184, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section. No person shall construct a septic tank or other wastewater disposal facility without prior approval from the city manager's office. The availability of sewer is defined in section 19-184.

(b) Septic tanks shall be constructed, repaired, altered, enlarged and maintained in accordance with plans and specifications approved by the county health officer.

(c) No person shall construct, repair, alter or enlarge any septic tank unless he receives approval by the wastewater director and shall hold a valid permit for such work issued by the county health officer.

(d) The type, capacities, location, and layout of a private wastewater disposal system shall comply with all regulations of the state department of environmental protection and all other applicable regulations. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(e) No septic tank or other subsurface disposal facility shall be installed where a public sewer is accessible to the premises involved.

(f) At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within 30 days if the property is located within the city and 120 days if the Property is located outside of the city after notice and no further connection or interconnection With such previously used facility shall be allowed. Even if the sewer system is available, if the City has executed a contract that allows continued use of a properly operating existing septic tank, as long as the terms of the contract are met and the existing septic tank is providing adequate disposal, the terms of the contract will apply.

(g) The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city.

(h) Every flush toilet shall be connected to a public sewer where available or to a septic tank. Flush toilets shall be provided at all times, with sufficient running water under pressure to flush the toilet clean after each use.

- (i) No pit privy shall be installed.
- (j) Discharge of septic tanks into sewer system.

(1) Restricted. It shall be unlawful to empty, dump, throw or otherwise discharge, into any manhole, catch basin or other opening, into the city sewer system, or any system connected with and discharging into the sewer system, the contents of any septic tank, sludge, sewage or other similar matter or material, except as provided in paragraph (2).

(2) Permits. The director is hereby authorized to grant permits to discharge the contents of septic tanks (from domestic sources only) at locations specified by him and under his supervision. Such permits may be revoked at any time if, in the opinion of the director, continued dumping of such matter into the sewers will be injurious to the sewer system or treatment processes.

(3) Charges. A charge shall be made for the privilege of dumping contents of septic tanks, as provided in separate rules. A record shall be kept of such dumping and statements shall be payable within ten days after rendition. Failure to pay the amounts due within such ten-day period shall be cause for revoking the permit.

(k) Any premises that have a septic tank, privy or any other sewage, industrial waste, or liquid waste disposal system, located thereon that does not function in a sanitary manner shall be corrected within 30 days from the receipt of written notification from the director that the system is not functioning in a sanitary manner, and order that the system be corrected.

(l) Premises with private water systems shall not be connected with the public sewage system unless approved by the director,

(m) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the county health officer or director. (Ord. No. 188, § 3, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)

### **Sec. 19-186. Building sewers and connections.**

(a) *Permit required.* No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the director.

(b) *Application fee.* The owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the director. A permit and inspection fee as specified elsewhere shall be paid at the time the application is filed.

(c) *Costs indemnification.* All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(d) *Separate buildings.* A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building sewer may be extended to the rear building. However, additional connection fees may be required. The city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

(e) *Old building sewers.* Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the director and community development department, to meet all requirements of this article.

(f) *Construction.* The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in construction shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

(g) *Elevation flow of sewage.* Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(h) *Surface runoff, groundwater.* No person shall make connection of roof downspouts, foundation drains, areaway drains, air conditioner condensation lines, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, unless such connection is approved for purposes of disposal of polluted surface drainage.

(i) *Excavations guarded.* All excavations for building sewer installations shall be adequately guarded with barricades and lights in compliance with all OSHA requirements so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(j) *Sewer availability costs.* The city commission will define the availability of sewers and costs associated with sewer permits or construction.

(k) *Manner of connection.* The connection of the building sewer into the public

sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the director before installation.

(l) *Infiltration, inflow.* If any customer sewer connection permits entrance of infiltration or inflow, the director may:

- (i) Require the owner to repair the sewer.
- (ii) Charge the owner a sewer rate that reflects the additional cost of sewage treatment from the owner's property.
- (iii) Require the owner to disconnect his sewer from the city's sewer system.

(m) *Sewer service unavailable.* Where sewer service is unavailable, all cost associated with permit, construction and extension shall be the responsibility of the permitting applicant. (Ord. No. 188, § 4, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 3, 8-10-98)

#### **Sec. 19-187. Malicious damage.**

(a) No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities.

(b) Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct and/or other appropriate charge and shall be responsible for any loss of revenue or monetary expenditures needed for repairs brought about by their actions and for any fines or penalties imposed upon the city arising from such damage.

(c) The city shall be entitled to attorney's fees and costs in any action or proceeding brought to enforce this provision or to recover damages caused by a violation of this article. (Ord. No. 188, §6, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279 §1, 8-28-95) Cross reference--Offenses and miscellaneous provisions, Ch. 13.

#### **Sec. 19-188. Powers and authority of inspectors.**

(a) Duly authorized employees of the city bearing proper credentials and identification shall be admitted with permission from proper authorities to all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the sewer system in accordance with the provisions of the article.

(b) While performing the necessary work on private properties referred to

herein, the authorized employees of the city shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the employees. The city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company, except as such may be caused by negligence or failure of the company to maintain safe conditions as required by this article.

(c) Duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sample, repair, and maintenance of any portion of the wastewater facilities lying within such easement. All entry and subsequent work, if any, on such easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. No. 188, § 7, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)

### **Sec. 19-189. Authority to disconnect service.**

The city reserves the right to terminate water and wastewater disposal services and disconnect a customer from the system when:

- (1) Acids or chemicals damaging to the sewer lines or treatment process are released into the sewer causing rapid deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
- (2) A governmental agency informs the city that the effluent from the wastewater treatment plant is no longer of a quality permitted for discharge into the environment, and it is found that the customer is delivering wastewater to the city's system that is not sufficiently treated or requires treatment that is not provided by the city as normal domestic treatment; or
- (3) The customer:
  - a. Discharges industrial waste or wastewater that is in violation of the permit issued by city;
  - b. Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment systems;
  - c. Fails to pay monthly bills for water and sanitary sewer services when due;
  - d. Repeats a discharge of prohibited wastes into public sewers; or
  - e. Fails to apply for and obtain proper permits. (Ord. No. 188, § 11, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 4, 8-10-98)

**Sec. 19-190. Legal remedy.**

In the event the city is required to disconnect service because of discharging by a customer or user into the POTW of any substance causing damage to the POTW including, but not limited to, any acids or chemicals damaging the sewer lines or treatment process; any substances which have caused the effluent from the wastewater treatment plant to no longer be of a quality permitted for discharge into the environment; any discharge, industrial waste or wastewater that is in violation of the permit issued by the city; any discharges of wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system; or any discharge of prohibited waste, which results in any fines or penalties being assessed against the city, the city shall have the right to collect from the user or customer the cost of repair of any damage to the system caused by the materials which led to the disconnection. The city shall also be entitled to recover any fine or penalty assessed against the city assessed against the city as a result of the discharge by any regulatory agency with jurisdiction from the customer causing the discharge. If the city is forced to file an action to enforce these provisions the city shall be entitled to reasonable attorney's fees and costs.

(Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 5, 8-10-98)

Secs. 19-191-19-205. Reserved.

**DIVISION 2.**

**RESTRICTED USE OF PUBLIC SEWERS**

**Sec. 19-206. Unpolluted waters.**

No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer. (Ord. No. 188, § 5.1, 8-24-87; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95)

**Sec. 19-207. Prohibited discharges generally.**

(a) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any substances 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 other way to the POTW or its operation. In no case shall pollutants or wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), as determined by the test methods specified in 40 CFR 261.21, be discharged to the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent, nor any single reading over ten percent, of the lower explosive limit (LEL) of the meter. Prohibited materials

include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which constitute a fire hazard or a hazard to the system.

(2) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injury or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.

(3) Pollutants which will cause corrosion or structural damage to the treatment works, but in no cases discharges with a pH lower than 6.5 or higher than 8.0 be allowed, unless the works is specifically designed to accommodate such discharge.

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(5) Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through. (Ord. No. 188, § 5.2, 8-24-87; Ord. No. 249, § 1, 1-25-93; Ord. No. 273, § 1, 1-23-95; Ord. No. 279, § 1, 8-28-95; Ord. No. 324, § 6, 8-10-98)

#### **Sec. 19-208. Restricted discharges.**

The following substances, materials, waters, or waste shall be limited in discharges to municipal waste systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger life, limb, public property, or constitute a nuisance. The city manager may set limitations lower than the limitations established in the regulations listed below, if in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to acceptability, the city manager will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater process employed, capacity of wastewater treatment plant, degree of treatability of the waste in wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste of wastewater discharged to the sanitary sewer are as follows:

1) Any substance having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit). Unless a higher

temperature is allowed under the user's IWDP, no POTW, wastewater with a temperature exceeding 65.5 degrees Celsius (150 degrees Fahrenheit).

2) Any substance which is harmful to the wastewater collection or treatment system, or is hazardous to the wastewater system because it contains flammable or explosive liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either along or by interaction with other substances to cause fire, or explosion or be injurious in any other way to the wastewater system or to the operation of the wastewater system. At no time, shall two successive readings on an explosive hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Such materials may exclude, but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the city, state, or EPA has notified the user is a fire hazard, a health hazard, or a hazard to the system.

3) Wastewater containing more than 100 milligrams per liter of oils, fat or grease or any other combination thereof.

4) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

5) All wastewater discharge exceeding local limits for metallic substances.

Local limits shall be set by resolution. The established local limits apply at the point where the wastewater is discharged to the WWF. All concentrations for metallic substances are for total metal unless indicated otherwise. At his or her discretion, the director may impose mass limitations in addition to or in place of the concentration based limitations.

A copy of the approved local limits is available upon requested at the following location: City of Wildwood Wastewater Treatment Plant.

6) Any waters or wastes containing odor-producing substances exceeding limits, which may be established by the Director.

7) Any radioactive or isotopes of such half-life or concentrations as may exceed limits established in compliance with applicable state or federal regulations.

8) Quantities of flow, concentration, or both which constitute a "slug" as defined in Section 19-181.

9) Waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

10) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form solids which interfere with the collection system, or create a condition deleterious to structures and treatment process.

11) Wastewater, which does not constitute normal wastewater as, defined by this ordinance.

12) Any substances that include or will cause pass through or interference.

#### **Sec. 19-210. Interceptors.**

(a) Grease, oil, and sand interceptors shall be provided when, in the opinion of the director they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the director and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the director. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.

(b) If any person fails to comply with this section and said failure results in damage to the city system, the city shall be entitled to recover the cost of repair of the system from said person and any fines or penalties assessed against the city as a result of such failure.

(c) In any action brought by the city to enforce this section, the city shall be entitled to reasonable attorney's fees and costs.

#### **Sec. 19-212. Significant Industrial Users.**

All significant industrial users discharging to the city sewer system shall comply with the following:

(1) In order to provide for accurate sampling and measurement of industrial wastes, each designated discharger shall provide and maintain, on each of its industrial waste outlet sewers, a large manhole for sampling, or other devices acceptable to the city to be located outside or near its

plant boundary line. If inside of the plant fence, there shall be a gate near the sampling chamber with a key furnished to the city. There shall be ample room provided in each sampling chamber to enable convenient inspection and sampling by the city or its agent. The sampling port shall be of a design approved by the wastewater director.

(2) Each sampling chamber shall contain a Parshall flume, accurate weir, or other approved device, with a recording and totalizing register for measurement of the liquid quantity; or the metered water supply to the industrial plant may be used as the liquid quantity where it is substantiated that the metered water supply and waste quantities are approximately the same, or where a measurable adjustment can be made in the metered supply to determine the liquid quantity. The measuring, totalizing, recording devices are to be supplied, installed, and maintained by the owner. All wastewater samples must be representative of the User's discharge. Wastewater monitoring flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of the User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

**Sec. 19-242. Accidental discharge/slug control plans.**

(a) Each user shall provide protection from accidental or slug discharges of prohibited materials of other substances regulated by this article. Facilities to prevent accidental or slug discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense.

(b) An accidental discharge/slug control plan shall address, at a minimum, the following:

(1) Description of discharge practices, including non-routine batch discharges;

(2) Description of stored chemicals;

(3) Procedures for immediately notifying the director of any accidental or slug discharge, as required by section 19-283(f); and

(4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(c) No user who commences contribution to the POTW after the effective date

of this article shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the city.

(d) Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this article.

(e) In the case of an accidental or slug discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident and provide written notification within five days of the accidental or slug discharge. The notification must include location of discharge, type of waste, concentration and volume, and corrective actions. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this division or other applicable law.

(f) The wastewater director shall evaluate each industrial user at least once every two years to determine if an accidental discharge/slug control plan is required.

(g) Significant Industrial Users are required to notify the director immediately of any changes at its facility affecting the potential for a slug discharge.

#### **Sec. 19-281– Wastewater discharges.**

(a) It shall be unlawful for any person to discharge without a city permit to the POTW any wastewater except as authorized by the City and director in accordance with the provisions of this article.

(b) Individual Wastewater Discharge Permit – contents.

An individual wastewater discharge permit, or a general permit, shall include such conditions as are deemed reasonably necessary by the director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

- (1) Individual wastewater discharge permits must contain:
  - a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
  - b. A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with Section 5.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

- c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- d. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State and Local law;
- e. The process for seeking a waiver from monitoring for pollutant neither present nor expected to be present in the Discharge in accordance with Section 6.4.B.;
- f. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State or Local law.
- g. Requirements to control Slug Discharge, if determined by the city to be necessary;
- h. Any grant of the monitoring waiver by the city must be included as a condition in the user's permit.

**Section 19-281(b) Individual Wastewater Discharge Permit contents.**

An individual wastewater discharge permit, or a general permit, shall include such conditions as are deemed reasonably necessary by the director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plants effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

- (1) Individual wastewater discharge permits must contain:
  - a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
  - b. A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with Section 5.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
  - c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
  - d. Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an

identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State and Local law;

- e. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State or Local law.
- f. Requirements to control Slug Discharge, if determined by the city to be necessary;

**Section 19-282(b). Permit application.**

Users required to obtain a wastewater contribution permit shall complete and file with the city an application in the form prescribed by the city and accompanied by a fee as set by the city from time to time. New users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, and location (if different from the address).
- (2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.
- (3) Wastewater constituents and characteristics including but not limited to those mentioned in division 2 of this article as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures contained in Rule 62-160, F.A.C., as amended.
- (4) Time and duration of contribution.
- (5) Average daily peak wastewater flow rates, including daily, monthly and seasonal variations if any.
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation.
- (7) Description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged.
- (8) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards.
- (9) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be

later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:

a. The schedule shall contain increments of progress in the form of dates for the commencement of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

b. No increment referred to in paragraph a. shall exceed nine months.

c. Not later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the director including, at a minimum, whether or not it complied with the increment of progress to be met on such date, and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the director.

(10) Each product produced by type, amount, process or processes and rate of production.

(11) Type and amount of raw materials processed (average and maximum per day).

(12) Number and type of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system.

(13) Any other information as may be deemed by the city to be necessary to evaluate the permit application.

(14) A list of any environmental control permits held by or for the facility.

(15) All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater contribution permit subject to the terms and conditions provided herein.

**Sec. 19-283. Reporting requirement for permittee.**

- a) Baseline monitoring reports.
- (1) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under Rule 62-625.410(2)(d), F.A.C., whichever is later, existing industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the director a report which contains the information listed in paragraph (2) below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the director a report which contains the information listed in paragraph (2), below. New sources shall report the method of pretreatment it intends to use to meet applicable pretreatment standards. New source also shall give estimates of the information requested in paragraph (2)(d) and (3) below.
  - (2) Industrial users described above shall submit the information set forth below:
    - a. Identifying information. The name and address of the facility, including the name of the operator and owner.
    - b. Permits. A list of any pollution control permits held by or for the facility.
    - c. Description of operations. A brief description of the nature, average rate of production, and standard industrial classifications (SIC) codes of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
    - d. Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 62-625.41(6) F.A.C.
    - e. Measurement of pollutants.
      1. Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow- proportional composite sampling techniques, unless time-proportional composite

sampling or grab sampling is authorized by [the Superintendent]. Where time- proportional composite sampling or grab sampling is authorized by [the City]; the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides and the sulfide samples may be composited in the laboratory. Composite samples for other parameters unaffected by the composting procedures as documented in approved EPA methodologies may be authorized by [the City], as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

2. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
3. For sampling required in support of a baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12 (b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data are available, [the Superintendent] may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.
4. The categorical pretreatment standards applicable to each regulated process.
5. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the director, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and all laboratory and analytical reports shall comply with

Rule 62-160.670, F.A.C.

6. A minimum of four grab samples must be used for any of these applicable tests: pH, cyanide, total phenols, oil and grease, sulfide, volatile organics, temperature dissolved oxygen, chlorine residual, unionized ammonia, microbiology, specific conductance, and dissolved constituents (e.g. ortho phosphate, etc.). For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The control authority shall waive flow-proportional composite sampling for any industrial user that demonstrates that flow-proportional sampling is technically infeasible. In such cases, samples shall be obtained through time-proportional composite sampling techniques or through a minimum of four grab samples where the industrial user demonstrates that this will provide a representative sample of effluent being discharged.
7. The industrial user shall take a minimum of one representative sample to compile that data necessary to comply with these requirements.
8. Samples shall be taken immediately downstream from pretreatment facilities, if such exist, or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the industrial user shall measure the flows and concentrations necessary to allow use of the combined waste stream formula of Rule 62-625.410(6), F.A.C., in order to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with Rule 62-625.410(6), F.A.C., this adjusted limit, along with supporting data, shall be submitted to the control authority.
9. All activities related to sampling and analysis shall comply with Chapter 62-160, F.A.C., and shall be conducted under the requirements of Rule 62-160.300(5), F.A.C., which is Category 2A.
  - i. Sampling activities and laboratory analyses shall be performed according to procedures specified in "The Department of Environmental Regulation Standard Operating Procedures for Laboratory Operations and Sample Collection Activities"

- (DER-AQ-001/92) September 1992, herein incorporated by reference. Alternately, an organization with the required protocols listed in their department approved comprehensive quality assurance plan may sample and analyze according to the protocols specified in that document.
- ii. To the extent possible, analytical tests shall be performed in accordance with the techniques prescribed in chapter 62-160, F.A.C. If a test for a specific component is not available in chapter 62-160, F.A.C., the testing laboratory shall select an alternative method from those listed in DER-QA-001/92 and propose its use to the quality assurance section of the department. The department shall determine if the proposed method is appropriate and applicable for use by the laboratory in accordance with Rule 62-160.530, F.A.C.
  - iii. Where sampling or analytical techniques for the pollutant in question are not available or approved, or where the department determines that sampling and analysis shall be performed by using analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the control authority or other parties, for which method validation information has been submitted and approved by the Department in accordance with Rules 62-160.430, 62-160.520 and 62-160.530, F.A.C.
10. The industrial user may submit a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
  11. The baseline report shall indicate the time, date and place of sampling; method of analysis; and test results for each component and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
- f. Certification of Permit Applications, User Reports and Initial Monitoring Waiver– The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 4.7; Users submitting baseline monitoring reports on compliance with the categorical Pretreatment Standard deadlines under Section 6.3; Users submitting periodic compliance reports required by Section 6.4 A-

D, and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 6.4B(4). The following certification statement must be signed and by an Authorized Representative as defined in Section 1.4C:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- g. Compliance schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in section 19-283(b).
    - 1. Where the industrial user's categorical pretreatment standard has been modified by the combined waste stream formula in accordance with Rule 62-625.410(6), F.A.C., a removal credit in accordance with Rule 62-625.420, F.A.C., or a fundamentally different factor variance in accordance with Rule 62-625.700, F.A.C., at the time the industrial user submits the report required by this subsection, the information requested in f. and g. of this subsection shall pertain to the modified limits.
    - 2. If the categorical pretreatment standard is modified by the combined waste stream formula, a removal credit, or a fundamentally different factor variance after the industrial user submits the report required by this subsection, any necessary amendment to the information requested in f. and g. of this subsection shall be submitted by the industrial user to the control authority within 60 days after the modified limit is approved.
  - h. Signature and certification. All baseline monitoring reports must be signed and certified in accordance with section 19-282(b)(14).
- (b) Compliance to schedule progress reports. The following conditions shall apply to the compliance schedule required by section 19-283(a)(2)g.:

- (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning on conducting routine operation);
  - (2) No increment referred to above shall exceed nine months;
  - (3) The user shall submit a progress report to the director no later than 14 days following each date in the schedule and the final date of compliance, including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken to return the established schedule; and,
  - (4) In no event shall more than nine months elapse between such progress reports to the director.
- (c) Reports on compliance with categorical pretreatment standard deadline. Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the director a report containing the information described in section 19-283(a)(2)d. through f. For users subject to equivalent mass or concentration limits established in accordance with procedures in [Rule] 62-625.410(4) [F.A.C.], this subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with section 19-282(b)(14).
- (d) Periodic compliance reports.
- (1) All significant industrial users shall, at a frequency determined by the director but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. The city may require more detailed reporting of flows if necessary to comply with the requirements of this article. All periodic compliance reports must be signed and certified in accordance with section 19-282(b)(14).
  - (2) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities

shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

- (3) If a user subject to the reporting requirements in this section monitors any pollutant more frequently than required by the director, using the procedures prescribed in section 19-283(k), the results of this monitoring shall be included in the report.
- (e) Reports of changed conditions. Each user must notify the director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 30 days before the change.
- (1) The director may require the user submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under section 12-282(b).
  - (2) The director may issue a wastewater discharge permit under section 19-282 or modify an existing wastewater discharge permit under section 19-282(c) in response to changed conditions or anticipated changed conditions.
  - (3) For purposes of this requirement, significant changed include, but are not limited to, flow increases of 20 percent or greater, and the discharge of any previously unreported pollutants.
- (f) Reports of potential problems.
- (1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
  - (2) Within five days following such discharge, the user shall, unless waived by the director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this article.
  - (3) A notice shall be permanently posed on the user's bulletin board or

other permanent place advising employees whom to call in the event of a discharge described in subsection (1) above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

- (g) Reports from unpermitted users. All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the director as the director may require.
- (h) Notice of violation/repeat sampling and reporting. If sampling performed by a user indicates a violation, the user must notify the director within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the director within 30 days after becoming aware of the violation. The user is not required to resample if the director monitors at the user's facility at least once a month, or if the director samples between the user's initial sampling and when the user receives the results of this sampling.
- (i) Notification of discharge hazardous waste.
  - (1) The industrial user shall notify the control authority and the department's hazardous waste and pretreatment authorities in writing of any discharge into the WWF of a substance, which, if otherwise disposed of, would be hazardous waste under Chapter 62-730, F.A.C. Such notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the WWF, the notification shall also contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. Industrial users who commence discharging after the effective date of this article shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this subsection needs to be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under subsection (e) above. The notification requirement of this section does not apply to pollutants already reported under the self-monitoring requirements of subsections (a), (c) and (d) of this section.
  - (2) Discharges are exempt from the requirements of subsection (1) above during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in chapter 62-730, F.A.C., requires a

one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

- (3) In the case of any new department regulations identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the control authority and the department's hazardous waste and pretreatment authorities of the discharge of such substance within 90 days of the effective date of such regulations.
  - (4) In the case of any notification made under this subsection, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
  - (5) This provision does not create a right to discharge any substance not permitted to be discharged by this ordinance, a permit issued thereunder, or applicable federal or state law.
- (j) Analytical requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in Rule 62-160, F.A.C., unless otherwise specified in an applicable categorical pretreatment standard. If Rule 62-160, F.A.C. does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.
- (k) Sample collection.
- (1) Except as indicated in subsection (2), below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the director may authorize the use of time proportional sampling or a minimum of four grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.
  - (2) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (l) Timing. Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall be given.
- (m) Record keeping.

- (1) Users subject to the reporting requirements of this article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this article and any additional records of such requirements, and documentation associated with Best Management Practices established under Section 2.4C. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the city, or where the user has been specifically notified of a longer retention period by the city
- (2) Except as indicated in Sections b and c below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the city. Where time-proportional composite sampling is authorized by the city, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24 hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the city, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- (3) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (4) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the city may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

**Section 19-291. Penalties.**

a) *Article violations.* Any person who is found to have violated any provision of this article or any condition of IWDP's issued hereunder, shall be, upon conviction, subject to penalty in an amount not to exceed the maximum amount permissible by law or at least \$1,000.00 or by imprisonment for not more than six months, or by both, for each offense. Each separate violation shall constitute a separate offense, and upon conviction of a specified ordinance violation, each day of violation shall constitute a separate violation. In addition to the penalties provided herein, the city may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this division or the orders, rules, regulations, and IWDPs issued hereunder.

b) *Falsifying information.* Any person who knowingly makes any false statements, representations or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this article, or IWDP, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this article, shall, upon conviction, be subject to a penalty of at least \$1,000.00 or by imprisonment for not more than six months, or by both. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.



January 29, 2013

Mr. Bill Ed Cannon, City Manager  
Mr. Joseph Jacobs, City Clerk/CFO  
Ms. Jerri Blair, City Attorney  
The City of Wildwood  
1001 N. Main Street  
Wildwood, FL 34785

Dear Mr. Cannon, Mr. Jacobs and Ms. Blair:

Thank you for meeting with me recently to discuss the City's refunding opportunities and funding needs. Please find attached two summaries that present a few of the City's options for the general fund and enterprise fund loans. These are based on our conversations concerning the City's desire to lower its interest rates and total payments on its existing debt as well as potentially secure additional funds for general fund and enterprise fund capital projects.

Schedule A compares the City's current general fund loan payments with potentially lower payments by securing a new loan with a lower interest rate currently available from a commercial bank. The Series 2000 and 2000A USDA loans funded the City Hall project and have interest rates of 4.75% and 5.00% with final maturities on 2040. These loans could be refunded with a 20 year bank loan with an estimated rate of 3.50%. The City's payments would be slightly higher over the next 20 years, however more than \$700,000 could be saved by paying the loan off 7 years early.

These two refundings and \$2 million of new money for general fund projects could be combined into one 2013 loan. The payments on the general fund debt would increase by approximately \$142,000 annually for the new money.

Schedule B compares the City's existing enterprise fund loan payments with a new bank loan at an estimated rate of 2.00%. The 2009 bank loan (4.64%), the 2.59% FDEP and 2.70% FDEP loans would be refunded with a 4 ½ year loan. Refunding the 3 enterprise loans would save approximately \$41,000 while reducing the current loans' final maturity from 6 ½ years to 4 ½ years. It would also level the payments over the next 4 ½ years. The 2.08% FDEP loan would not be refunded since it is below current market rates.

These three refundings and \$1.5 million of new money for enterprise fund projects could be combined into one 2013 loan. The new money portion of the loan would be interest only for the first 4 ½ years. Principal would be amortized over the remaining 3 years of the 7 ½ year loan. Combined debt service on the new loan, including the \$1.5 million of new money would be less than the City's current enterprise fund loan payments during fiscal years 2013 and 2014.



Gollahon Financial Services, Inc.

I have served over 100 local governments in Florida. Sumter County has been a client since 1986 and I am currently serving as their financial advisor on a bond refunding. As Wildwood's financial advisor, I would work closely with you and your bond counsel to structure the optimal loans and prepare a Request for Proposals to distribute to approximately 20 banks that are actively making loans to local Florida governments.

Furthermore, I would prepare the credit packages and address the banks' questions, check and summarize the bids for consideration, help negotiate the new loan documents, coordinate the prepayment of the previous loans and coordinate the new loan closings.

Please contact me at 727-525-5383 or 727-687-4125 with any questions, requests or to schedule a meeting with the Mayor and Commissioners.

Sincerely,  
Gollahon Financial Services, Inc.

A handwritten signature in black ink, appearing to read 'Jim Gollahon', written over a horizontal line.

James Gollahon, MBA, CPA  
[jim@gollahonfinancial.com](mailto:jim@gollahonfinancial.com)

cc: Mr. Michael Williams, Bond Counsel, Akerman Senterfitt

# The City of Wildwood, Florida

Schedule A

2. a. 1.  
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## Potential Refunding Savings and Funds for General Fund Projects

Fiscal Years	REFUNDINGS			NEW MONEY	COMBINED
	Existing Pmts 2000 & 2000A	Refunded (New) 2000 & 2000A	Savings (1)	\$2 million for Gen Fund Projects	Ref. 2000 & 2000A Gen Fund Projects
2013 (4/1 to 10/1)	121,630	124,995	(3,365)	70,870	195,865
2014	121,630	128,360	(6,730)	141,740	270,100
2015	121,630	128,360	(6,730)	141,740	270,100
2016	121,630	128,360	(6,730)	141,740	270,100
2017	121,630	128,360	(6,730)	141,740	270,100
2018	121,630	128,360	(6,730)	141,740	270,100
2019	121,630	128,360	(6,730)	141,740	270,100
2020	121,630	128,360	(6,730)	141,740	270,100
2021	121,630	128,360	(6,730)	141,740	270,100
2022	121,630	128,360	(6,730)	141,740	270,100
2023	121,630	128,360	(6,730)	141,740	270,100
2024	121,630	128,360	(6,730)	141,740	270,100
2025	121,630	128,360	(6,730)	141,740	270,100
2026	121,630	128,360	(6,730)	141,740	270,100
2027	121,630	128,360	(6,730)	141,740	270,100
2028	121,630	128,360	(6,730)	141,740	270,100
2029	121,630	128,360	(6,730)	141,740	270,100
2030	121,630	128,360	(6,730)	141,740	270,100
2031	121,630	128,360	(6,730)	141,740	270,100
2032	121,630	128,360	(6,730)	141,740	270,100
2033	121,630	124,995	(3,365)	70,870	195,865
2034	121,630		121,630		
2035	121,630		121,630		
2036	121,630		121,630		
2037	121,630		121,630		
2038	121,630		121,630		
2039	121,630		121,630		
2040	121,630		121,630		
Total Debt Service Payments	\$ 3,405,640	\$ 2,688,830	\$ 716,810	\$ 2,834,800	\$ 5,523,630
Present Value Savings (1)			\$ 268,502		
PV Saving/Refunded Loans			14.53%		
Loan Amounts			\$ 1,922,541	\$ 2,022,640	\$ 3,945,181
Loan Expenses (included in loan)			\$ 22,360	\$ 22,640	\$ 45,000
Interest Rates	4.75% & 5.00%	3.50% estimated		3.50% estimated	
Assumed Closing Date		April 1, 2013		April 1, 2013	

(1) Savings are net of expenses

# The City of Wildwood, Florida

## Schedule B

### Current versus Estimated Payments (P&I), Savings, New Money Payments & Proceeds

Loan Years Ending April 1	DO NOT REFUND	REFUNDINGS				NEW MONEY	COMBINED
	FDEP 2.08% Loan (1)	FDEP 2.59% 2.7% + Bank Loans (2)	Combined Current Pmts (3)	Refunded 2.59% 2.7% Bank (4)	Savings (5)	\$1.5 million for EF Projects (6)	Refundings + EF Projects (7)
2013 (4/1 to 10/1)	189,957	229,631	419,588	211,436	18,195	15,191	416,584
2014	379,914	561,061	940,975	488,019	73,042	30,382	898,315
2015	379,914	466,462	846,376	488,019	(21,557)	30,382	898,315
2016	379,914	371,863	751,777	488,019	(116,156)	30,382	898,315
2017	379,914	371,863	751,777	488,019	(116,156)	30,382	898,315
2018	379,914	101,800	481,714		101,800	524,240	904,154
2019	379,914	101,800	481,714		101,800	524,240	904,154
2020	379,914		379,914		-	524,240	904,154
2021	379,914		379,914		-		379,914
2022	379,914		379,914		-		379,914
2023	379,914		379,914		-		379,914
2024	379,914		379,914		-		379,914
2025	379,914		379,914		-		379,914
2026	379,914		379,914		-		379,914
2027	379,914		379,914		-		379,914
2028	189,957		189,957		-		189,957
<b>Total Debt Service Payments</b>	<b>\$ 5,698,710</b>	<b>\$ 2,204,480</b>	<b>\$ 7,903,190</b>	<b>\$ 2,163,512</b>	<b>\$ 40,968</b>	<b>\$ 1,709,439</b>	<b>\$ 9,571,661</b>
Present Value Savings (1)					\$ 45,565		
PV Saving/Refunded Loans					2.22%		
Loan Amounts				\$ 2,057,940		\$ 1,519,111	\$ 3,577,051
Loan Expenses (included in Loan)				\$ 25,889		\$ 19,111	\$ 45,000
Interest Rates	2.08%	2.59% 2.7% 4.64%		2.00% estimated		2.00% estimated	
Assumed Closing Date				April 1, 2013		April 1, 2013	

- (1) Do not refund, current rate of 2.08% is lower than current market rate.
- (2) Reflects current payments on the 2.59% and 2.70% FDEP Loans and the 4.64% bank loan.
- (3) Reflects current payments on 2.08%, 2.59% and 2.70% FDEP Loans and the 4.64% bank loan.
- (4) Reflects estimated payments on 2013 loan to refund the 2.59% and 2.70% FDEP loans and 4.64% bank loans.
- (5) Savings reflect existing payments versus estimated payments on 2013 refunding loan, net of expenses.
- (6) Interest only for the first 4 1/2 years.
- (7) Reflects combined debt service of 2.08% FDEP loan and estimated debt service on a single 2013 refunding and new money loan.

LONG TERM DEBT OBLIGATIONS  
A COMPARISON OF EXISTING TO PROPOSED

General Fund Obligations	EXISTING DEBT SERVICE		CURRENT -ANNUAL DEBT SERVICE PAYMENTS	STATUS AFTER PROPOSED REFUNDING	ESTIMATED PROPOSED NEW DEBT SERVICE	NET IMPACT
	Balance As Of Sept., 2011	Balance As Of Sept., 2012		As Of April, 2013	As Of April, 2013	As Of April, 2013
Series 2000- City Hall Revenue Bond	\$ 1,352,858.00	\$ 1,330,240.00	\$ 86,878.00	\$ -	\$ -	REFUNDED
Series 2000A-City Hall Revenue Bond	\$ 526,187.00	\$ 517,744.00	\$ 34,752.00	\$ -	\$ -	REFUNDED
<b>COMBINED REFUNDING &amp; PROPOSED NEW MONEY</b>	\$ -	\$ -	\$ -	\$ 3,945,181.00	\$ 195,865.00	NEW LOAN
<b>TOTAL GENERAL FUND</b>	\$ 1,879,045.00	\$ 1,847,984.00	\$ 121,630.00	\$ 3,945,181.00	\$ 195,865.00	\$ 74,235.00
					\$ 270,100.00	\$ 148,470.00
					\$ 195,865.00	\$ 74,235.00
						PAID OUT 7 YEARS EARLY
						no payment 2034-2040

Enterprise Fund Obligations	EXISTING DEBT SERVICE		CURRENT -ANNUAL DEBT SERVICE PAYMENTS	STATUS AFTER PROPOSED REFUNDING	ESTIMATED PROPOSED NEW DEBT SERVICE	NET IMPACT
	Balance As Of Sept., 2011	Balance As Of Sept., 2012		As Of April, 2013	As Of April, 2013	As Of April, 2013
Series 2009-Champagne Farms Bank Loan	\$ 667,638.00	\$ 596,817.00	\$ 101,800.00	\$ -	\$ -	REFUNDED
FDEP-SRF Loan #1 -1994	\$ 714,517.00	\$ 542,722.00	\$ 189,195.00	\$ -	\$ -	REFUNDED
FDEP-SRF Loan #2 -1996	\$ 1,487,139.00	\$ 1,255,523.00	\$ 270,063.00	\$ -	\$ -	REFUNDED
FDEP-SRF Loan #3- 2007	\$ 5,283,102.00	\$ 5,011,672.00	\$ 379,915.00	\$ 4,873,835.00	\$ 379,915.00	STILL EXISTS
<b>TOTAL FDEP</b>	\$ 7,484,758.00	\$ 6,809,917.00	\$ 839,173.00	\$ 4,873,835.00	\$ 379,915.00	2013-2028
<b>COMBINED REFUNDING &amp; PROPOSED NEW MONEY</b>	\$ -	\$ -	\$ -	\$ 3,577,051.00	\$ 229,631.00	NEW
					\$ 561,061.00	NEW
					\$ 466,462.00	NEW
					\$ 371,863.00	NEW
					\$ 371,863.00	NEW
					\$ 101,800.00	NEW
					\$ 101,800.00	NEW
<b>TOTAL ENTERPRISE FUND</b>	\$ 8,152,396.00	\$ 7,406,734.00	\$ 940,973.00	\$ 8,450,886.00	\$ 609,546.00	< \$331,427.00
					\$ 940,976.00	> \$ 3.00
					\$ 846,377.00	< \$ 94,596.00
					\$ 751,778.00	< \$ 189,195.00
					\$ 751,778.00	< \$ 189,195.00
					\$ 481,715.00	< \$ 459,258.00
					\$ 481,715.00	< \$ 459,258.00
					\$ 379,915.00	< \$561,058.00
<b>TOTAL-GENERAL AND ENTERPRISE FUND</b>	\$ 10,031,441.00	\$ 9,254,718.00	\$ 1,062,603.00	\$ 12,396,067.00	\$ 805,411.00	
					\$ 1,211,076.00	
					\$ 1,042,242.00	
					\$ 751,778.00	
					\$ 751,778.00	
					\$ 481,715.00	
					\$ 481,715.00	
					\$ 379,915.00	
						2020-2028

**LETTER OF AGREEMENT  
BETWEEN  
THE CITY OF WILDWOOD, FLORIDA  
AND  
GOLLAHON FINANCIAL SERVICES, INC.**

This Letter of Agreement (the Agreement) is entered into as of this 11<sup>th</sup> day of February, 2013, by and between The City of Wildwood, Florida (the City) and Gollahon Financial Services, Inc. (the Financial Advisor).

WHEREAS, the City contemplates issuing bonds, notes and/or other debt instruments, and

WHEREAS, the Financial Advisor has demonstrated its experience in the issuance and sale of various types of debt financings and offers to provide financial advisory services to meet the needs of the City.

THEREFORE, BE IT AGREED:

1. Scope of Services:

The City retains the Financial Advisor to give certain assistance, advice and services in the issuance of bonds, bank loans, notes or other debt instruments until such financings are complete, and such services shall include but shall not be limited to the following:

Provide reports on the trends and financing alternatives in markets related to the financial activities of the City.

Provide recommendations on the suitability of various financing alternatives involving the funding of the City's capital needs.

Provide assistance in the preparation and the bidding or negotiation of debt incurred by or on behalf of the City, including but not limited to gas tax revenue bonds, sales tax revenue bonds, lease revenue bonds, certificates of participation, general obligation bonds, refunding bonds, water and sewer bonds, bank loans and short term notes.

Help assemble and coordinate a finance team to plan, execute and close the optimal financing for the City. Create and maintain a timetable and distribution list of the City's finance team.

Recommend a competitive or negotiated sale, and provide a plan for marketing, timing and structuring the sale to provide best available interest rates and terms.

Prepare various requests for proposals and bidding documents. Review and summarize the responses to the proposals for bank loans, investment banking services, credit and liquidity providers, or other services associated with the City's financing needs.

Create performance benchmarks against which to compare proposals and the results of financial transactions. This includes recommending appropriate refunding levels for existing debt.

Prepare presentations and/or packages to be submitted to major credit rating agencies or bond insurance companies, as needed.

Review all legal and offering documents associated with the City's financings, including loan agreements, bond resolutions, trust agreements, registrar or paying agent agreements, escrow deposit agreements, and such other similar documents necessary, related or incidental to the proposed financing; provided, however, that such review and comment shall be made only in the capacity of a financial advisor and shall not be construed as legal advice nor shall the City rely upon such advice or comment in lieu of consulting an attorney.

Solicit bids or quotes to provide for the investment of the City's construction proceeds and/or refunding escrows that result from debt issues contemplated herein or for other investments as requested by the City. The financial advisor understands that compensation for providing investment services related to construction proceeds associated with the issuance of tax-exempt securities by the City is expected to be provided by the investment provider in accordance with the limits set forth in the arbitrage rules of the U.S. Tax Code.

Provide assistance in the efficient and timely closing of all financial transactions. Prepare a report and opinion as to fairness of the pricing of the debt with respect to a negotiated sale and presentation thereof to the City.

Represent the City, if requested, as an expert witness for financial matters in relation to a proposed financing for validation hearings and attend any judicial hearings in relation thereto.

Assist in developing, designing and producing promotional materials and financial analyses in connection with bond referenda.

Other services to the City as may be appropriate to the role of the financial advisor including assisting with questions and issues of a general nature not directly related to a particular issuance of debt.

2. Fees for Financial Advisory Services:

The following fees shall be paid to the Financial Advisor for professional services involving the planning, sale and closing of a specific tax-exempt or taxable financing:

Base Fee per financing:		\$ 18,000
	<b>PLUS</b>	
Variable Fee per \$1,000 borrowed over \$ 5 million:		\$ 1.00

For services not related to a specific financing, the following hourly rates apply:

James Gollahon, Financial Advisor	\$ 150
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Expenses:

The Financial Advisors' out-of pockets expenses (excluding out-of-state travel) shall be included in the above fee schedule. Expenses for out of state travel, if needed and approved by the City, will be billed at cost.

In addition to the financial advisor's fees, the City will be responsible for all the expenses of a financing, including but not limited to, bond counsel and legal fees, rating agency fees, bond insurance premiums, printing, accounting, engineering, paying agent registrar and bank fees.

Investment of Funds:

Should the City require the Financial Advisor's assistance with the investment of Bond Proceeds and/or other monies, a fee shall be charged not to exceed the maximum fee allowed for such services as outlined in applicable U.S. Treasury Regulations in effect at the time the investment is made, or such lesser fee as negotiated with the City.

3. Length of the Agreement:

The term of this agreement shall commence on February 11, 2013 and shall remain in force for a period of 3 years from such date. Upon mutual agreement between the parties, the contract may be extended for additional one, two or three year periods upon approval by the City. However, should either of the parties to the agreement elect to terminate the agreement, said agreement may be terminated, for cause or convenience, by the electing party's provision of sixty (60) days written notice to the other party.

IN WITNESS to the acceptance of this agreement, the City and the Financial Advisor have caused the presents to be executed by their duly authorized officers and representatives as of the day and year above written.

The City of Wildwood, FL

Gollahon Financial Services, Inc.

By: \_\_\_\_\_ Date: \_\_\_\_\_ By:  Date: 2/11/13

Name: \_\_\_\_\_

Name: James Gollahon

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

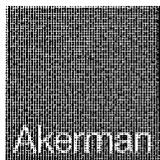
Title: Financial Advisor

Comparative Financial Advisor Service Fees

City of Wildwood (proposed)	City of Frostproof	City of Crystal River	Desota County Board of County Commission	City of Brooksville
<b>Total Refunding</b>				
GENERAL FUND \$ 3,900,181.00 Existing Balance + \$2 MILLION	\$ 1,583,306.00	\$ 6,500,000.00	\$ 2,280,000.00	\$ 6,610,000.00
plus \$ 45,000.00 Proposed Expenses				
<b>TOTAL LOAN \$ 3,945,181.00</b>				
<b>ENTERPRISE FUND</b>				
ENTERPRISE FUND \$ 3,532,051.00 Existing Balance + \$1.5 MILLION				
plus \$ 45,000.00 Proposed Expenses				
<b>TOTAL LOAN \$ 3,577,051.00</b>				
Converting from bond issue to regular bank loan	converted from bond issue to regular bank loan NO NEW MONEY BORROWING	converted from bond issue to regular bank loan NO NEW MONEY BORROWING	converted from bond issue to regular bank loan INCLUDED \$403,531 NEW MONEY FOR NEW FIRE TRUCK	converted from bond issue to regular bank loan NO NEW MONEY BORROWING
<b>Financial Advisor</b> Gollahon Financial Services St. Petersburg, Fl. Amount- \$18,000.00 x 2  (Each Loan)	<b>Financial Advisor</b> Gollahon Financial Services St. Petersburg, Fl. Amount- \$18,000.00	<b>Financial Advisor</b> Public Financial Management Orlando, Fl. Amount- \$23,012.62	<b>Financial Advisor</b> Gollahon Financial Services St. Petersburg, Fl. Amount-\$20,000.00	<b>Financial Advisor</b> N/A  Bank Fees- \$16,000
<b>Bond Counsel</b> Michael D. Williams AKERMAN SENTEFITT ORLANDO, FL. Amount- \$22,000.00 x 2  (Each loan)	<b>Bond Counsel</b> Bryant, Miller, and Olive Amount- \$18,000.00	<b>Bond Counsel</b> Holland and Knight Amount- \$25,000.00	<b>Bond Counsel</b> Bryant, Miller and Olive Amount- \$17,551.11	<b>Bond Counsel</b> Bryant, Miller, and Olive Amount - \$17,500.00
<b>Contact Person</b> Joseph Jacobs, City Clerk/Finance Director	<b>Contact Person</b> Melody Walsy, Finance Manager	<b>Contact Person</b> Deanna Rowe, Finance Director	<b>Contact Person</b> Linda W. Nipper, Admin.Services Director	<b>Contact Person</b> Jan Peters, City Clerk Jim Delach, Finance Director

Staff Finds that the fee quoted by Gollohan Financial Services is Compatible with General Market Conditions and recommend proceeding with the proposed refunding for City of Wildwood pending Commission approval.

Joseph Jacobs



Michael D. Williams

Akerman Senterfitt  
420 South Orange Avenue  
Suite 1200  
Orlando, FL 32801-4904  
Tel: 407.423.4000  
Fax: 407.843.6610

Dir: 407.419.8439  
mike.williams@akerman.com

February 1, 2013

City Commission  
City of Wildwood, Florida

Dear Commissioners:

Thank you for the opportunity to present this engagement letter to serve as bond counsel to the City of Wildwood (the "City") in connection with two tax-exempt financings (one secured by net revenues of the water and sewer system and one secured by general fund revenues) (collectively, the "Bonds"). We have had the privilege of serving as the City's Bond Counsel for approximately the past 13 years. We understand the Bonds will be privately placed with a bank or similar financial institution. The following is our proposal to serve as bond counsel to the City. This letter sets forth generally our understanding of what legal services we will perform and the basis for our compensation to provide such bond counsel services.

As Bond Counsel we agree to:

Review the documentation related to the Bonds to be refunded.

Attend as requested all meetings related to the issuance of the Bonds.

Prepare appropriate resolutions and any amendments thereto authorizing the issuance of the Bonds.

Prepare any escrow deposit agreement and other documents necessary, related or incidental to the issuance of the Bonds.

Prepare (or review when prepared by others) closing papers necessary in connection with the sale and issuance of the Bonds, including but not limited to, certified copies of all minutes, ordinances, resolutions and orders; certificates such as officer's seal, incumbency, signatures, no prior pledge, arbitrage and others; and verifications, consents and opinions from accountants, engineers, special consultants and attorneys.

Prepare and file the necessary forms with the Internal Revenue Service (FORM 8038-G) and the Florida Division of Bond Finance.

Prepare and deliver at closing a standard, comprehensive approving legal opinion which will, among other things, contain opinions as to the validity and enforceability of the Bonds and the security

akerman.com

BOCA RATON DALLAS DENVER FORT LAUDERDALE JACKSONVILLE LAS VEGAS LOS ANGELES MADISON MIAMI NAPLES  
NEW YORK ORLANDO PALM BEACH SALT LAKE CITY TALLAHASSEE TAMPA TYSONS CORNER WASHINGTON, D.C.  
WEST PALM BEACH

{25762017;1}

City Commission  
February 1, 2013  
Page 2 of 2

for the Bonds and the excludability from gross income of the interest on the Bonds for federal income tax purposes (subject to certain exceptions generally accepted in the industry). In rendering the tax opinion, we will provide general instructions for compliance with the federal rebate laws.

Supervise and coordinate the closing of the Bonds and render other legal services incidental or required in connection with the matters listed above.

For performing the above-described services we would propose a fee inclusive of costs of \$22,000 for each financing; all such fees and costs would be payable in full at the time of delivery of such Bonds.

The City has the right to terminate our representation for any reason at any time and assign this agreement to another law firm. We reserve the same right to terminate upon giving reasonable notice. Among the reasons which might lead us to conclude that we should terminate our representation are (1) a failure to be forthright, cooperative or supportive of our effort; (2) the misrepresentation of, or failure or refusal to, disclose material facts to us; (3) the failure or refusal to accept our advice; (4) the discovery of a conflict of interest with another client; or (5) any other reason permitted or required under the rules of professional conduct governing the legal profession. Upon any termination of our representation, we will submit a statement for services rendered and costs incurred to the date of termination, payable in full upon receipt. This statement will be based on the pro rata amount of work done by us to the point of termination to the total work required to be done to close the issue.

We believe that the above provisions outline in reasonable detail our agreement as to this representation. We sincerely appreciate the opportunity to submit this proposal.

Very truly yours,

AKERMAN, SENTERFITT



By: Michael D. Williams, Shareholder

ACCEPTED:

City of Wildwood, Florida

By: \_\_\_\_\_

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



# March 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4 <b>6PM - Proposed Workshop to discuss Champagne Farms Well Site</b>	5 <b>6PM – Parks &amp; Rec. Board Meeting</b>	6	7	8 <b>6-9 PM Gourmet Food Truck Event</b>	9
10	11 <b>7PM – Commission Meeting</b>	12 <del><b>6PM – Historical Board Meeting</b></del> Cancelled (SC Fair) <del><b>630PM – Historical Assoc. Meeting</b></del> Cancelled (SC Fair)	13	14	15	16
17	18	19 <b>Bill Ed – Tallahassee for FLC Legislative Action Days</b>	20 <b>Bill Ed – Tallahassee for FLC Legislative Action Days</b>	21 <b>Bill Ed – Leadership Sumter County Class Day</b>  <b>4-7 PM Teen Court</b>	22	23 <b>10 AM – Dixie Youth Opening Day</b>
24	25 <b>7PM – Commission Meeting</b>	26	27	28	29	30 <b>10 AM – Annual Easter EggStravaganza</b>
31						



# April 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8 7PM – Commission Meeting	9 6PM – Historical Board Meeting 630PM – Historical Assoc. Meeting	10	11	12	13
14	15	16 6 PM – Wildwood Business Council Meeting (WWCC)	17 Bill Ed – Leadership Sumter County Class Day (State Gov’t. – Tallahassee)	18 4-7 PM Teen Court	19	20
21	22 7PM – Commission Meeting	23	24	25	26	27
28	29	30				

**GENERAL FUND REVENUES  
BUDGET ANALYSIS REPORT  
FOR THE MONTH ENDED JANUARY, 2013  
FY 2012-2013**

ITEM	BUDGETED	ACTUAL	DIFFERENCE	% COLLECTED
InterFund Transfers- Industrial Park	\$ 10,000.00	\$ -	\$ 10,000.00	0.00%
InterFund Transfers-Enterprise Fund	\$ 350,000.00	\$ -	\$ 350,000.00	0.00%
State Revenue Sharing-State(Intergovt)	\$ 176,024.00	\$ 56,118.90	\$ 119,905.10	31.88%
Local Option Gas Tax-State(Intergovt)	\$ 304,003.00	\$ 114,227.48	\$ 189,775.52	37.57%
.01 Infrastructure Surtax-State ( Intergovt)	\$ 686,703.00	\$ 222,463.30	\$ 464,239.70	32.40%
State Sales Tax-(Intergovt)	\$ 388,648.00	\$ 125,454.75	\$ 263,193.25	32.28%
County Motor Fuel Tax(9th cent) (Intergovt)	\$ 48,000.00	\$ 25,333.86	\$ 22,666.14	52.78%
State Beverage Licenses	\$ 2,451.00	\$ 2,366.79	\$ 84.21	96.56%
Mobile Home Licenses-State (Intergovt)	\$ 14,192.00	\$ 11,296.74	\$ 2,895.26	79.60%
Ad Valorem Taxes-Wildwood	\$ 1,533,344.00	\$ 1,152,391.67	\$ 380,952.33	75.16%
Ad Valorem Taxes- CRA District-City	\$ 68,950.00	\$ -	\$ 68,950.00	0.00%
Ad Valorem Taxes-CRA District-County	\$ 101,992.00	\$ 107,539.00	\$ (5,547.00)	105.44%
Utility Tax- Water Sales- City	\$ 33,500.00	\$ 11,309.72	\$ 22,190.28	33.76%
Utility Tax- Villages 5% Water Utility & Central	\$ 160,000.00	\$ 61,677.84	\$ 98,322.16	38.55%
Utility Tax-Electric/Gas	\$ 250,000.00	\$ 142,480.27	\$ 107,519.73	56.99%
Telecommunications (Communications Services) (Intergovt)	\$ 221,118.00	\$ 73,349.61	\$ 147,768.39	33.17%
Franchise Taxes-Electric (Progress Energy)	\$ 346,000.00	\$ 141,479.70	\$ 204,520.30	40.89%
Franchise Taxes-Electric (SECO)	\$ 100,000.00	\$ 40,777.61	\$ 59,222.39	40.78%
Franchises Taxes- Refuse Service (Waste Mgmt)	\$ 90,000.00	\$ 30,427.10	\$ 59,572.90	33.81%
Franchise Taxes- Natural Gas (TECO)	\$ 5,000.00	\$ 1,298.49	\$ 3,701.51	25.97%
Interest Income	\$ 2,000.00	\$ 967.21	\$ 1,032.79	48.36%
Community Development Services	\$ 75,000.00	\$ 35,000.71	\$ 39,999.29	46.67%
Second Dollar Fees- Police	\$ 2,000.00	\$ 832.20	\$ 1,167.80	41.61%
Fines & Forfeitures- Police	\$ 54,000.00	\$ 16,236.64	\$ 37,763.36	30.07%
Community Center Rental	\$ 30,000.00	\$ 13,598.42	\$ 16,401.58	45.33%
Community Center Reservation Fees	\$ 1,450.00	\$ 510.00	\$ 940.00	35.17%
Miscellaneous General Fund	\$ 20,000.00	\$ 5,270.59	\$ 14,729.41	26.35%
Summer Camp Registrations	\$ 20,000.00	\$ -	\$ 20,000.00	0.00%
Dixie Youth Baseball Registration Fees	\$ 1,425.00	\$ -	\$ 1,425.00	0.00%
Life Flight- MEDIVAC LEASE	\$ 12,000.00	\$ 4,000.00	\$ 8,000.00	33.33%
Fuel Tax Refunds -State	\$ 6,200.00	\$ 1,507.74	\$ 4,692.26	24.32%
USDA Police Vehicle Grant-2010-2011	\$ -	\$ -	\$ -	0.00%
USDA Police Vehicle Grant-2011-2012	\$ 83,000.00	\$ 79,496.93	\$ 3,503.07	95.78%
Police User Fees	\$ -	\$ -	\$ -	0.00%
The Villages Amended Agreement - 2007	\$ 45,000.00	\$ 45,000.00	\$ -	100.00%
City Occupational Licenses	\$ -	\$ -	\$ -	0.00%
CRA Administration Costs	\$ 19,297.00	\$ -	\$ 19,297.00	0.00%
Growers Market	\$ 9,000.00	\$ 218.00	\$ 8,782.00	2.42%
Park's & Recreation Activities	\$ 13,500.00	\$ 4,005.00	\$ 9,495.00	29.67%
Sumter County Dispatch Compensation	\$ 100,000.00	\$ -	\$ 100,000.00	0.00%
Administrative Building Services- Sumter County	\$ 60,000.00	\$ 20,924.80	\$ 39,075.20	34.87%
FDOT Lighting Agreement	\$ 11,249.00	\$ -	\$ 11,249.00	0.00%
FDOT Maintenance Agreement	\$ 6,400.00	\$ -	\$ 6,400.00	0.00%
CDBG Grant- State	\$ -	\$ 171,835.52	\$ (171,835.52)	0.00%
Police Impact Fees	\$ 10,000.00	\$ 49,518.54	\$ (39,518.54)	495.19%
Parks & Recreation Impact Fees	\$ 10,000.00	\$ 7,570.92	\$ 2,429.08	75.71%
Cash Forward- General Fund	\$ 425,000.00	\$ -	\$ 425,000.00	0.00%
Cash Forward- CRA Districts	\$ 28,257.00	\$ -	\$ 28,257.00	0.00%
	\$ -	\$ -	\$ -	0.00%
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 5,934,703.00</b>	<b>\$ 2,776,486.05</b>	<b>\$ 3,158,216.95</b>	<b>46.78%</b>



**ENTERPRISE FUND REVENUES  
BUDGET ANALYSIS REPORT  
FOR THE MONTH ENDED JANUARY, 2013  
FY 2012-2013**

**2. g. 1.  
Page 3 of 4**

ITEM	BUDGETED	ACTUAL	DIFFERENCE	% COLLECTED
Water Operational	\$ 1,420,545.00	\$ 491,613.28	\$ 928,931.72	34.61%
Water Connection Fees	\$ 141,229.00	\$ 506.50	\$ 140,722.50	0.36%
Water TIE Fees	\$ 2,446.00	\$ 206.32	\$ 2,239.68	8.43%
Water Meter Installs	\$ 24,000.00	\$ 14,236.40	\$ 9,763.60	59.32%
Water - Miscellaneous (on/off)	\$ 23,000.00	\$ 13,221.65	\$ 9,778.35	57.49%
Water Income - Other	\$ 7,500.00	\$ 21,841.84	\$ (14,341.84)	291.22%
Wastewater Operational	\$ 2,340,844.00	\$ 790,988.90	\$ 1,549,855.10	33.79%
Wastewater Connection Fees	\$ 109,052.00	\$ 1,075.00	\$ 107,977.00	0.99%
Wastewater TIE Fees	\$ 3,200.00	\$ -	\$ 3,200.00	0.00%
Wastewater - Other Miscellaneous	\$ 14,100.00	\$ 3,190.97	\$ 10,909.03	22.63%
Wastewater TSS/COD	\$ 700,523.00	\$ 231,046.81	\$ 469,476.19	32.98%
Reuse Water Operations	\$ 53,427.00	\$ 16,237.74	\$ 37,189.26	30.39%
Interest Income	\$ 1,450.00	\$ 683.13	\$ 766.87	47.11%
Word Property - Grant Feasibility Services	\$ -	\$ -	\$ -	0.00%
Turtle Mount Land Lease-Tower Site	\$ 12,000.00	\$ 4,000.00	\$ 8,000.00	0.00%
Water-Sewer - Cash Brought Forward	\$ 329,948.00	\$ -	\$ 329,948.00	0.00%
<b>Total - Enterprise Fund Revenues</b>	<b>\$ 5,183,264.00</b>	<b>\$ 1,588,848.54</b>	<b>\$ 3,594,415.46</b>	<b>30.65%</b>
Greenwood Cemetery Revenues	\$ 5,300.00	\$ 2,037.81	\$ 3,262.19	38.45%
Greenwood Cemetery - Cash Forward	\$ 7,500.00		\$ 7,500.00	0.00%
<b>Total - Cemetery Fund Revenues</b>	<b>\$ 12,800.00</b>	<b>\$ 2,037.81</b>	<b>\$ 10,762.19</b>	<b>15.92%</b>
Industrial Park - MISCELLANEOUS	\$ 325.00	\$ 78.25	\$ 246.75	24.08%
Industrial Park - Cash Forward	\$ 10,950.00	\$ -	\$ 10,950.00	0.00%
<b>Total - Industrial Park Fund Revenues</b>	<b>\$ 11,275.00</b>	<b>\$ 78.25</b>	<b>\$ 11,196.75</b>	<b>1%</b>
<b>TOTAL- ALL ENTERPRISE OPERATIONS</b>	<b>\$ 5,207,339.00</b>	<b>\$ 1,590,964.60</b>	<b>\$ 3,616,374.40</b>	

**ENTERPRISE FUND EXPENDITURES  
BUDGET ANALYSIS REPORT  
FOR THE MONTH ENDED JANUARY, 2013  
FY 2012-2013**

**2. g. 1.  
Page 4 of 4**

<b>ENTERPRISE FUND DEPARTMENTS</b>	<b>BUDGETED</b>	<b>ACTUAL</b>	<b>DIFFERENCE</b>	<b>% EXPENDED</b>
PHYSICAL ENVIRONMENT ADMINISTRATION	\$ 492,367.00	\$ 214,021.29	\$ 278,345.71	43.47%
WATER DEPARTMENT	\$ -	\$ -	\$ -	0.00%
WASTEWATER DEPARTMENT	\$ -	\$ -	\$ -	0.00%
UTILITIES DEPARTMENT	\$ 2,443,357.00	\$ 790,181.42	\$ 1,653,175.58	32.34%
INDUSTRIAL PARK	\$ 1,275.00	\$ 54.00	\$ 1,221.00	4.24%
GREENWOOD CEMETERY	\$ 8,225.00	\$ 121.82	\$ 8,103.18	1.48%
<b>TOTAL - OPERATING EXPENDITURES</b>	<b>\$ 2,945,224.00</b>	<b>\$ 1,004,378.53</b>	<b>\$ 1,940,845.47</b>	<b>34.10%</b>
<b>NOTES:</b>				
<b>TRANSFERS</b>	<b>BUDGETED</b>	<b>ACTUAL</b>	<b>DIFFERENCE</b>	<b>% EXPENDED</b>
W/S TO GENERAL	\$ 350,000.00	\$ -	\$ 350,000.00	0.00%
IND. PARK TO GENERAL	\$ 10,000.00	\$ -	\$ 10,000.00	0.00%
<b>TOTAL TRANSFERS</b>	<b>\$ 360,000.00</b>	<b>\$ -</b>	<b>\$ 360,000.00</b>	<b>0.00%</b>
<b>DEBT SERVICE</b>	<b>BUDGETED</b>	<b>ACTUAL</b>	<b>DIFFERENCE</b>	<b>% EXPENDED</b>
CHAMPAGNE FARMS - PRINCIPAL	\$ 74,108.00		\$ 74,108.00	0.00%
CHAMPAGNE FARMS - INTEREST	\$ 27,692.00		\$ 27,692.00	0.00%
1994 SRF LOAN	\$ 178,555.00	\$ 87,569.21	\$ 90,985.79	49.04%
INT EXP-SRF LOAN 1 (1994)	\$ 10,640.00	\$ 7,028.26	\$ 3,611.74	66.06%
1996 SRF LOAN	\$ 231,589.00		\$ 231,589.00	0.00%
INT EXP-SRF LOAN 1 (1996)	\$ 38,474.00		\$ 38,474.00	0.00%
2007 SRF LOAN	\$ 277,106.00		\$ 277,106.00	0.00%
INT EXP-SRF LOAN 1 (2007)	\$ 102,809.00		\$ 102,809.00	0.00%
			\$ -	
<b>TOTAL - DEBT SERVICE</b>	<b>\$ 940,973.00</b>	<b>\$ 94,597.47</b>	<b>\$ 846,375.53</b>	<b>10.05%</b>
<b>CONTINGENCIES</b>	<b>BUDGETED</b>	<b>ACTUAL</b>	<b>DIFFERENCE</b>	<b>% EXPENDED</b>
GREENWOOD CEMETERY	\$ 4,575.00	\$ -	\$ 4,575.00	0.00%
WATER/SEWER ENTERPRISE FUND	\$ 518,067.00	\$ -	\$ 518,067.00	0.00%
INDUSTRIAL PARK	\$ -	\$ -	\$ -	0.00%
	\$ -	\$ -	\$ -	0.00%
<b>TOTAL - CONTINGENCIES</b>	<b>\$ 522,642.00</b>	<b>\$ -</b>	<b>\$ 522,642.00</b>	<b>0.00%</b>
<b>SPECIAL PROJECTS</b>	<b>BUDGETED</b>	<b>ACTUAL</b>	<b>DIFFERENCE</b>	<b>% EXPENDED</b>
GREENWOOD CEMETERY	\$ -	\$ -	\$ -	0.00%
CAPITAL IMPROVEMENTS-OTHER	\$ -	\$ -	\$ -	0.00%
WATER/WASTEWATER TIE FEE PROJECTS	\$ 100,000.00	\$ 13,042.89	\$ -	0.00%
FACILITY UPGRADES-WATER & SEWER	\$ 338,500.00	\$ 96,096.86	\$ -	0.00%
	\$ -	\$ -	\$ -	0.00%
	\$ -	\$ -	\$ -	0.00%
<b>TOTAL - SPECIAL PROJECTS</b>	<b>\$ 438,500.00</b>	<b>\$ 109,139.75</b>	<b>\$ 329,360.25</b>	<b>0.00%</b>
<b>TOTAL - ENTERPRISE FUND EXPENDITURES</b>	<b>\$ 5,207,339.00</b>	<b>\$ 1,208,115.75</b>	<b>\$ 3,999,223.25</b>	<b>23.20%</b>

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA  
REGULAR MEETING  
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood Florida met in Regular Session, February 11, 2013 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Green, Clark and Strickland. Also present were: City Manager Cannon, City Clerk Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, Development Services Director Peavy, AVT Law, Utility Director Phillips, Public Works Director Kornegay, and Parks & Recreation Coordinator Hudson.

The meeting was called to Order followed by an invocation and Pledge of Allegiance to the American Flag.

1. TIMED ITEMS AND PUBLIC HEARINGS – None
2. REPORTS AND PUBLIC INPUT / SPECIAL PRESENTATION(S)
  - a. Special Presentations
    - 1) Presentation of Service Award to Sandy Edwards for 28 years of service to the City of Wildwood (No Attachments)

UD Phillips indicated that Sandy was unable to attend the meeting due to illness. Mayor Wolf asked that the presentation be scheduled for the next meeting if Sandy is available.
  - b. City Manager – none
  - c. City Attorney – none
  - d. City Clerk – none
  - e. Commission Members
    - 1) Commissioner Green – requested information about the basketball league. P&RC Hudson reported the old Wildwood Middle School gym is not available to the City this year because the school board is using it for some Wildwood Middle High School events and it is booked every day during the school year. No other facilities in the area were available this year. Commissioner Green asked if the basketball league could be scheduled for some other time of the year. P&RC Hudson indicated she would check on changing the time of year if a location is available.
    - 2) Commissioner Clark – requested that the City Attorney review information on controlling synthetic marijuana over the counter sales in the stores. The Attorney General is encouraging cities and counties to outlaw it. It is causing problems for many people.
  - f. Public Forum (10 minute time limit)
    - 1) Peggy Smith of CSX and James Murray the Wildwood Trainmaster addressed the Commission. Noted that an additional track is being added to the S Line and is under construction at this time and when completed some freight trains will be moved from the A line through Orlando to Miami to the S Line through Wildwood. There could be an increase of 10-12 trains per day in the future, but only a couple at this time. Train speeds through Wildwood will be up to 50mph. They want to educate the public of what is happening and the danger of walking across the tracks at locations other than where

Minutes  
Page 2  
February 11, 2013

crossings are provided. A Public meeting is planned at the Community Center to answer any questions the public may have. CSX has presenters available to speak at schools or other organizations. CSX would appreciate if the City could place information on the utility bills and on the Web.

Mayor Wolf asked if there are statistics of incidents in other areas where the speed has been increased from 35 mph to 50 mph. Mr. Murray indicated he does not, but will find out if there are any.

Commissioner Green noted that no matter what is done there will be some that will continue to cross the tracks. Ms. Smith noted they will work with them. Commissioner Bivins noted that some adults walk across the tracks to the soup kitchen every day. For them to walk all the way down to 44A and cross and then back up to the soup kitchen is quite far.

Mr. Murray noted that education will be key. Ms. Smith suggested the dates of 20<sup>th</sup>, 21<sup>st</sup>, or 25<sup>th</sup> and will confirm that. DSD Peavy noted the meeting will be held in the upstairs room of the Community Center due to events already scheduled for the downstairs.

DSD Peavy noted that in discussion about the soup kitchen it came up for possible increase in public transportation. Possibly set up with Sumter Transportation for a daily run.

g. Notes and Reports

1) FYI – AARP Tax-Aide available at the Wildwood Community Center on Monday's from 8:30 AM to 3:30 PM beginning February 4 and ending April 15, 2013 (Attachment – FYI Only)

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

1) Minutes of Regular Meeting held on January 28, 2013 (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Green to adopt the minutes of January 28, 2013 as typed. Motion carried by unanimous vote.

b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)

1) Ordinance O2013-05; An Ordinance repealing Article V of Chapter 19 of the City of Wildwood's Code of Ordinances in its entirety and adopting a new Article V, Chapter 19 pertaining to sewer use (Attachments)

Ordinance O2013-05 was introduced and read by title only on first reading.

Mayor Wolf asked how this change would affect what the City approved and promised to many of those who annexed their property into the City. Has it been checked, against the promises? CA Blair noted she will check through it because the changes were based on what DEP requested. Mayor Wolf noted that during voluntary annexation

the people were concerned about having to pay to connect when they had operating wells and septic tanks. The Commission approved that only if the property changes ownership, zoning, or if the well or septic fails, that they would have to tie into the sewer and water lines if they are available.

CA Blair noted that UD Phillips drafted the ordinance but followed what DEP told him. Much of this is the same as it currently is, but some of it changed. Mayor Wolf stated the Commission needs to see what the changes are. UD Phillips and CA Blair to review and note the changes for the Commission before the second reading. UD Phillips indicated most of this has to do with industrial waste, not residential.

No action taken.

- c. RESOLUTIONS FOR APPROVAL - None
- d. APPOINTMENTS - None
- e. CONTRACTS AND AGREEMENTS - None
- f. FINANCIAL
  - 1) Bills for Approval (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Clark to approve payment of bills. Motion carried by unanimous vote.

Mayor Wolf asked if the on call in the utility divisions will one day be a combined as one utility department on call. UD Phillips responded yes, that can be done.

- 2) Request approval to accept the low quote received from Bill Gregory to demolish the old library on Maddox Street and remove the driveway asphalt and replace with clean fill and level to prepare it for a stormwater retention area when work begins in June on 466-A/Cleveland Avenue (Attachments – Staff Recommends Approval)

PWD Kornegay indicated the agreement with the County was for the City to do this work.

Commissioner Strickland asked if the County retention area would look like the City's retention area behind City Hall. Gene Losito of KHA noted the depth and the slopes do not require a fence and there is no fence planned. PWD Kornegay noted he would check with the County for the City to put in a wood fence similar to the one behind City Hall.

Motion by Commissioner Bivins, second by Commissioner Strickland to accept the low quote in the amount of \$13,128.00 received from Bill Gregory to demolish the old library on Maddox Street and remove the driveway asphalt and replace with clean fill and level to prepare it for a stormwater retention area when work begins in June on 466-A /Cleveland Avenue. Motion carried by unanimous vote.

- g. GENERAL ITEMS FOR CONSIDERATION

Minutes  
Page 4  
February 11, 2013

- 1) Extension of Wildwood Crossings, Oxford Crossings, and Oxford Crossings Apartments Planned Developments (PDs) due to State legislation (Attachments - Staff recommends approval)

DSD Peavy indicated they have received an extension of two months because of tropical storm Isaac and they have asked the City for a six months extension for each. Does the Commission want to grant the six months they have asked for in addition of the two months to make a total of eight months? Regulations allow for 12 month extension.

Motion by Commissioner Bivins, second by Commissioner Green to approve the eight months Extension of Wildwood Crossings, Oxford Crossings, and Oxford Crossings Apartments Planned Developments (PDs). Motion carried by unanimous vote.

- 2) Approval requested to hold a "Food Truck" Night with family friendly entertainment on Friday, March 1, around City Hall and permission to close Wonders and Oxford Streets from US 301 to Gamble Street during the event (Jenny Hudson to present) (Attachments – Staff Recommends Approval)

P&RC Hudson indicated the date has been changed to March 8. She noted that the Cotillion and Hollywood Café have been invited to set up. Hopes if this is successful that it can be scheduled once each month.

Motion by Commissioner Bivins, second by Commissioner Clark to approve a "Food Truck" Night with family friendly entertainment on Friday, March 1, around City Hall and permission to close Wonders and Oxford Streets from US 301 to Gamble Street during the event, as requested with the date changed to March 8. Motion carried by unanimous vote.

- 4, ADJOURN  
Upon a motion by Commissioner Green and second by Commissioner Strickland the meeting was adjourned.

SEAL

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

\_\_\_\_\_  
Ed Wolf, Mayor

**CITY COMMISSION OF THE CITY OF WILDWOOD**

**EXECUTIVE SUMMARY**

**SUBJECT:** Ordinance O2013-06: Annexation of Hughes Brother's Property

Approval of Ordinance O2013-06

**REQUESTED ACTION:**

- Work Session (Report Only)
- Regular Meeting

**DATE OF MEETING:** February 25, 2013  
 Special Meeting

**CONTRACT:**

N/A  
 Effective Date: \_\_\_\_\_  
 Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
 Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

- Annual
- Capital
- N/A

**FUNDING SOURCE:** \_\_\_\_\_  
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

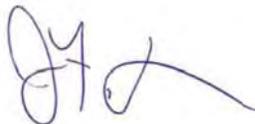
**HISTORY/FACTS/ISSUES:**

The applicant, Chad Hughes on behalf of Hughes Brother's LLC, has submitted a voluntary annexation application for a 2.67 +/- acre property located just north of the intersection of CR 213/Walker Road and SR 44. The property to be annexed is a portion of Parcel G07=133.

Annexation into the City is appropriate because the property is contained within the City's Joint Planning Area with Sumter County, and the property owner is moving forward with developing the property.

The property is intended to be utilized as an office for a construction company. The Joint Planning Area has designated the subject property as Industrial which is consistent with the intended use of the property.

**Staff recommends approval of Ordinance O2013-06.**



Jason McHugh  
 Development Services Coordinator

**ORDINANCE NO. 2013-06**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 2.67 ACRES BEING GENERALLY LOCATED ON THE EAST SIDE OF CR 213 AND NORTH OF SR 44; IN SECTION 7, TOWNSHIP 19 SOUTH, RANGE 23 EAST; WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF WILDWOOD, FLORIDA; PROVIDING THAT SECTION 1-14 OF THE CITY OF WILDWOOD CODE OF ORDINANCES IS AMENDED TO INCLUDE THE ANNEXED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Now, therefore, **BE IT ORDAINED** by the City Commission of the City of Wildwood, Florida:

**SECTION 1.** Based upon the petition of the owner of the following described real property, which is generally located on the east side CR 213 and north of SR 44, to be annexed into the City the property is hereby annexed into the City of Wildwood pursuant to Section 171.044, Florida Statutes. The City Commission finds that the property is located within the City's Joint Planning Area with Sumter County, is contiguous to the municipal limits of the City of Wildwood, and meets all legal requirements for annexation. The annexed property lying in Sumter County, Florida owned by Hughes Brothers, LLC is more particularly described as follows:

**Portion of Parcel # G07=133**  
**2.67 +/- Acres**

**LEGAL DESCRIPTION**

THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF THE SAID NORTHWEST 1/4 OF SOUTHWEST 1/4, THENCE RUN S.00°10'59"W. ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SOUTHWEST 1/4, A DISTANCE OF 560.00 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 583, PAGE 518 OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, THENCE RUN S.89°57'06"E. ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 583, PAGE 518, A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST

RIGHT OF WAY LINE OF COUNTY ROAD No. 213 AND THE POINT OF BEGINNING; THENCE CONTINUE S.89°57'06"E. ALONG SAID SOUTH LINE A DISTANCE OF 396.00 FEET, THENCE S.00°10'59"W. A DISTANCE OF 170.00 FEET, THENCE N.89°57'06"W. A DISTANCE OF 50.00 FEET, THENCE S.00°10'59"W. A DISTANCE OF 170.00 FEET, THENCE N.89°57'06"W. A DISTANCE OF 346.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF COUNTY ROAD No. 213, THENCE N.00°10'59"E. ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 340.00 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THE NORTH 25.00 FEET THEREOF. SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

**SECTION 2.** All of the above described annexed property shall liable for its proportionate share of the future and existing indebtedness of the City of Wildwood.

**SECTION 3.** All of the above described annexed property shall be subject to the laws and ordinance of the City of Wildwood as if this territory had been a part of the City of Wildwood at the time of passage and approval of said laws and ordinances.

**SECTION 4.** Until such time as the City amends its comprehensive plan, the current Sumter County zoning classification and future land use regulations will remain in full force and effect.

**SECTION 5.** Section 1-14 of the City of Wildwood Code of Ordinances is hereby amended to include the legal description of the annexed parcel pursuant to this Ordinance.

**SECTION 6.** If any portion of this Ordinance is declared invalid for any purpose, the remaining portion shall remain valid and in full force and effect.

**SECTION 7.** This Ordinance shall take effect upon final approval by the City Commission.

**DONE AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2013, by the City Commission of the City of Wildwood, Florida.

SEAL

ATTEST:

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

\_\_\_\_\_  
Joseph Jacobs, City Clerk

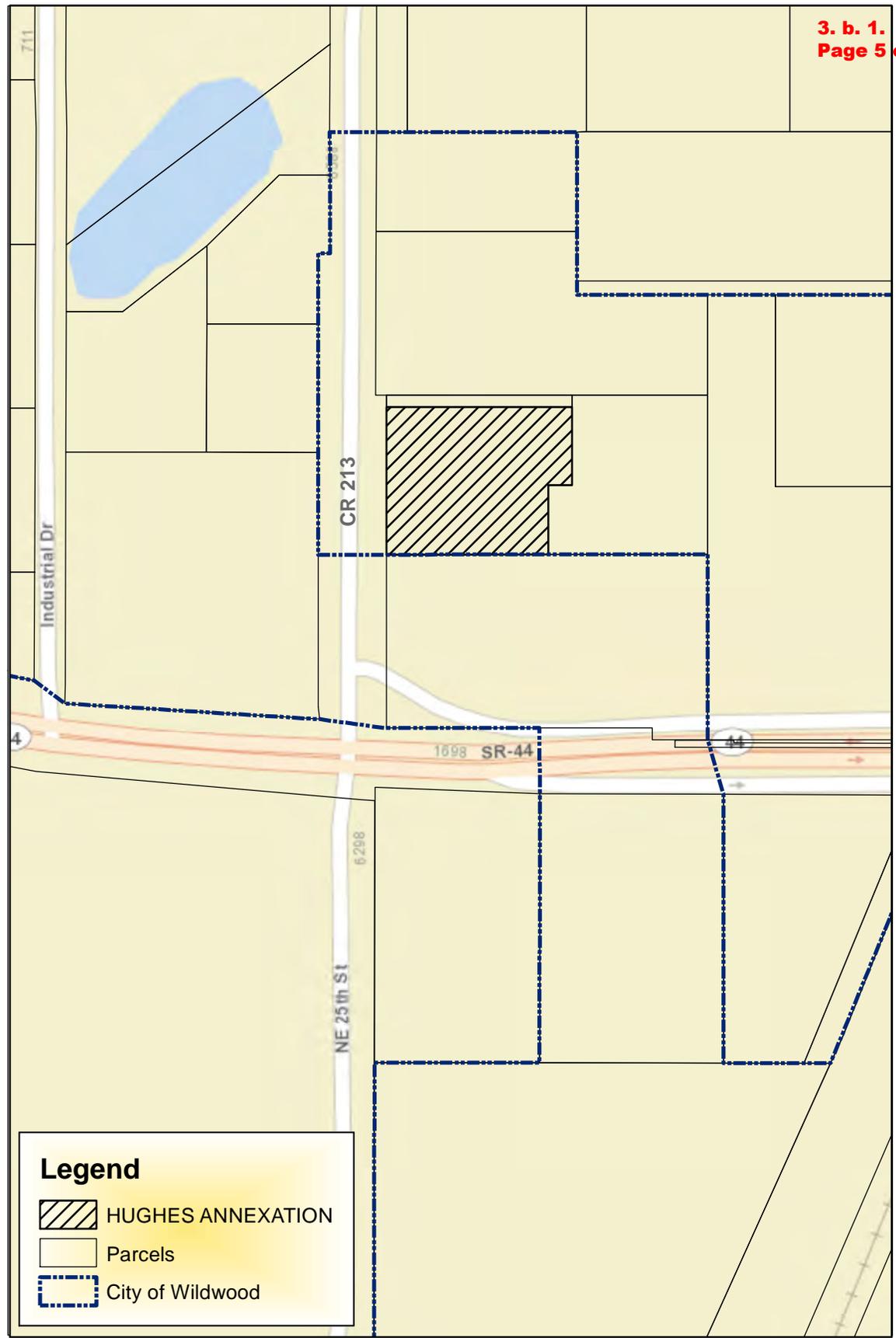
\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney



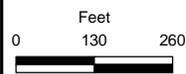
**Legend**

-  HUGHES ANNEXATION
-  Parcels
-  City of Wildwood

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City of Wildwood  
100 North Main Street  
Wildwood, FL 34485  
Phone: (352) 330-1330  
www.wildwood-fl.gov



**LOCATION MAP**

Hughes Brothers  
WILDWOOD, FLORIDA

February 2013

Annexation

**CITY COMMISSION OF THE CITY OF WILDWOOD**

**EXECUTIVE SUMMARY**

**SUBJECT:** Ordinance O2013-07: Annexation of Williams Property

Approval of Ordinance O2013-07

**REQUESTED ACTION:**

- Work Session (Report Only)
- Regular Meeting

**DATE OF MEETING:** February 25, 2013  
 Special Meeting

**CONTRACT:**

N/A  
 Effective Date: \_\_\_\_\_  
 Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
 Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

- Annual
- Capital
- N/A

**FUNDING SOURCE:** \_\_\_\_\_  
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

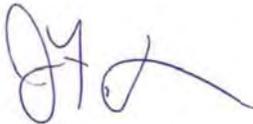
**HISTORY/FACTS/ISSUES:**

The property owner, Gary Williams, has submitted a voluntary annexation application for an approximate 1 acre piece of property located along CR 466 east of CR 209. The property to be annexed is a portion of Parcel D18=038.

Annexation into the City is appropriate because the property is contained within the City's Joint Planning Area with Sumter County, and the applicant is moving forward with developing the property.

The property is intended to be utilized for service and sales of lawn mowers. The property lies within the 466/301 Mixed Use District of the Joint Planning Area. The 466/301 Mixed Use District allows properties to be developed as commercial or residential. As such, the intended use of the property is consistent with the Joint Planning Area.

**Staff recommends approval of Ordinance O2013-07.**



Jason McHugh  
 Development Services Coordinator

**ORDINANCE NO. 2013-07**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 0.98 ACRES BEING GENERALLY LOCATED ON THE SOUTH SIDE OF CR 466 AND EAST OF CR 209; IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 23 EAST; WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF WILDWOOD, FLORIDA; PROVIDING THAT SECTION 1-14 OF THE CITY OF WILDWOOD CODE OF ORDINANCES IS AMENDED TO INCLUDE THE ANNEXED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Now, therefore, **BE IT ORDAINED** by the City Commission of the City of Wildwood, Florida:

**SECTION 1.** Based upon the petition of the owner of the following described real property, which is generally located on the south side of CR 466 and east of CR 209, to be annexed into the City the property is hereby annexed into the City of Wildwood pursuant to Section 171.044, Florida Statutes. The City Commission finds that the property is located within the City's Joint Planning Area with Sumter County, is contiguous to the municipal limits of the City of Wildwood, and meets all legal requirements for annexation. The annexed property lying in Sumter County, Florida owned by Gary Williams, Trustee is more particularly described as follows:

**Portion of Parcel # D18=038**  
**0.98 +/- Acres**

**LEGAL DESCRIPTION**

From the Northwest corner of the East ½ of the Southwest ¼ of the Northwest ¼ of Section 18, Township 18 South, Range 23 East, Sumter County, Florida, run S 00° 00'03" E, along the west line of the North ½ of the East ½ of the Southwest ¼ of the Northwest ¼ of said Section 18, a distance of 65.08 feet, to the south right-of-way of C-466; thence N 89° 30'42" E, along said south right-of-way, a distance of 238.72 feet, to the Point of Beginning of the following described parcel; from said Point of Beginning, continue N 89°30'42" E, along said south right-of-way, a distance of 142.89 feet, to a point that is 280.00 feet west of the East line of the North ½ of the East ½ of the Southwest ¼ of the Northwest ¼ of said Section 18; thence leaving said south right-of-

way, run S 00°00'05" E, and parallel with said East line of the North ½ of the East ½ of the Southwest ¼ of the Northwest ¼, a distance of 300.00 feet; thence S 89°30'42" W, a distance of 142.90 feet; thence N 00°00'03" W, a distance of 300.00 feet, to the Point of Beginning, and end of this description.

Area described contains 42,866.92 square feet, 0.984 acres.

Subject to easements, restrictions, reservations, and rights-of-way of record, if any.

**SECTION 2.** All of the above described annexed property shall liable for its proportionate share of the future and existing indebtedness of the City of Wildwood.

**SECTION 3.** All of the above described annexed property shall be subject to the laws and ordinance of the City of Wildwood as if this territory had been a part of the City of Wildwood at the time of passage and approval of said laws and ordinances.

**SECTION 4.** Until such time as the City amends its comprehensive plan, the current Sumter County zoning classification and future land use regulations will remain in full force and effect.

**SECTION 5.** Section 1-14 of the City of Wildwood Code of Ordinances is hereby amended to include the legal description of the annexed parcel pursuant to this Ordinance.

**SECTION 6.** If any portion of this Ordinance is declared invalid for any purpose, the remaining portion shall remain valid and in full force and effect.

**SECTION 7.** This Ordinance shall take effect upon final approval by the City Commission.

**DONE AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2013, by the City Commission of the City of Wildwood, Florida.

SEAL

ATTEST:

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

\_\_\_\_\_  
Joseph Jacobs, City Clerk

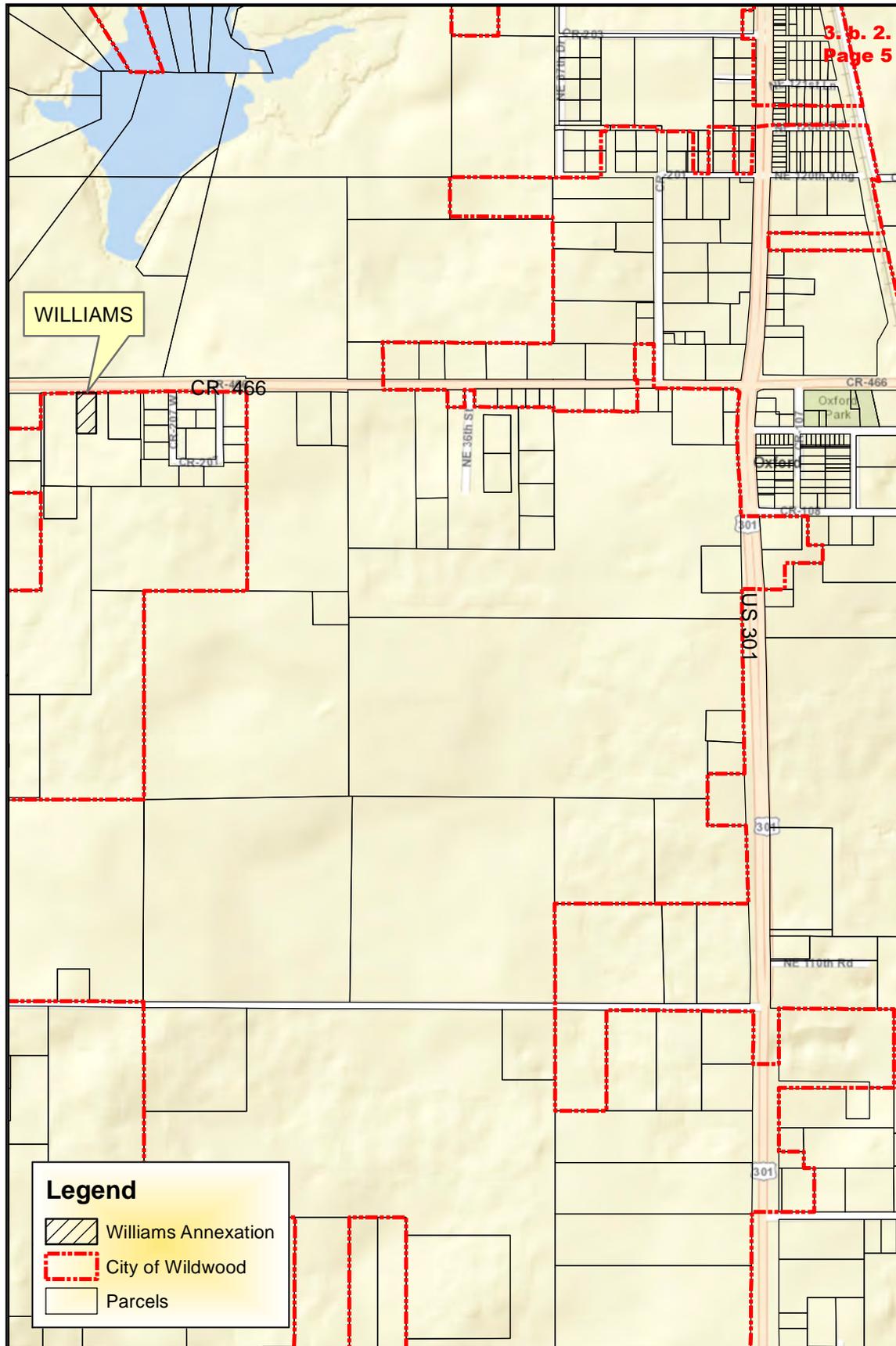
\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney



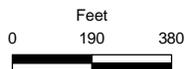
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**Legend**

-  Williams Annexion
-  City of Wildwood
-  Parcels



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



LOCATION MAP

WILLIAMS  
WILDWOOD, FLORIDA

February 2013

ANNEXATION

**CITY COMMISSION OF THE CITY OF WILDWOOD**

**EXECUTIVE SUMMARY**

**SUBJECT:** Ordinance O2013-08: Annexation of North 100' of Parcel D30=003

Approval of Ordinance O2013-08

**REQUESTED ACTION:**

- Work Session (Report Only)
- Regular Meeting

**DATE OF MEETING:** February 25, 2013  
 Special Meeting

**CONTRACT:**

N/A  
 Effective Date: \_\_\_\_\_  
 Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
 Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

- Annual
- Capital
- N/A

**FUNDING SOURCE:** \_\_\_\_\_  
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

**HISTORY/FACTS/ISSUES:**

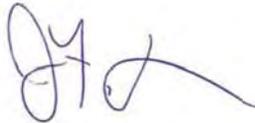
The applicant, Gary Thurston on behalf of the R. William Futch, Trustee, has submitted a voluntary annexation application for the north 100' feet of Parcel D30=003. The property is located along CR 222 west of US 301.

All but the north 100' feet of Parcel D30=003 was annexed into the City in 2005. The north 100' was omitted from the original annexation because it would have created an enclave.

Annexation into the City is appropriate because the property is contained within the City's Joint Planning Area with Sumter County. The approval of the Joint Planning Area allows the City to annex properties that create enclaves.

Further, the applicant is moving forward with a 40 acre residential subdivision on the Futch properties (located to the west of Peppertree Apartments) that includes the property subject to the annexation.

**Staff recommends approval of Ordinance O2013-08.**



Jason McHugh  
Development Services Coordinator

**ORDINANCE NO. 2013-08**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, PROVIDING FOR THE VOLUNTARY ANNEXATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 1.5 ACRES BEING GENERALLY LOCATED ON THE SOUTH SIDE OF CR 222 AND WEST OF US 301; IN SECTION 30, TOWNSHIP 18 SOUTH, RANGE 23 EAST; WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF WILDWOOD, FLORIDA; PROVIDING THAT SECTION 1-14 OF THE CITY OF WILDWOOD CODE OF ORDINANCES IS AMENDED TO INCLUDE THE ANNEXED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

Now, therefore, **BE IT ORDAINED** by the City Commission of the City of Wildwood, Florida:

**SECTION 1.** Based upon the petition of the owner of the following described real property, which is generally located on the south side of CR 222 and west of US 301, to be annexed into the City the property is hereby annexed into the City of Wildwood pursuant to Section 171.044, Florida Statutes. The City Commission finds that the property is located within the City's Joint Planning Area with Sumter County, is contiguous to the municipal limits of the City of Wildwood, and meets all legal requirements for annexation. The annexed property lying in Sumter County, Florida owned by R. William Futch, Trustee, is more particularly described as follows:

**Portion of Parcel # D30=003**  
**1.5 +/- Acres**

**LEGAL DESCRIPTION**

The North 100 feet of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 18 South, Range 23 East, Sumter County, Florida.

**SECTION 2.** All of the above described annexed property shall liable for its proportionate share of the future and existing indebtedness of the City of Wildwood.

**SECTION 3.** All of the above described annexed property shall be subject to the laws and ordinance of the City of Wildwood as if this territory had been a part of the City

of Wildwood at the time of passage and approval of said laws and ordinances.

**SECTION 4.** Until such time as the City amends its comprehensive plan, the current Sumter County zoning classification and future land use regulations will remain in full force and effect.

**SECTION 5.** Section 1-14 of the City of Wildwood Code of Ordinances is hereby amended to include the legal description of the annexed parcel pursuant to this Ordinance.

**SECTION 6.** If any portion of this Ordinance is declared invalid for any purpose, the remaining portion shall remain valid and in full force and effect.

**SECTION 7.** This Ordinance shall take effect upon final approval by the City Commission.

**DONE AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2013, by the City Commission of the City of Wildwood, Florida.

SEAL

ATTEST:

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

\_\_\_\_\_  
Joseph Jacobs, City Clerk

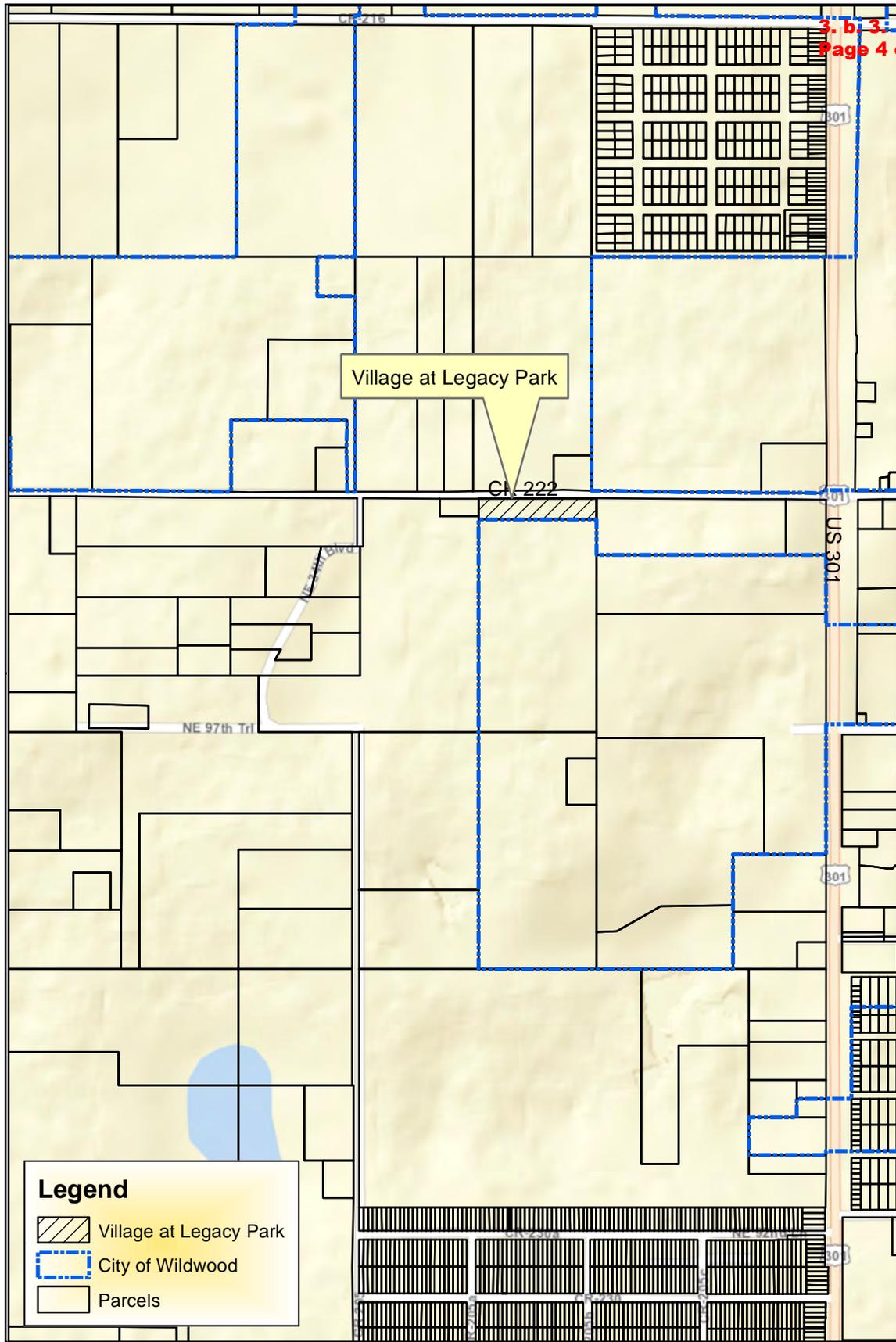
\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

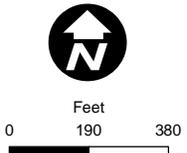
\_\_\_\_\_  
Jerri A. Blair, City Attorney



F:\Terr\GIS\Maps\Location - Villages at Legacy Park.mxd - 2/18/2013 10:37:45 AM - lorneal



City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
 www.wildwood-fl.gov



LOCATION MAP

**VILLAGE AT LEGACY PARK  
 WILDWOOD, FLORIDA**

FEBRUARY 2013      ANNEXATION

This Instrument Prepared by and Return To:  
W. James Gooding III  
Gilligan, King & Gooding, P.A.  
1531 SE 36th Avenue  
Ocala, FL 34471

**PARTIAL RELEASE OF EASEMENT**

KNOW ALL MEN BY THESE PRESENTS that City of Wildwood ("Releasor"), whose address is 100 North Main Street, Wildwood, Florida 34785, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby abandon, release, relinquish and give up the easement (the "Easement") held by Releasor arising under the instrument recorded in OR Book 1719, page 621, public records, Sumter County, Florida, to the extent that such Easement may encumber the real property (the "Property") described in the attached **Exhibit A**.

The purpose of this Partial Release is to correct a title defect caused by an incorrect legal description set forth in the foregoing instrument.

To the extent necessary to effect the foregoing, Releasor hereby grants, conveys and quitclaims to 301/466, LLC, a Florida limited liability company, its interest in the Property arising under the foregoing instrument.

This Release does not release: any other rights or interests that may be held by Releasor in the Property arising under other instruments recorded in the public records of Sumter County, Florida; or any portion of the Easement located on real property other than the Property.

**THEREFORE**, the Releasor has caused these presents to be executed.

**City of Wildwood**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Ed Wolf  
Mayor

\_\_\_\_\_  
Print Witness Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Witness Name

**ATTEST:**

\_\_\_\_\_  
Joseph Jacobs  
City Clerk

Approved as to form and legality

\_\_\_\_\_  
Jerri A. Blair  
City Attorney

STATE OF FLORIDA  
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of February, 2013 by Ed Wolf, as Mayor of the City of Wildwood, on behalf of the City.

\_\_\_\_\_  
Notary Public, State of Florida

Name: \_\_\_\_\_

(Please print or type)

Commission Number:

Commission Expires:

Notary: Check one of the following:

Personally known OR

Produced Identification (if this box is checked, fill in blank below).

Type of Identification Produced: \_\_\_\_\_

EXHIBIT A

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY FLORIDA, DESCRIBED AS FOLLOWS.

BEGIN AT THE SW CORNER OF THE SW 1/4 OF THE AFOREMENTIONED SECTION 18 AND RUN N00°26'23"E ALONG THE WEST LINE OF THE SW 1/4 OF SECTION 18 A DISTANCE OF 1323.97 FEET TO THE NORTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SECTION 18; THENCE S89°23'32"E ALONG SAID NORTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SECTION 18 A DISTANCE OF 1323.53 FEET TO THE WEST LINE OF THE NE 1/4 OF THE SW 1/4; THENCE N00°26'06"E ALONG SAID WEST LINE OF THE NE 1/4 OF THE SW 1/4 A DISTANCE OF 1323.63 FEET TO THE NORTH LINE OF THE NE 1/4 OF THE SW 1/4; THENCE S89°22'39"E ALONG SAID NORTH LINE A DISTANCE OF 1323.42 FEET; THENCE S00°25'50"W ALONG SAID EAST LINE OF THE NE 1/4 OF THE SW 1/4 A DISTANCE OF 165.00 FEET TO THE SOUTH LINE OF THE NORTH 165.00 FEET OF THE NORTH 1/2 OF THE SE 1/4; THENCE S89°22'39"E ALONG SAID SOUTH LINE A DISTANCE OF 2529.56 FEET TO THE WEST RIGHT OF WAY OF STATE ROAD NO. 35 (U.S. 301); THENCE S00°57'08"E ALONG SAID RIGHT OF WAY A DISTANCE OF 580.42 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED IN O.R. BOOK 1628 PAGE 483, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°22'32"W ALONG SAID SOUTH LINE A DISTANCE OF 240.24 FEET TO THE WEST LINES OF THE LANDS DESCRIBED IN O.R. BOOK 1628 PAGE 481 AND O.R. BOOK 1628, PAGE 483; THENCE S00°36'51"W ALONG SAID WEST LINES A DISTANCE OF 204.69 FEET TO THE NORTH LINE OF THE LANDS DESCRIBED IN O.R. BOOK 155, PAGE 73, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°20'28"W ALONG SAID NORTH LINE A DISTANCE OF 16.14 FEET; THENCE S00°57'08"E ALONG THE WEST LINE THEREOF A DISTANCE OF 360.00 FEET TO THE SOUTH LINE OF THE NE 1/4 OF THE SE 1/4; THENCE N89°20'28"W ALONG SAID SOUTH LINE A DISTANCE OF 967.51 FEET TO THE EAST LINE OF THE SW 1/4 OF THE SE 1/4; THENCE S00°25'03"W ALONG SAID EAST LINE A DISTANCE OF 1324.13 FEET TO THE SOUTH LINE OF THE SW 1/4 OF THE SE 1/4; THENCE N89°18'18"W ALONG SAID SOUTH LINE A DISTANCE OF 1328.35 FEET TO THE EAST LINE OF THE SE 1/4 OF THE SW 1/4; THENCE N89°24'24"W ALONG THE SOUTH LINE OF THE SE 1/4 OF THE SW 1/4 OF A DISTANCE OF 1323.64 FEET TO THE EAST LINE OF THE SW 1/4 OF THE SW 1/4; THENCE N89°24'24"W ALONG THE SOUTH LINE OF THE SW 1/4 OF THE SW 1/4 A DISTANCE OF 317.92 FEET TO THE EASTERLY BOUNDARY OF THOSE LANDS DESCRIBED IN O.R. BOOK 1884, PAGE 366, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, EXTENDED SOUTHERLY; THENCE ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN O.R. BOOK 1884, PAGE 366 AND IT'S SOUTHERLY EXTENSION, THE FOLLOWING THREE (3) COURSES: THENCE DEPARTING SAID SOUTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SECTION 18 RUN N00°38'26"E A DISTANCE OF 227.07 FEET; THENCE N89°21'34"W A DISTANCE OF 208.72; THENCE S00°38'26"W A DISTANCE OF 227.25 FEET TO THE SOUTH LINE OF THE SW 1/4 OF THE SW 1/4; THENCE N89°24'24"W ALONG SAID SOUTH LINE OF THE SW 1/4 OF THE SW 1/4 A DISTANCE OF 797.00 FEET TO THE POINT OF BEGINNING. LESS THE RIGHT-OF-WAYS FOR COUNTY ROAD 209 AND COUNTY ROAD 214.

**BILLS FOR APPROVAL  
City of Wildwood, Florida  
February 25, 2013**

**3. f. 1.  
Page 1 of 4**

**CITY COMMISSION-LEGISLATIVE DEPARTMENT**

1	Payroll	February 10, 2013 Pay Period - 5 Employees	\$	3,060.09
2	Ernie Morris Enterprises Inc	Office Supplies	\$	19.99
3	The Daily Commercial	Ads	\$	79.78
4	Verizon Wireless	Cell Phone Service	\$	49.49

**CITY MANAGER-EXECUTIVE DEPARTMENT**

5	Payroll	February 10, 2013 Pay Period - 2 Employees	\$	6,101.86
6	Bright House	Internet Service	\$	17.50
7	Dept of Management Services	Telephone Service	\$	64.31
8	Ernie Morris Enterprises Inc	Office Supplies	\$	5.98
9	Verizon Wireless	Cell Phone Service	\$	49.49

**CITY CLERK-FINANCIAL & ADMINISTRATIVE DEPARTMENT**

10	Payroll	February 10, 2013 Pay Period - 4 Employees	\$	10,206.74
11	Bright House	Internet Service	\$	34.95
12	Century Link	Telephone Service	\$	43.31
13	Dept of Management Services	Telephone Service	\$	131.84
14	Ernie Morris Enterprises Inc	Office Supplies	\$	2.99
15	Lowe's	Bathroom Toilets and Repair	\$	230.38
16	Progress Energy	Electric Service	\$	1,328.07
17	Resource One	Cleaning Supplies	\$	47.30
18	Terminix	Monthly Pest Control	\$	71.50
19	Verizon Wireless	Cell Phone Service	\$	50.24

**DEVELOPMENT SERVICES**

20	Payroll	February 10, 2013 Pay Period - 4 Employees	\$	8,800.65
21	Bright House	Internet Service	\$	35.00
22	Cason and Gaskins TV Inc	Printer Cables	\$	26.97
23	C & S Reprographics & Copy Ctr	Coated Paper	\$	84.97
24	Dept of Management Services	Telephone Service	\$	64.31
25	Ernie Morris Enterprises Inc	Office Supplies	\$	38.87
26	Office Depot	Office Supplies	\$	415.71
27	The Daily Commercial	Ads	\$	660.17

**HUMAN RESOURCES**

28	Payroll	February 10, 2013 Pay Period - 1 Employees	\$	2,014.84
29	Bright House	Internet Service	\$	8.75
30	Deanna Cox	Personal Vehicle Use	\$	204.06
31	Dept of Management Services	Telephone Service	\$	64.31
32	Ernie Morris Enterprises Inc	Office Supplies	\$	20.93
33	Office Depot	Office Supplies	\$	1.85

**POLICE DEPARTMENT**

34	Payroll	February 10, 2013 Pay Period - 30 Employees	\$	62,497.97
35	BS Auto Salvage	Tans Pan	\$	50.00
36	Campbell's Gate Service, Inc.	Slide Gate Operator	\$	7,119.45
37	Capital Office Products	Office Supplies	\$	126.17
38	CarQuest Auto Parts	Filter Kit, Tensioner, Pulley, Belts, Battery, Mounts, Etc	\$	361.81
39	Central Sumter Utility LLC	Electric Service	\$	38.58
40	Century Link	Translink Chan Term 1544	\$	568.00
41	Chief Supply / Law Enforcement	Ankle Holster, Name Plate	\$	88.96
42	David Clarkson	Boot Allowance	\$	75.00
43	Coy Thomas Electric, Inc.	Installed Conduit Wiring & J Box for Gate Opener	\$	683.21
44	Dept of Management Services	Telephone Service	\$	275.17
45	DSG Sands Corp	Durabook w/Windows 7 Pro	\$	1,154.00
46	Ernie Morris Enterprises Inc	Office Supplies	\$	239.15
47	Ford Press	Business Cards	\$	50.00
48	Glock Professional	Armorer's Course	\$	780.00

49	Guardian Fueling Technologies, Inc	Prokee Assy, Black	\$ 69.60
50	Key Scales Ford	Seat Belt Assy	\$ 102.48
51	L3 Communications	T602 Server	\$ 15,749.00
52	Lawmen's and Shooters	Ammunition	\$ 363.55
53	Shayla Lawson	Tuition Reimbursement	\$ 720.00
54	Maggio Enterprises, Inc	Paper Products	\$ 164.81
55	Maroone Dodge of Pembroke Pines	Six Dodge Chargers	\$ 127,296.00
56	Merritt Department Store	Windbreakers, 8 Point Hat, Blue Vest	\$ 450.89
57	Office Depot	Office Supplies	\$ 53.48
58	Progress Energy	Electric Service	\$ 223.36
59	Southern Custom Creations	Front Fender Repair	\$ 35.00
60	U.S. HealthWorks	PE-Basic, COC, DS-Panel - New Employee	\$ 65.00
61	Terminix	Monthly Pest Control	\$ 29.00
62	Verizon Wireless	Cell Phone Service , Bluetree	\$ 1,455.83
63	Wildwood Tire Company	Tires and Repairs	\$ 295.66

**STREET DEPARTMENT**

64	Payroll	February 10, 2013 Pay Period - 10 Employees	\$ 17,289.46
65	Bright House	Internet Service	\$ 39.98
66	CarQuest Auto Parts	Mirror, Clutch Pack, Bearing, Grind Wheel, Etc.	\$ 538.82
67	C.R. 466A Landfill Facility, LLC	Tipping Fee	\$ 211.02
68	Dept of Management Services	Telephone Service	\$ 45.02
69	Ernie Morris Enterprises Inc	Office Supplies	\$ 59.66
70	Environmental Products	4 Segt Gutter Broom	\$ 1,050.00
71	Guardian Fueling Technologies, Inc	Prokee Assy, Black	\$ 65.84
72	Highland Tractor Company	AT160662 Kit	\$ 359.86
73	KWI	Straight Boom	\$ 843.00
74	Maggio Enterprises, Inc	Cups	\$ 17.50
75	Office Depot	Office Supplies	\$ 14.01
76	Progress Energy	Electric Service	\$ 671.15
77	Salescorp of Florida	Sign Stand	\$ 224.22
78	Southern Environmental Sciences, Inc	Initial Visible Emissions Evaluation	\$ 603.70
79	Sparr Building and Farm Supply	Barbwire, T-Post, Round Post, Gate Hardware	\$ 963.32
80	Sumter Electric	Telephone Service	\$ 175.58
81	Terminix	Monthly Pest Control	\$ 12.50
82	Verizon Wireless	Cell Phone Service	\$ 196.48
83	Wildwood Mower and Saw, Inc	Shaft Asy, Pump Drive Belt, Carburetor, Blades, Etc	\$ 976.73
84	Wildwood Tire Company	Tire Repairs	\$ 16.95
85	Williams Diesel Service	Reman Driveshaft	\$ 652.41

**FLEET SERVICES**

86	Payroll	February 10, 2013 Pay Period - 2 Employees	\$ 5,048.33
87	Airgas	Lease Argon, Acetylene, Oxygen Tanks	\$ 605.00
88	Big Truck Parts Inc	Filters	\$ 76.77
89	Bright House	Internet Service	\$ 39.97
90	CarQuest Auto Parts	Pulley Kit	\$ 39.89
91	Chief Supply / Law Enforcement	Strobe Bulb Replacement	\$ 83.99
92	Dept of Management Services	Telephone Service	\$ 45.02
93	Ernie Morris Enterprises Inc	Office Supplies	\$ 8.97
94	Guardian Fueling Technologies, Inc	Prokee Assy, Black	\$ 3.76
95	Heritage-Crystal Clean, LLC	Com-20	\$ 196.25
96	Progress Energy	Electric Service	\$ 37.91
97	Terminix	Monthly Pest Control	\$ 12.50
98	Verizon Wireless	Cell Phone Service	\$ 53.60
99	Wildwood Mower and Saw, Inc	Spark Plugs, Filters, Pump Primer, Pressure Tester	\$ 136.85

**COMMUNITY RE-DEVELOPMENT**

100	Bright House	Internet Service	\$ 8.75
101	Dept of Management Services	Telephone Service	\$ 64.34

**PARKS AND RECREATION**

102	Payroll	February 10, 2013 Pay Period - 5 Employees	\$ 7,105.02
103	Bright House	Internet Service	\$ 8.75

104	CarQuest Auto Parts	Cable Ties, Tape, Black Trk Bed, Oil Filter, Etc.	\$	46.43
105	Century Link	Telephone Service	\$	39.14
106	Culligan	Softener Rental - Lake Deaton Wigglesworth	\$	32.95
107	Dept of Management Services	Telephone Service	\$	64.31
108	Ernie Morris Enterprises Inc	Office Supplies	\$	8.97
109	Guardian Fueling Technologies, Inc	Prokee Assy, Black	\$	9.41
110	Logan Sitework Contractors, Inc	18 Yards Ball Clay	\$	135.00
111	Nature Calls Inc	Port O Let Rentals	\$	250.00
112	Office Depot	Office Supplies	\$	1.24
113	Progress Energy	Electric Service	\$	890.61
114	Resource One	Cleaning Supplies	\$	154.90
115	Richard Athletics	Base Anchors	\$	1,399.56
116	Sumter Electric	Electric Service	\$	269.08
117	Terminix	Monthly Pest Control	\$	29.00
118	Verizon Wireless	Cell Phone Service	\$	57.22
119	Wildwood Mower and Saw, Inc	Filters, Fan Kit, Bearings, Oil, Spark Plugs, Etc	\$	247.32
120	Wildwood Tire Company	Tires and Repairs	\$	814.90

**COMMUNITY CENTER & OXFORD COMMUNITY CENTER**

121	Pamella Bland	Rental Refund - Wildwood Community Center	\$	100.00
122	Bright House	Internet Service	\$	79.95
123	CarQuest Auto Parts	Valves, Filters, Tees	\$	55.41
124	Guardian Fueling Technologies, Inc	Prokee Assy, Black	\$	3.76
125	Music of the Heart	Rental Refund - Wildwood Community Center	\$	194.25
126	Resource One	Cleaning Supplies	\$	293.20
127	Sumter Electric	Electric Service	\$	1,144.87
128	Terminix	Monthly Pest Control	\$	54.00

**PHYSICAL ENVIRONMENT ADMINISTRATIVE DEPARTMENT**

129	Payroll	February 10, 2013 Pay Period - 3 Employees	\$	5,126.08
130	Bright House	Internet Service	\$	26.25
131	Dept of Management Services	Telephone Service	\$	109.33
132	Ernie Morris Enterprises Inc	Office Supplies	\$	59.80
133	Lowe's	Bathroom Toilets and Repair	\$	230.37
134	Office Depot	Office Supplies	\$	13.53
135	Progress Energy	Electric Service	\$	1,157.47
136	Resource One	Cleaning Supplies	\$	43.80
137	Terminix	Monthly Pest Control	\$	12.50
138	Deniese Woods	Personal Vehicle Use	\$	14.13

**UTILITY DEPARTMENT**

139	Payroll	February 10, 2013 Pay Period - 21 Employees	\$	40,435.21
140	Advanced Auto Parts	Brake Fluid	\$	6.58
141	A.W.K. Industries, Inc	Greyline Level and Flow Monitor	\$	1,567.34
142	Besco Electric Supply Company	Satco S4858 MH100	\$	183.58
143	Brenntag	Liquid Chlorine	\$	988.56
144	Bright House	Internet Service	\$	154.90
145	Capital Office Products	Office Supplies	\$	40.54
146	CarQuest Auto Parts	Grease Gun, Water Pump, Belts, Rotor, Wire Set, Etc	\$	344.42
147	C & C Peat Co., Inc.	Wastewater Treatment-Dewatered Bio-Solids	\$	4,500.00
148	Century Link	Telephone Service	\$	113.30
149	CPM Plumbing	Main Line Blockage	\$	348.00
150	Culligan	Bottled Water	\$	42.48
151	Dept of Management Services	Telephone Service	\$	135.06
152	Ernie Morris Enterprises Inc	Office Supplies	\$	113.90
153	Florida Dept of Environmental Protection	Coleman Water Treatment Plant Flood Repair Permit	\$	100.00
154	Jared Fort	Boot Allowance	\$	75.00
155	Guardian Fueling Technologies, Inc	Prokee Assy, Black	\$	35.73
156	HACH	Stericon Plus Bioindicator	\$	181.45
157	Hardy Diagnostics	Grid Membrane Filter	\$	411.28
158	MMD Computer Center, Inc	Format Hard Disk and Reload Operating System	\$	469.99
159	Office Depot	Office Supplies	\$	64.26
160	Bruce Phillips	Personal Vehicle Use	\$	157.07

161	Plant Technicians	Environmental Testing	\$ 456.00
162	Postmaster	Utility Billing	\$ 259.64
163	Progress Energy	Electric Service	\$ 20,630.04
164	Resource One	Cleaning Supplies	\$ 146.60
165	Sanders Company, Inc.	Installation and Startup	\$ 3,000.00
166	Alice Scheidler	Personal Vehicle Use	\$ 39.78
167	Sumter Electric	Electric Service	\$ 4,083.54
168	Sunshine State One Call of Florida, Inc	Locators for Month of January 2013	\$ 538.25
169	Sunstate Meter & Supply, Inc	Dble Check Backflow Preventor, Di Spool, Gasket-Pak	\$ 722.89
170	TAW Orlando	Motor, Seal, Shaft Sleeve	\$ 3,211.62
171	Terminix	Monthly Pest Control	\$ 27.00
172	The Daily Commercial	Ads	\$ 64.70
173	The Dumont Company, Inc	ClearFlow Corrosion Inhibitor	\$ 1,506.25
174	USA BlueBook	Grease, Stenner Duckbill Pack, Pump Tubes, Gloves	\$ 827.58
175	Verizon Wireless	Cell Phone Service	\$ 416.62
176	VWR	Standardizing Solution	\$ 98.86
177	Water Resource Technologies	32" Supply Cable, Sentry Simplex Panel, Rebuilt Pump	\$ 1,450.00
178	Jeff Webster	DEP Reimbursement	\$ 125.00
179	Wildwood Mower and Saw, Inc	Filters, Fan Kit, Bearings, Oil, Spark Plugs, Etc	\$ 164.88
180	Wildwood Tire Company	Tires and Repairs	\$ 461.14

**MISCELLANEOUS**

181	General Fund	Transfer to CRA 2013 Funds from Ad Valorem	\$ 68,950.00
182	SRF Principal and Interest	Debt Service Funding	\$ 250,000.00

**GREENWOOD CEMETERY**

183	Progress Energy	Electric Service	\$ 12.91
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**ATTORNEYS/CONSULTANTS/SURVEYORS**

184	Jerri A Blair	Attorney	\$ 10,000.00
185	Potter Clement Lowry	Special Magistrate	\$ 910.00

**FUEL INVENTORY**

186	Stone Petroleum Products, Inc	Ultra Low Sulfur Diesel	\$ 3,033.39
187	Stone Petroleum Products, Inc	Unleaded Gasoline	\$ 8,761.45

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<b>TOTAL</b>			<b>\$ 737,356.74</b>
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CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

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## CITY OF WILDWOOD

### CITY COMMISSION REPORT

Commission Meeting Date: Feb. 25, 2013

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Subject: Miscellaneous Wastewater Collection System Repairs

Submitted By: Bruce H. Phillips, PE, PLS, Utility Director

Department: Utility Department

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Staff Recommendation (Motion Ready): Recommend approval of Utility Technicians, Inc. proposal No's. 5040 in the amount of \$3,872.00 for repairs to Lift Station No. 5 and 5042 in the amount of \$5,804.00 for repairs to Lift Station No. 36 for a total aggregate amount of \$9,676.00.

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#### **BACKGROUND:**

- Utility Technicians was the original contractor that installed Lift Stations No. 5 and 36 and due to their knowledge of the City's system have been used by the City for repairs in the past.

#### **FINDING, CONCLUSIONS AND RECOMMENDATIONS:**

##### **FINDINGS:**

- Lift Station No. 5 (Main Street North)
  - Riser pipe has broken loose from the coupling at the 90° elbow at the top of the station. The existing pipe is to be replaced with a new 6" PVC pipe and secured to the wall of the station.
- Lift Station No. 36 (CR 209 at CR 214)
  - Repair riser pipe from pump to station outlet.
  - Install drop pipe from gravity inlet and secure to wall of station.

##### **CONCLUSIONS:**

- Lift Station No. 5
  - Continued leakage from the break will cause excessive corrosion within the station and could damage the pumps.
- Lift Station No. 36
  - Continued leakage from the broken riser pipe will cause excessive corrosion within the station and could damage the pumps.
  - Installation of the drop pipe will reduce corrosion within the station.

- This work is considered as “confined space” work. The City does not have the required safety gear to perform these repairs.
- Utility Technicians has the required safety gear to work in “confined space”.

**LEGAL REVIEW:**

- N/A

**RECOMMENDATIONS:**

- Staff recommends approval of the request to contract with Utility Technicians to perform these repairs.

**FISCAL IMPACT:**

- Funding for these repairs will be from account no. 0401 0036 0536 0460, Repair and Maintenance.

**ALTERNATIVES:**

- Take no action and allow the station to continue to operate in a state of disrepair.

**SUPPORT MATERIAL:**

- Copy of proposal no. 5040 and proposal no. 5042.

# Utility Technicians, Inc.

Water and Sewer Specialty Contractor  
State Licensed Utility Contractor #CUC052605

Office (352) 669-3822  
Fax (352) 669-6037

## Proposal

630 Goodbar Avenue  
Umatilla, Florida 32784

DATE 9/14/2012 Proposal # 5042

NAME / ADDRESS

City of Wildwood  
100 North Main St.  
Wildwood, FL 34785

Job:

City of Wildwood LS #36

Utility Technicians, Inc. to furnish materials, equipment, labor, and confined space safety equipment to repair City of Wildwood Lift Station #36. per specifications.

NOTE: City to provide by-passing, water, and lift station clean-out.  
Utility Technicians can provide these services for an additional cost.

CR 209  
Steeple Chase & Parkwood

(#1) REPAIR PUMP RISER PIPE - WERE 90° BOLTS ON AT TOP  
GASKET BLOWN OUT / BOLTS LOOSE (HDPE) UT HAS ALREADY

MADE THIS REPAIR ONCE

(#2) CONNECT A DROP PIPE TO INVERT INSIDE WET WELL

↳ EXTEND DOWN TOWARD BOTTOM WELL. FASTEN PIPE TO WELL

WITH SOME BRACING AND REPAIR PLASTIC COATING WHERE NEEDED

TOTAL: \$5,804.00

All material and workmanship is guaranteed for for one year or as stated. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an additional charge over and above estimate. All agreements contingent upon strikes, accidents, delays beyond our control. Our workers are fully covered by Worker's Compensation Insurance.

Terms: Proposal valid for thirty (30) days from date of proposal. Payment due 15 days from invoice or as stated above.

SIGNATURE: Bob Baker DATE: 9/14/2012

ACCEPTANCE OF CONTRACT: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified above:

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

# Utility Technicians, Inc.

Water and Sewer Specialty Contractor  
State Licensed Utility Contractor #CLC052403

Office (352) 669-5822  
Fax (352) 669-6037

## Proposal

630 Goodbar Avenue  
Umatilla, Florida 32784

DATE 9/14/2012 Proposal # 5040

NAME / ADDRESS

City of Wildwood  
100 North Main St.  
Wildwood, FL 34785

Job:

City of Wildwood LS #5

Utility Technicians, Inc. to furnish materials, equipment, labor, and confined space safety equipment to repair City of Wildwood Lift Station #5, per specifications.

NOTE: City to provide by-passing, water, and lift station clean-out.  
Utility Technicians can provide these services for an additional cost.

REPAIR PIPE - RISEING FROM BASE, UP CLOSE TO 90°  
BEFORE TURNING HORIZONTAL - 6" SCHEDULE 80 PVC  
ALREADY REPAIRED ONCE (BRASS LOOSE AT COUPLING)

TOTAL: \$3,872.00

All material and workmanship is guaranteed for for one year or as stated. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an additional charge over and above estimate. All agreements contingent upon strikes, accidents, delays beyond our control. Our workers are fully covered by Worker's Compensation Insurance.  
Terms: Proposal valid for thirty (30) days from date of proposal. Payment due 15 days from invoice or as stated above.

SIGNATURE: Bob Baker DATE: 9/14/2012

ACCEPTANCE OF CONTRACT: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified above.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

---

## CITY OF WILDWOOD

### **CITY COMMISSION REPORT**      Commission Meeting Date: Feb. 25, 2013

---

Subject:                    Neptune Annual System Support

Submitted By:            Bruce H. Phillips, PE, PLS, Utility Director

Department:              Utility Department

---

Staff Recommendation (Motion Ready): Recommend approval of Sunstate Meter & Supply, Inc. quote No. 7735 in the amount of \$3,792.00 for annual support for Sight Mobile Software and Handheld W/2650i Internal RF Adapter.

---

#### **BACKGROUND:**

- The City utilize Neptune water meters as a sole source.
- Sunstate Meter & Supply, Inc. is the Neptune sales representative in the State of Florida.

#### **FINDING, CONCLUSIONS AND RECOMMENDATIONS:**

##### **FINDINGS:**

- The annual support for the software and the hand radio read equipment expired on January 31, 2013.

##### **CONCLUSIONS:**

- The support services provide software updates and repair services for the handheld radio read equipment.

##### **LEGAL REVIEW:**

- N/A

##### **RECOMMENDATIONS:**

- Staff recommends approval of the purchase of annual support for the software and equipment.

#### **FISCAL IMPACT:**

- Funding for the annual support services will be from Operating Supplies, account no. 0401 0036 0536 0520.

#### **ALTERNATIVES:**

- One alternative is to not purchase the support services resulting in:

- Not keeping the software current or purchasing updates as they become available.
- Paying for the repairs needed on the equipment as those repairs are needed.

**SUPPORT MATERIAL:**

- Sunstate Meter & Supply, Inc. quote no. 7735 in the amount of \$3,792.00.

Sent: Monday, January 28, 2013 11:01 AM  
To: Shelley Martin  
Subject: Sunstate Meter & Supply: Quote #7735

3. f. 3.  
Page 3 of 3

# Sunstate Meter & Supply, Inc.

14001 W. Newberry Road  
Newberry, Fl. 32669

Jeff Kimbrough -- Sales Representative

Voice: 352-516-9791  
Nextel:

Email: [jjkimbro@cs.com](mailto:jjkimbro@cs.com)  
Fax: 352-735-3603

Account 100410  
Quotation 7735  
January 28th, 2013

Shelley Martin  
City of Wildwood  
100 North Main Street  
Wildwood, Fl. 34785

Re: Neptune Annual System Support - 2/1/2013 - 1/31/2014

Listed below are the prices that you have requested:

Part #	Description	Qty	Price	Ext
12661-100AS	Annual Support, ARB N_Sight Mobile Software (less than 50k services)	1	\$798.00	\$798.00
12935-100AS	Annual Support, CE5320B Handheld W/2650i Internal RF Adapter	3	\$998.00	\$2,994.00
				Total <b>\$3,792.00</b>

We appreciate your continued interest in our products. If you have any questions or if I can be of any further service please do not hesitate to contact me.

Jeff Kimbrough  
Sunstate Meter & Supply, Inc.

---

## CITY OF WILDWOOD

### CITY COMMISSION REPORT

Commission Meeting Date: Feb. 25, 2013

---

Subject: Emergency Electrical repairs at CR 501 (Prison) Water Plant

Submitted By: Bruce H. Phillips, PE, PLS, Utility Director

Department: Utility Department

---

Staff Recommendation (Motion Ready): Recommend approval of Interstate Electric Services of Central Florida, Inc's. invoice no. 13-010 in the amount of \$29,682.06.

---

#### **BACKGROUND:**

- On Tuesday, January 22, 2013 the CR 501 plant experienced an electrical failure to the well pumps. Well pump no. 1 (closest to the ground storage tanks) showed it was receiving intermittent 3-phase power Staff worked and was able to restore 3-phase power to the pump.
- On Wednesday, January 23, 2013 the plant again experienced power failure to the well pump. Staff was unable to determine and repair the problem. Staff contacted Interstate Electric due to their familiarity of the plant's electrical system.

#### **FINDING, CONCLUSIONS AND RECOMMENDATIONS:**

##### **FINDINGS:**

- Interstate Electric responded the next morning and immediately knew the cause of the failure. (See attached memo dated Jan. 30, 2013 from Mr. Phillip M. Williams, Jr., President of Interstate Electric).
- An electrical junction box located between the two ground storage tanks had been installed several years previous due to damage caused by City staff doing repair work on the equalization piping between the two ground storage tanks.
- The current break was also aggravated by improper wire size leading to the two well pumps.
- During the repair process it was discovered that the electrical conduits were filled with water from the October, 2010 pump house flooding.
- It was also discovered that there were a total of 5 breaks in the conduits.

##### **CONCLUSIONS:**

- Due to the following factors and after discussion with the City Manager, I instructed Interstate to make the necessary repairs to "fix the problem".

- Average water use in the City is approximately 2,300,000 gallons/day (GPD).
- CR 501 Plant average daily flow is approximately 1,328,000 GPD or approximately 58% of the entire City's daily use.
- The Federal Prison alone utilizes approximately 1,000,000 GPD.
- With one well pump out of service, the other well pump in combination with the ground storage tanks can only supply approximately 58 hours of flow.
- Due to the pending repairs and moving of the electrical control room and after discussions with Kimley-Horn, Interstate Electric was instructed to construct an above ground junction box outside of the building in a location suitable for the pending repair work.
- This situation was a major safety hazard, in that one leg of the feed to pump no. 1 was actually broken and arcing. Should someone have reached into the junction box they could have received an electrical shock of great magnitude.

**LEGAL REVIEW:**

- N/A

**RECOMMENDATIONS:**

- Staff recommends payment to Interstate Electric in the amount of \$29,682.06.

**FISCAL IMPACT:**

- This is a non-budgeted repair to be paid from Repair & Maintenance account no. 0401 0036 0536 0460.

**ALTERNATIVES:**

- This was an emergency repair and there were no alternatives but to correct the problem.

**SUPPORT MATERIAL:**

- Interstate Electric memo dated January 30,2013
- Interstate Electric invoice no. 13-010 dated Feb. 11, 2013 in the amount of \$29,682.06.

# INTERSTATE ELECTRICAL SERVICES

OF CENTRAL FL. INC

STATE LIC# EC13002470

e mail: iesocf@embarqmail.com

3. f. 4.

Page 3 of 9

January 30, 2013

Bruce H. Phillips PE.PLS  
City Of Wildwood, Fl.

Dear Sir or Madam:

On 01/23/13 Interstate Electric was contacted by Mark in reference to the Coleman (CTY RD 501) water treatment plant well 1 not working. I met Jared & Mark at the site on 01/24 to discover that the wire feeding the motor was burnt up inside an underground junction box. This Junction box also contains the feed for well 2, the 120 volt power for the receptacles at each well location and the 277 volt lighting circuits.

Due to previous repairs made to the j box connection there is no slack in the wires to be pulled, in order to reconnect the wiring. We advised Mark that the wires would have to be pulled out and replaced. It was future recommended that this J Box should be eliminated as previously recommended (approximately 5 years back) as this problem has reoccurred several times over the past few years. All of the wiring in this J box has been burnt up from time to time and we have made the last repairs that can be made without replacing the wiring.

I would like to take a minute and bring you up to speed with this situation. Approximately 7 years ago during the installation of some underground conduits that were being installed/repared at the above ground storage tanks by the City of Wildwood employees 4 electrical conduits were damaged to the point that it took this plant OFF LINE. At the same time the Hughey Plant was Out Of Service due to restoration being completed on the water tower. This took place in the middle of summer when flow requirements were at there peak and put the City Of Wildwood in a very critical situation. The decision was made by Mr. Ron Allen and others to make a patch as quickly as possible in order to avoid running out of water. Interstate Electric installed the junction box at this location in order to utilize the existing wire that was not damaged and replace the least amount as possible to control cost. This box was required to be installed flush to the ground so that the lawn could be maintained and the mowers would not damage the electrical connections. Due to the elevation of the surrounding areas when the tank was flushed, or sever rain occurred the area would flood putting this box underwater and contributing to the demise of the connections. Keep in mind that there was nothing that could be done to relocate this box that would not affect the time it took to complete the repairs and we were operating at a critical point in order to provide water. The temporary repairs that were made were to be put into the budget and scheduled for replacement at a later date.

Interstate Electric has repaired all of he wires in this box over the last 5 to 6 years. Contributing to the failure is the size of the original wiring that was installed. It was undersized and results in the wires heating up to a point that they become brittle and soft which continues to deteriorate over time and use and causes worse problems. National Electrical Code recommends not too exceed 3% voltage drop at the load for branch circuits and feeders. Florida Building Code makes this a requirement for new installations. Using the formula results in the proper size wire that should have been installed to service the wells.

$$\text{CM} = \frac{1.732 \times K \times L \times I}{\text{voltage} \times 3\%} \quad \text{CM} = \frac{1.732 \times 12.9 \times 950 \times 33.75}{480 \times 3\%} \quad \text{CM} = \frac{716276.25}{14.40} = 49741.41 \text{ cm or } \# 3 \text{ min.}$$

Recommended wire size for 3% VD = # 3 awg copper

Recommended wire size for 2% VD = # 1 awg copper

The smaller size of wire running to the motors also contributes to motor overheating and breakdown. I know that over the past few years both well motors have been rewound a few times costing over \$1500.00 each time not to count for labor.

We are at a point at which no more patches should be made that will not adversely affect the operation of the plant. It is our recommendation to remove the J box located by the water tanks and patch the conduits back together as originally installed. Install new wire, and replace the 2 below grade junction boxes at each well site with a new box to assist in moisture control. We propose to raise the boxes above grade and have a concrete curb installed around it to protect it from the mowers etc. This curb can be installed if requested by Interstate Electric or by you. WE will replace the wire and avoid splices in the j boxes for the motor wires. The lighting and 120 volt wires will have to be spliced in these boxes in order to make everything work with the original installation. This is why we will raise the boxes.

In talking with MR. Phillips he informed us that the City is reviewing the plans to upgrade this plant and would like to install an above ground pull box located behind the building that would allow for the connection of these wires to the new system. Interstate will remove the old service board that is for the old mobile home and utilize this as the back board for the new pull box thus saving monies and cleaning up the site. Interstate will remove all discarded materials and leave the site in clean and safe conditions upon completion.

If I may help you in any way please contact me at any time.

Sincerely,

Phillip M Williams Jr.

President

**Interstate Electrical Services**

of Central Florida, Inc.  
697 N.W. 56<sup>th</sup> Street  
Ocala, FL. 34475-1539  
Phone (352)-732-6332 Fax (352)732-3542  
State License # EC13002470



Invoice # 13-010  
Date: February 11, 2013

Bill To: City of Wildwood  
Water Department  
100 N. Main Street  
Wildwood, Florida 34785

For: Coleman Prison Plant  
Attention: Bruce H. Phillips PE.PLS

DESCRIPTION	AMOUNT
<p>Repair underground conduits from Water Plant to Well Pump Locations.            Replace wire in damaged underground conduits to both wells, 120-volt receptacles, site lighting, chlorination pump, and to tank level indicator.            Install above ground pull box behind pump house in order to facilitate wire pull.</p>	
<b>TOTAL</b>	<b>\$29,682.06</b>

Make all checks payable to Interstate Electrical Services  
Payment is due within 30 days.  
If you have any questions concerning this invoice, contact Lisa (352) 732-6332

**We appreciate your business!**

**This is not an invoice**

**Bill To:** City Wildwood  
**Job Name:** Coleman Prison Plant  
**Reference:** Invoice # 13-010

Description	Qty
Unistrut Strap 1-1/2"	2
Unistrut Strap 1-1/4"	2
Unistrut Strap 1"	8
Unistrut Strap 3/4"	2
1 1/2" PVC Sch 80	10
1 1/2" PVC Sch 40	10
1-1/2" PVC Female Adapt	5
1 1/2" PVC male adaptor	7
1 1/2" PVC couplings	6
1 1/2" PVC 90 Elbows	2
1 1/4" PVC Sch 80	10
1 1/4" PVC Sch 40	10
1-1/4" PVC Female Adapt	3
1 1/4" PVC male adaptor	5
1 1/4" PVC couplings	6
1 1/4" PVC 90 Elbows	2
1" PVC Sch 80	10
1" PVC Sch 40	50
1" PVC Female Adapt	6
1" PVC male adaptor	11
1" PVC couplings	6
1" PVC 90 Elbows	2
1" Plstc Ins Bushing	11
3/4" PVC Sch 40	10
3/4" PVC male adaptor	2
3/4" PVC couplings	6
3/4" PVC 90 Elbows	2
PVC JB12126 12x12x6 PVC Jct Box	1
18 x 36 x 8 Aluminmun enclosure	1
# 4 Pass Through Lug	1
Polaris Insulated Lugs 1/0	3
Klein 56110 Poly Pull Line w/ Bucket	1

C-H BAB1020 20A 1P Ckt Brkr	4
SES Poly-X Quart Wire Lube Bottle	2
CRC 14055 8oz RTV Silicone Sealant	1
Duct/Conduit Seal Putty	2
Wire THHN 1 STR Brown	955
Wire THHN 1 STR Orange	955
Wire THHN 1 STR Yellow	955
Wire THHN 6 STR Green	955
Wire THHN 4 STR Brown	450
Wire THHN 4 STR Orange	450
Wire THHN 4 STR Yellow	450
Wire THHN 8 STR Green	450
Wire THHN 6 STR Black	980
Wire THHN 6 STR White	980
Wire THHN 8 STR Green	980
Wire THHN 8 STR Orange	980
Wire THHN 8 STR Gray	980
Wire THHN 8 STR Green	980
Material Total	\$15,540.59
Total Labor /Overhead	\$14,141.47
Total	\$29,682.06

# INTERSTATE *ELECTRICAL* SERVICES

OF CENTRAL FL. INC

STATE LIC # EC 13002470

E mail: iesocf@embarqmail.com

3. f. 4.  
Page 8 of 9

February 11, 2013

Bruce H. Phillips PE.PLS  
City of Wildwood, Fl.

## Start Up Report

Dear Sir or Madam:

On 02/01/13 Interstate Electric completed the repairs to Coleman (CTY RD 501) water treatment plant wells. The following is the start up report for this project.

Conditions: Sunny day, no rain, clear skies, temp is in the 60's

### Well I: (closest to the building)

Approximate Conductor Length: 455 ft.  
Conductor Type: THHN/THWN  
Conductor Size: (3) # 4 & (1) # 8  
Conduit Type: 1 1/4" PVC from plant to J box at well location, 1 1/2" to well  
Voltage at the starter with motor running: A-B 492 B-C 490 C-A 492  
Current at the starter with motor running: A- 25.5a B- 24.2a C- 24.7a  
Voltage at the motor with the motor running: A-B 494 B-C 492 C-A 494  
Current at the starter with motor running: A- 23.5a B- 24.3a C- 24.2a  
Megger Readings taken through the motor, Disconnect and a surge protector attached to the line side of disconnect located at motor location. Reading were taken at the starter  
A Phase to ground: 150 megs (1 Meg = 1 Million Ohms)  
B Phase to ground: 175 megs  
C Phase to ground: 175 megs  
Megger Readings (Wire Only) the motor disconnect is open, the surge protector is part of this reading due to method of attachment.  
A Phase to ground: 500 megs  
A Phase to ground: 500 megs  
A Phase to ground: 500 megs

### Well II: (farthest from the building)

Approximate Conductor Length: 975 ft.  
Conductor Type: THHN/THWN  
Conductor Size: (3) # 1 & (1) # 6  
Conduit Type: 1 1/2" PVC  
Voltage at the starter with motor running: A-B 491 B-C 490 C-A 491  
Current at the starter with motor running: A- 23.2a B- 22.1a C- 21.8a  
Voltage at the motor with the motor running: A-B 494 B-C 492 C-A 493  
Current at the starter with motor running: A- 21.9a B- 21.2a C- 19.5a  
Megger Readings taken through the motor, Disconnect and a surge protector attached to the line side of disconnect located at motor location. Reading were taken at the starter  
A Phase to ground: 100 megs (1 Meg = 1 Million Ohms)  
B Phase to ground: 90 megs  
C Phase to ground: 95 megs

Well II Cont:

Megger Readings (Wire Only) the motor disconnect is open, the surge protector is part of this reading due to method of attachment.

A Phase to ground: 250 megs  
A Phase to ground: 200 megs  
A Phase to ground: 220 megs

The readings were taken at approximately the same time using 2 different volt ohm meters, one at the motor and one at the starter in order to capture the same load at the same time. The slight differences in reading are the result of the different meters used and the result is negligible.

The motors in place at the time of these reading both have a FLA (Full Load Amperage) rating of 26 amps @ 460 volts. Due to applied voltage from the utility being in excess of 490 volts it is understandable that the amperage is a little higher based on the applied voltage. Example  $460V/26a = 17.69$  ohms (motor winding resistance) Using 17.69 ohms as the motor constant and an applied voltage of 490 volts then we would expect to see an amperage of 27.7 FLA.

The motor has a SF (Service Factor) of 1.15 or 15% of name plate rating. These motors are operating within the tolerance that the motor manufacture recommends at this time. SFA not to exceed 29.9a. Please keep in mind that there are other factors such as ambient temperature to consider and the above is the basic concept.

As previously mentioned well 2 exhibits an audible noise which appears as if a bearing or spider gear in the well might be going bad. However the motor did not indicate an over current condition leading me to believe that this might be the result of stuck rollers in the break on the top of the motor. A review of well 1 to well 2 loads indicates that well 1 is drawing higher amperage then well 2 which I find odd as there is considerable head differences between the too.

If I may help you in any way please contact me at any time.

Sincerely,

Phillip M Williams Jr.

President

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** SP 1210-02 Alliance Coach Site Plan

**REQUESTED ACTION:** Site Plan approval (SP 1210-02) to construct a a Detail Center (2,500 sq. ft.), Office (1,200 sq. ft.), and Employee Pavilion (600 sq.ft.) as well as an additional eight (8) acres of impervious area (parcels G17B008, G17=044, G17B002, G17B006, G17A012).

Work Session (Report Only)    **DATE OF MEETING:** 2/25/2013  
 Regular Meeting                       Special Meeting

**CONTRACT:**     N/A                      Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_                      Termination Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual                      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital                      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

### HISTORY/FACTS/ISSUES:

The applicant seeks Site Plan approval from the City Commission for the construction of a Detail Center (2,500 sq. ft.), Office (1,200 sq. ft.), and Employee Pavilion (600 sq.ft.) as well as an additional eight (8) acres of impervious area.. **Staff recommends approval of the Site Plan, subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction.**

Case SP 1210-02 was considered by the Planning & Zoning Board/Special Magistrate on Tuesday, February 5<sup>th</sup>, 2013. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of the Site Plan to the City Commission.



Melanie D. Peavy  
Development Services Director

**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Tuesday, February 5, 2013 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the Wildwood Planning and Zoning Board/Special Magistrate for the construction of a Detail Center (2,500 sq. ft.), Office (1,200 sq. ft.), and Employee Pavilion (600 sq.ft.) as well as an additional eight (8) acres of impervious paved area. The property is generally located at 4505 Monaco Way in the Business Park 44 subdivision.

**Case:** SP 1210-02

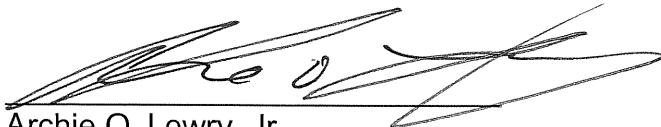
**Parcels:** G17B008, F17=044, G17B002, G17B006, G17A012

**Owners:** Shapiro Real Estate, Inc. and Wildfields Property Owners Association, Inc.

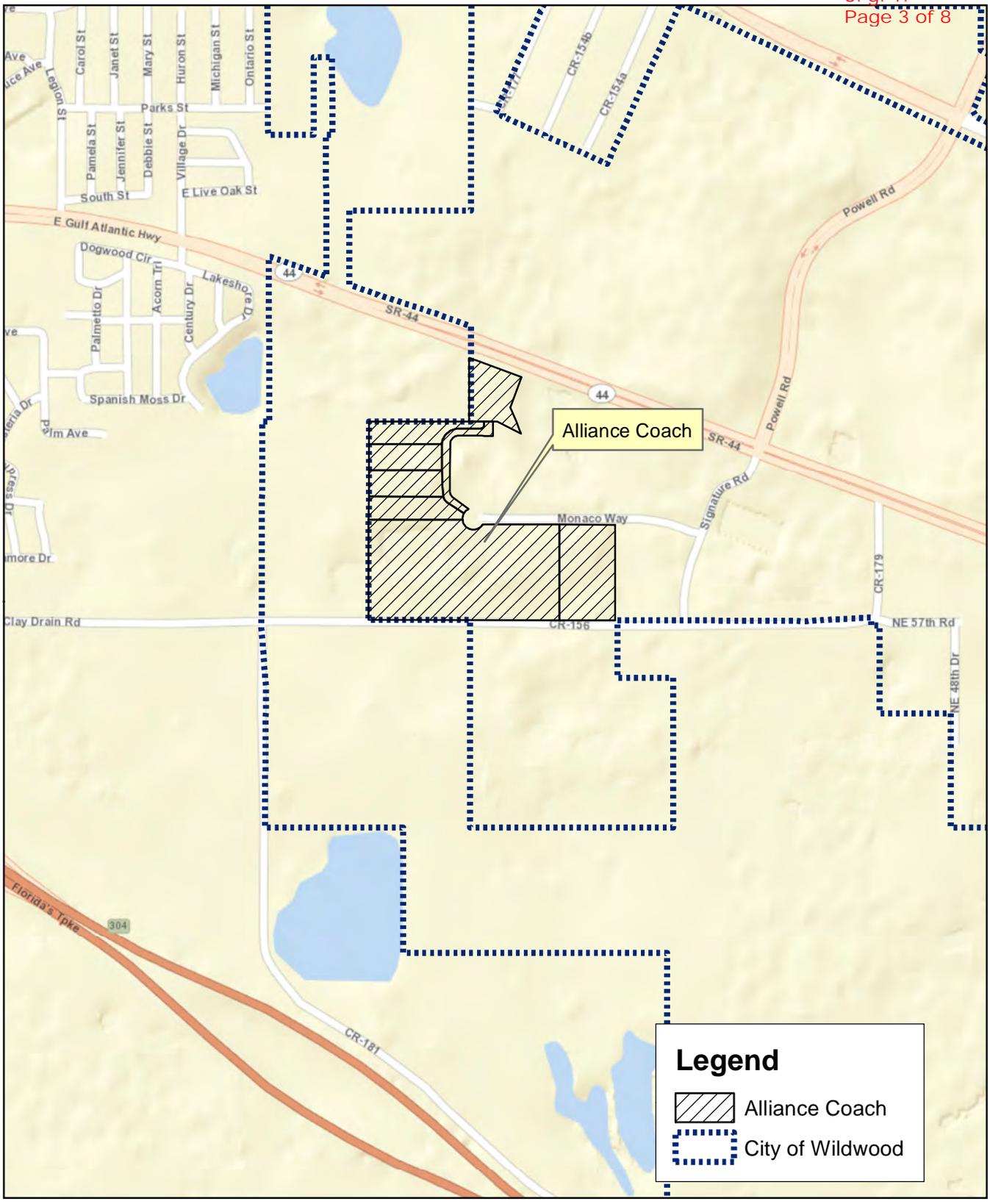
**Applicant:** Alliance Coach, Inc. (Brett Howard)

Based upon the testimony and information presented, the Special Magistrate recommends approval and favorable recommendation of the Alliance Coach Site Plan, project number SP 1210-02, to the City Commission subject to approval, exemption, or permitting by all agencies of competent jurisdiction. The Engineer of Record is Keith R. Riddle, P.E. with Riddle-Newman Engineering, Inc., of Leesburg, Florida.

Dated: February 6, 2013



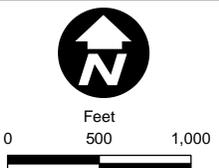
Archie O. Lowry, Jr.  
Special Magistrate, City of Wildwood



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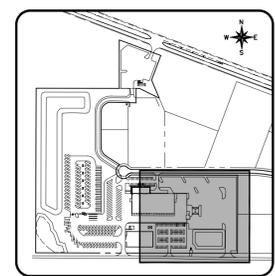
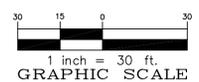
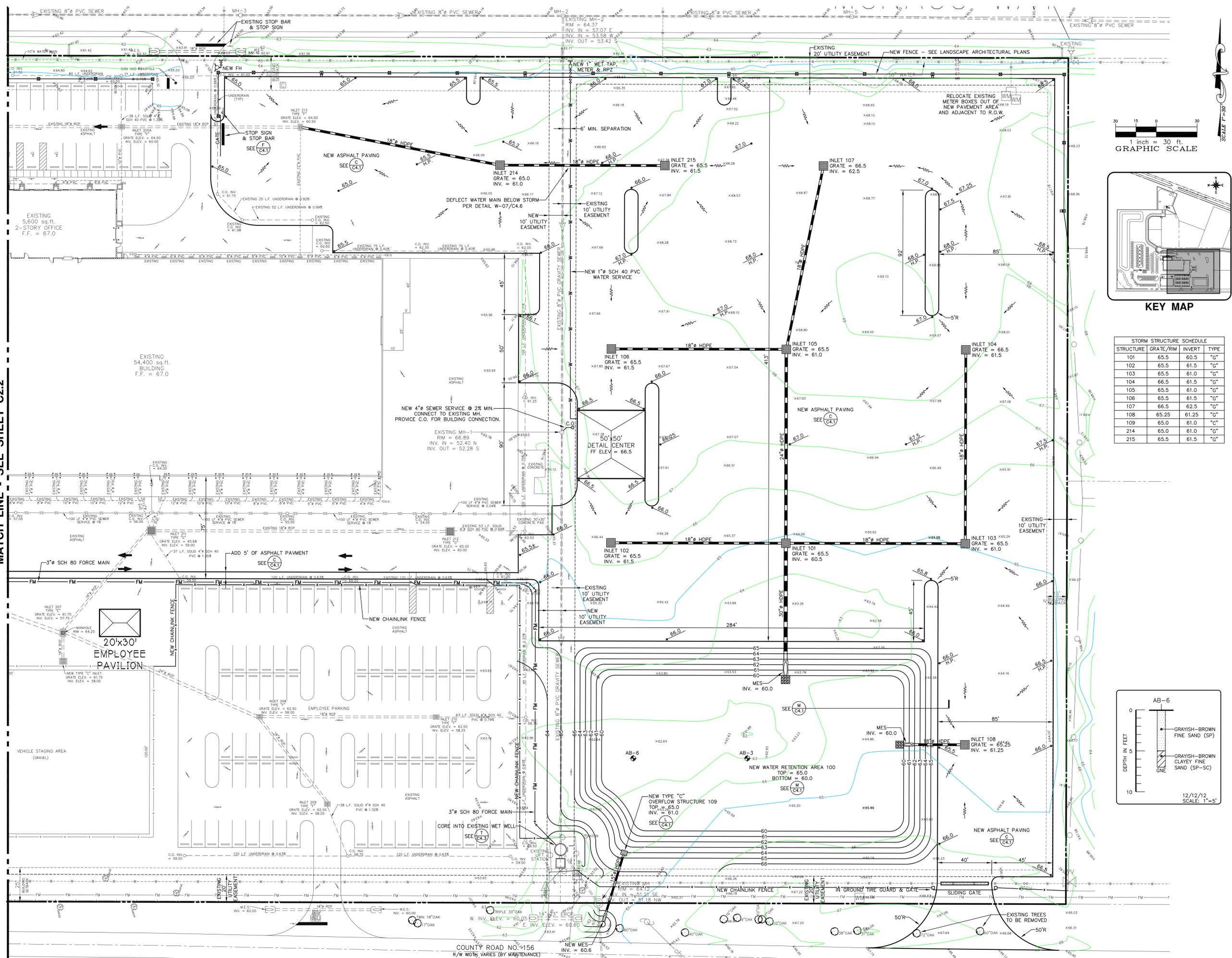


City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
[www.cityofwildwood.com](http://www.cityofwildwood.com)

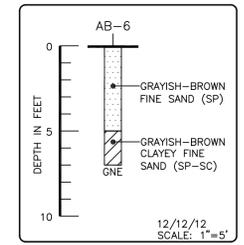


G17B008, G17=044, G17B002, G17B006, G17A012	
<b>Alliance Coach</b> <b>WILDWOOD, FLORIDA</b>	
November 2012	Location Map

MATCH LINE - SEE SHEET C2.2



STRUCTURE	GRATE/RIM	INVERT	TYPE
101	65.5	60.5	"C"
102	65.5	61.5	"G"
103	65.5	61.0	"G"
104	66.5	61.5	"G"
105	65.5	61.0	"G"
106	65.5	61.5	"G"
107	66.5	62.5	"G"
108	65.25	61.25	"G"
109	65.0	61.0	"C"
214	65.0	61.0	"G"
215	65.5	61.5	"G"



RIDDLE - NEWMAN ENGINEERING, INC.  
115 NORTH CANAL STREET  
LEESBURG, FLORIDA 34748  
PHONE (352) 787-7482  
FAX (352) 787-7412  
keith@riddlenewman.com  
CA# 0002883

**RIDDLE NEWMAN ENGINEERING INC.**  
ESTABLISHED 1971

REV #5	REV #4	REV #3	REV #2	REV #1
		REVISED PER CITY OF WILMWOOD	REVISED PER SWPM&D & CITY OF WILMWOOD	REVISED PER CITY OF WILMWOOD
		1/21/13	1/11/13	12/31/12

DRAWN: R.S.H.  
CHECKED: K.E.R.  
SCALE: 1"=30'  
DATE: 10/30/12  
PROJECT NO: 12.05

GRADING, DRAINAGE & UTILITY PLAN SOUTHEAST  
**ALLIANCE COACH** FLORIDA  
WILMWOOD

KEITH E. RIDDLE, P.E.  
FLA. REGIS. NO. 38800

SHEET NO.  
**C2.1**

COUNTY ROAD NO. 156  
R/W WIDTH VARIES (BY MAINTENANCE)

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MATCH LINE - SEE SHEET C2.3

**RIDDLE NEWMAN ENGINEERING INC.**  
 115 NORTH CANAL STREET  
 LEESBURG, FLORIDA 34748  
 PHONE (352) 787-7482  
 FAX (352) 787-7412  
 keith@riddlenewman.com  
 CA# 00002883

REV #5  
 REV #4  
 REV #3  
 REV #2  
 REV #1

R.S.H.  
 K.E.R.

1" = 30'  
 10/30/12

1/21/13  
 1/11/13  
 12/31/12

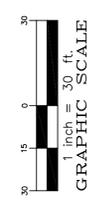
FLA. REGIS. NO. 38800

GRADING, DRAINAGE & UTILITY PLAN SOUTHWEST

**ALLIANCE COACH**  
 FLORIDA  
 WILDWOOD

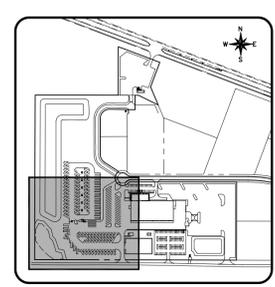
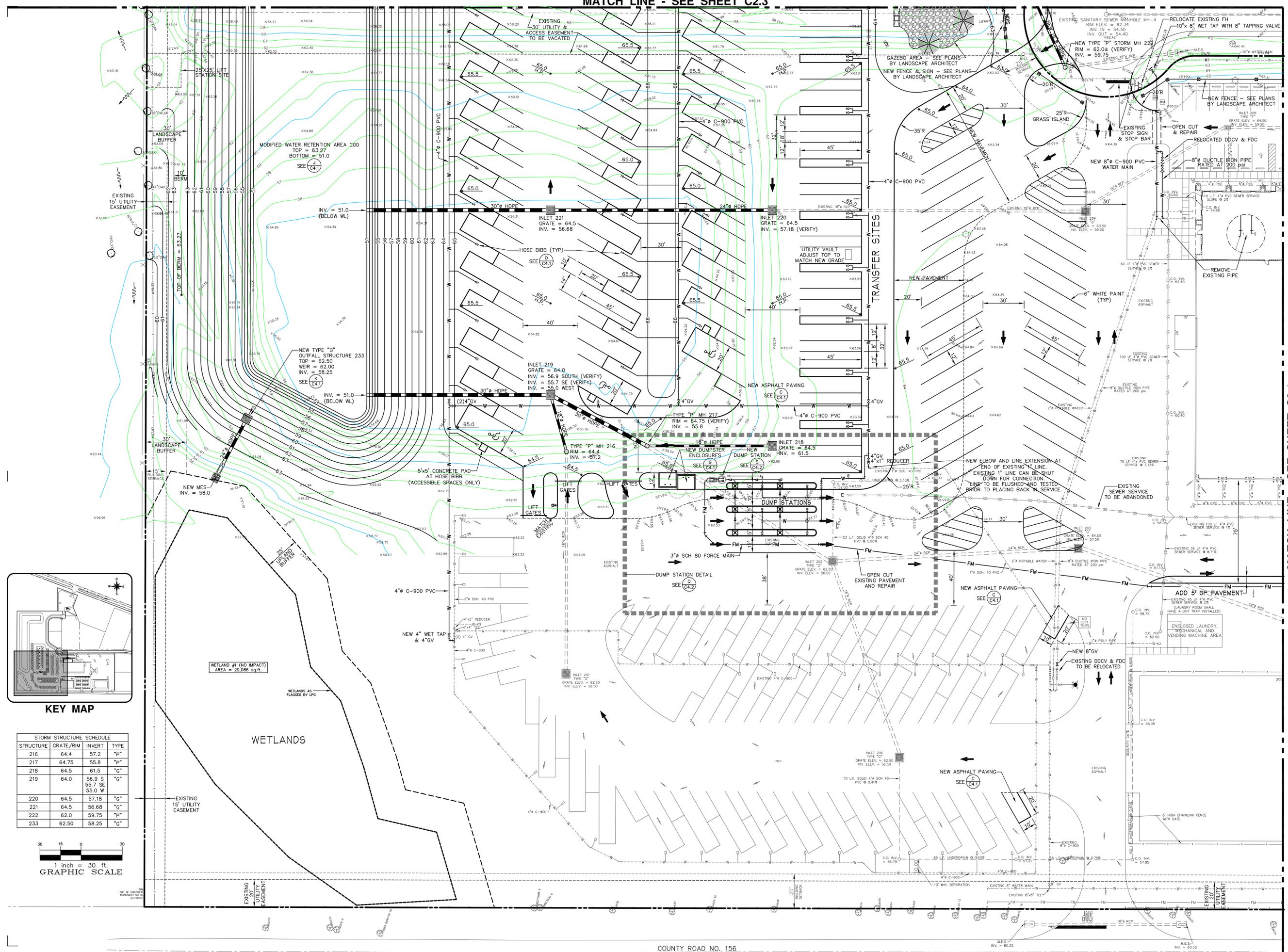
SHEET NO.  
**C2.2**

1/22/2013 3:14:41 PM, RSH



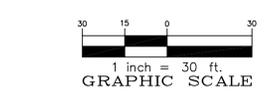
MATCH LINE - SEE SHEET C2.1

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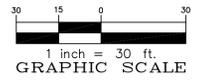
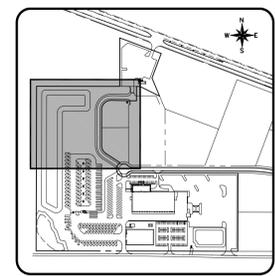
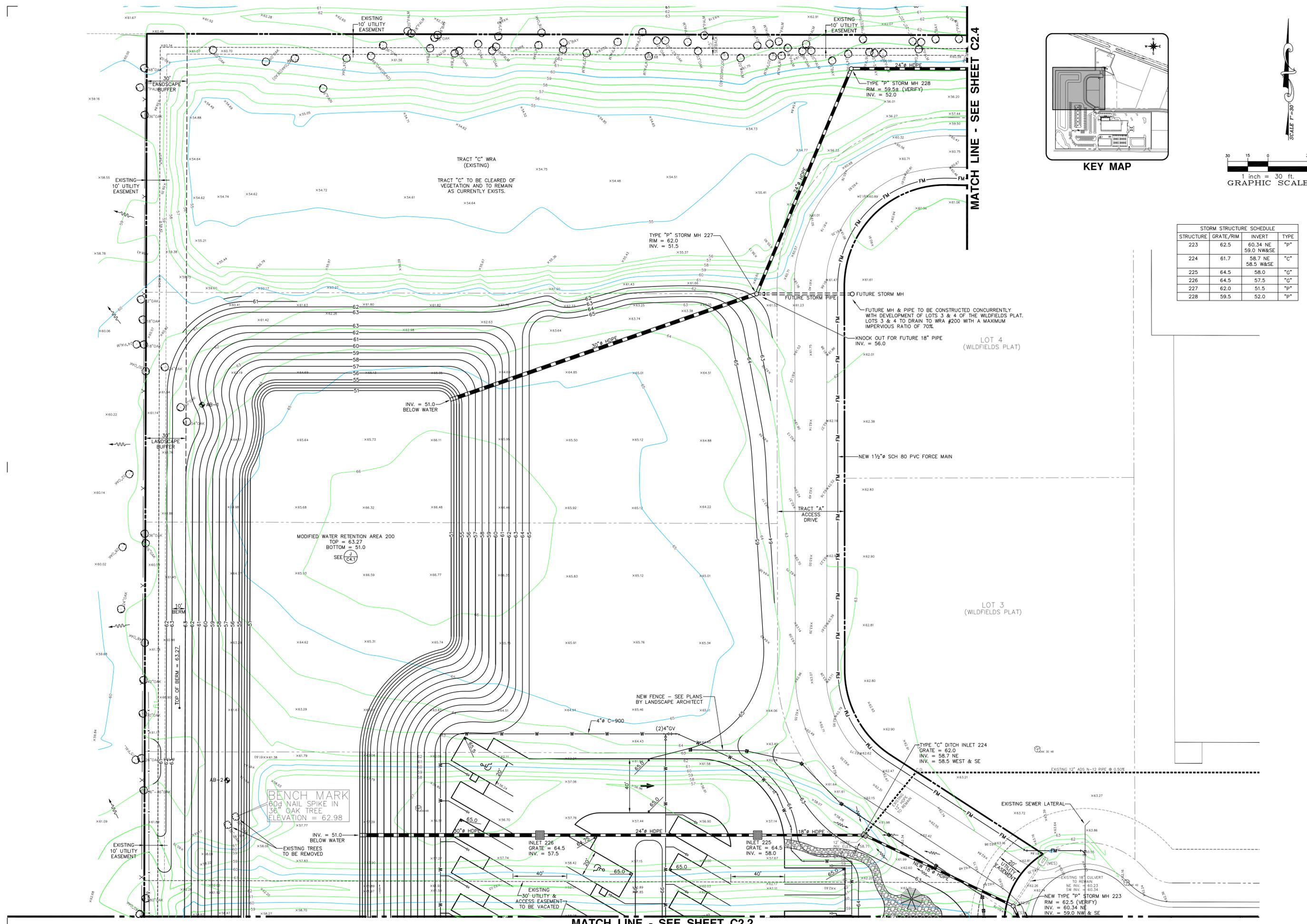


**STORM STRUCTURE SCHEDULE**

STRUCTURE	GRATE/RIM	INVERT	TYPE
216	64.4	57.2	"P"
217	64.75	55.8	"P"
218	64.5	61.5	"G"
219	64.0	56.0 S 55.7 SE 55.0 W	"G"
220	64.5	57.18	"G"
221	64.5	56.68	"G"
222	62.0	59.75	"P"
233	62.50	58.25	"G"



COUNTY ROAD NO. 156  
 R/W WIDTH VARIES (BY MAINTENANCE)  
 18' WIDE PAVEMENT



STORM STRUCTURE SCHEDULE			
STRUCTURE	GRATE/RIM	INVERT	TYPE
223	62.5	60.34 NE 59.0 NW&SE	"P"
224	61.7	58.7 NE 58.5 W&SE	"C"
225	64.5	58.0	"C"
226	64.5	57.5	"C"
227	62.0	51.5	"P"
228	59.5	52.0	"P"

RIDDLE - NEWMAN ENGINEERING, INC.  
115 NORTH CANAL STREET  
LEESBURG, FLORIDA 34748  
PHONE (352) 787-7482  
FAX (352) 787-7412  
keith@riddlenewman.com  
CA# 0002883

**RIDDLE NEWMAN ENGINEERING INC.**  
ESTABLISHED 1971

REV #5	REV #4	REV #3	REV #2	REV #1
		REVISED PER CITY OF WILDWOOD	REVISED PER SWPMD & CITY OF WILDWOOD	REVISED PER CITY OF WILDWOOD
		1/21/13	1/11/13	12/31/12

DRAWN: R.S.H.  
CHECKED: K.E.R.  
SCALE: 1" = 30'  
DATE: 10/30/12  
PROJECT NO: 12.05

**GRADING, DRAINAGE & UTILITY PLAN NORTHWEST**

**ALLIANCE COACH**  
FLORIDA  
WILDWOOD

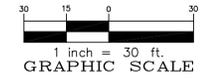
SHEET NO.  
**C2.3**

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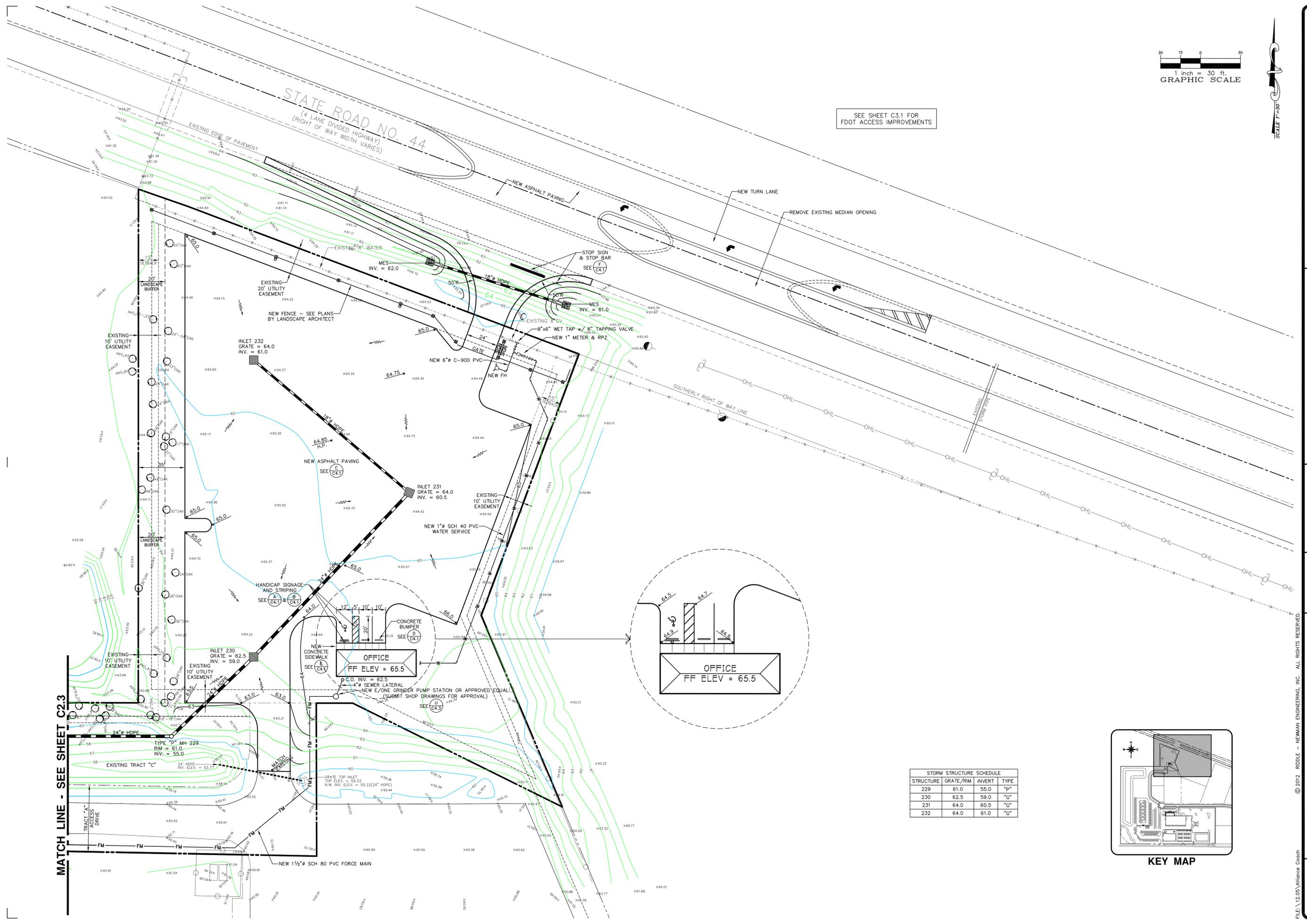
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MATCH LINE - SEE SHEET C2.2

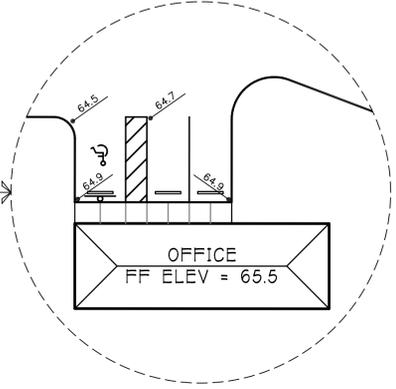
MATCH LINE - SEE SHEET C2.4



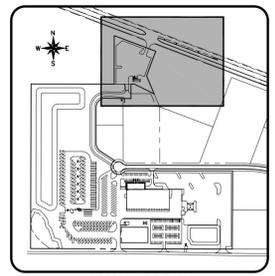
SEE SHEET C3.1 FOR  
 FDOT ACCESS IMPROVEMENTS



MATCH LINE - SEE SHEET C2.3



STORM STRUCTURE SCHEDULE			
STRUCTURE	GRATE/RIM	INVERT	TYPE
229	61.0	55.0	"P"
230	62.5	59.0	"G"
231	64.0	60.5	"G"
232	64.0	61.0	"G"



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## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** SP 1212-03 Kangaroo Express Store 1433 Site Plan

**REQUESTED ACTION:** Site Plan approval (SP 1212-03) to construct a 3,813 sq. ft. convenience store/gas station, gasoline/diesel fuel storage tanks with twelve fueling positions (six pumps), and associated improvements (parcel D20=013).

Work Session (Report Only)    **DATE OF MEETING:** 2/25/2013  
 Regular Meeting                       Special Meeting

**CONTRACT:**     N/A                      Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_                      Termination Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual                      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital                      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

### HISTORY/FACTS/ISSUES:

The applicant seeks Site Plan approval from the City Commission for the construction of a 3,813 sq. ft. convenience store/gas station, gasoline/diesel fuel storage tanks with twelve fueling positions (six pumps), and associated improvements.. **Staff recommends approval of the Site Plan, subject to the following:**

1. **Recommendation of the Special Magistrate that the lighting plan be revised to mitigate off-site impacts; and**
2. **Approval, exemption or permitting of the project by all agencies of competent jurisdiction.**

Case SP 1212-03 was considered by the Planning & Zoning Board/Special Magistrate on Tuesday, February 5<sup>th</sup>, 2013. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation of the Site Plan to the City Commission, subject to the conditions above.



Melanie D. Peavy  
Development Services Director

**City of Wildwood**  
**Planning & Zoning Board/Special Magistrate**

The case below was heard on Tuesday, February 5, 2013 by the Special Magistrate. The applicant seeks approval and favorable recommendation from the Wildwood Planning and Zoning Board/Special Magistrate for the construction of a 3,813 sq. ft. convenience store/gas station, gasoline/diesel storage tanks with twelve fueling positions, and associated improvements. The property is generally located at the northeast corner of C-472 and US Hwy 301.

**Case:** SP 1212-03

**Parcel:** D20=013

**Owner:** The Pantry, Inc.

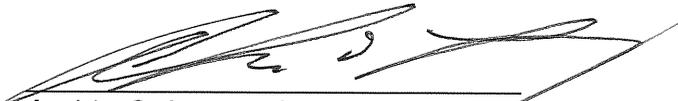
**Applicant:** David Whittington (The Pantry, Inc.)

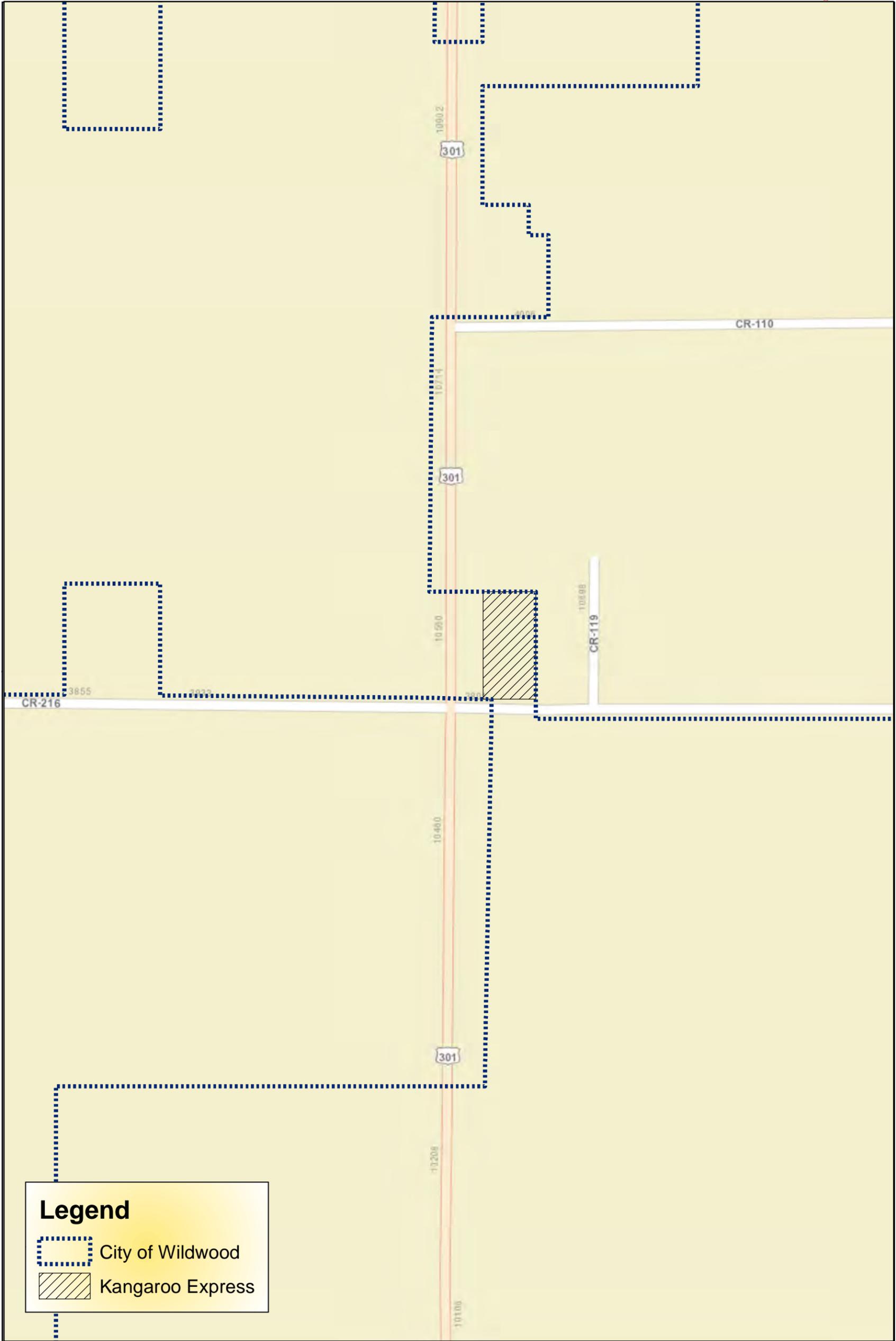
Based upon the testimony and information presented, the Special Magistrate recommends approval and favorable recommendation of the Kangaroo Express Store #1433 Site Plan, project number SP 1212-03, to the City Commission subject to

1. Approval, exemption, or permitting by all agencies of competent jurisdiction
2. Rear lighting being deflected onto the Kangaroo property and not intruding on the adjacent properties.

The Engineer of Record is Barry M. Fay, P.E., of Lancaster, South Carolina.

Dated: February 6, 2013

  
\_\_\_\_\_  
Archie O. Lowry, Jr.  
Special Magistrate, City of Wildwood



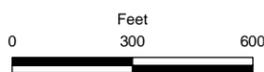
**Legend**

-  City of Wildwood
-  Kangaroo Express

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City of Wildwood  
 100 North Main Street  
 Wildwood, FL 34485  
 Phone: (352) 330-1330  
[www.wildwood-fl.gov](http://www.wildwood-fl.gov)



D20=013

**Kangaroo Express**  
**WILDWOOD, FLORIDA**

January 2013

Location Map



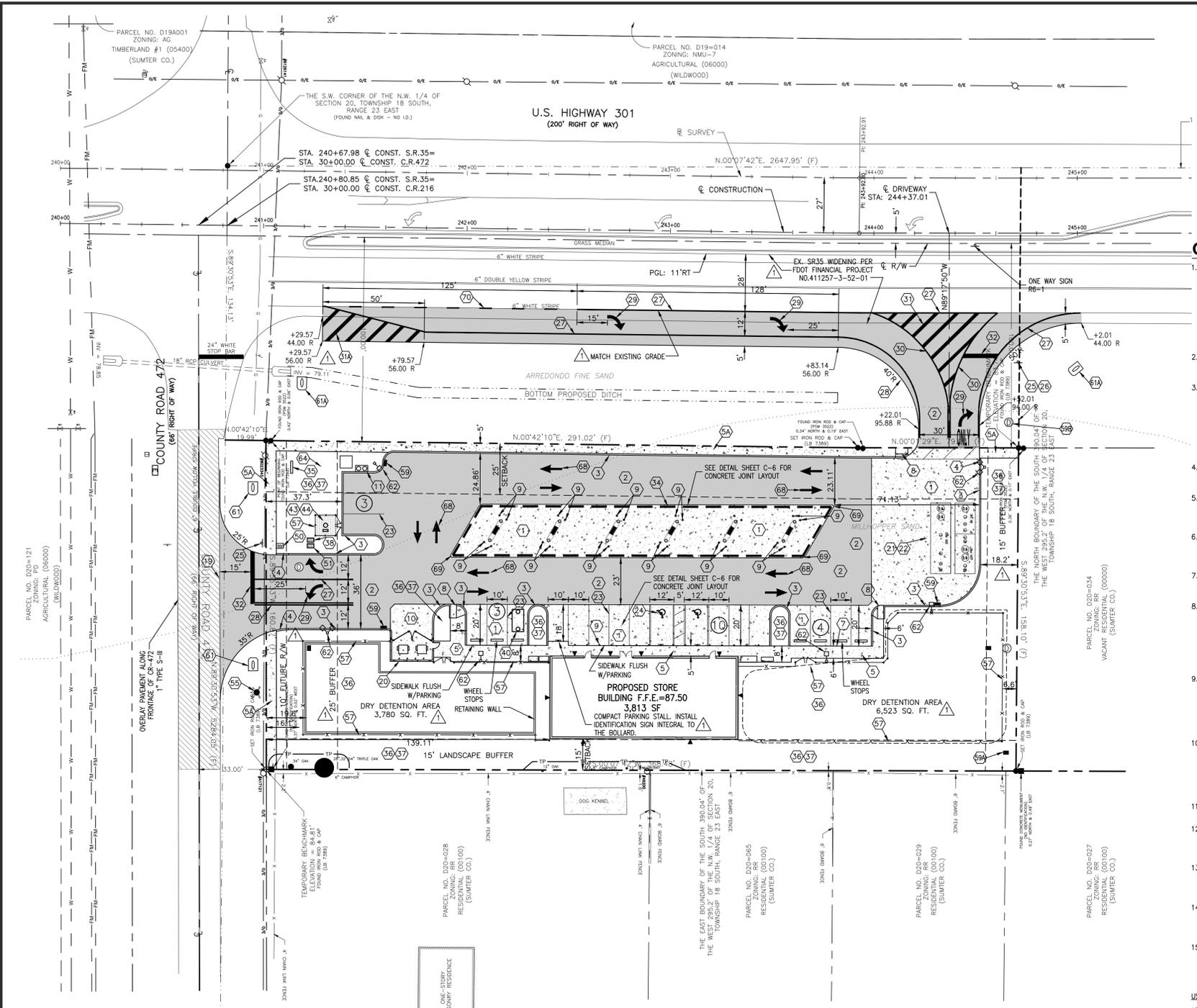
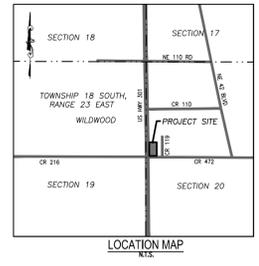
THE PANTRY, INC.  
305 GREGORY DRIVE  
CARY, N.C. 27511  
OFFICE: 919.774.6700  
FAX: 919.775.5486

**BARRY M. FAY, PE**  
701 Potter Road  
Lancaster, SC 29720  
Office: 803.718.9789  
Fax: 803.283.2107

**SITE PLAN**  
PANTRY STORE #1433  
U.S. HIGHWAY 301 & CR472  
10571 N US 301, WILDWOOD, FL

NO.	DATE	REVISION DESCRIPTION
1/4/13		PER CITY/FDOT/SWFWMD/COUNTY COMMENTS

DRAWN	BMF
DESIGNED	BMF
ISSUE DATE	1-4-13
PROJECT No.	09-0005
DRAWING NUMBER	C-3



**GENERAL SITE NOTES**

- BEFORE YOU DIG, STOP. CALL THE SUNSHINE STATE ONE CALL AT 811 OR 1-888-432-4770. IT'S THE LAW. EXISTING UTILITIES ARE SHOWN FROM THE BEST AVAILABLE INFORMATION AND ARE APPROXIMATE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THESE AND OTHER UTILITIES BEFORE STARTING CONSTRUCTION. NOTIFY UTILITY LOCATING COMPANY (SUNSHINE STATE ONE CALL) OR INDIVIDUAL UTILITY OWNERS FOR UNDERGROUND LOCATIONS AT LEAST 48 HOURS IN ADVANCE.
- CONTRACTOR SHALL CONTACT ALL OWNERS OF EASEMENTS, RIGHT-OF-WAYS AND UTILITIES, PUBLIC OR PRIVATE, BEFORE WORKING IN THESE AREAS.
- CONTRACTOR SHALL PUT INTO PLACE SUCH TEMPORARY EROSION CONTROL MEASURES AS INDICATED ON THE PLANS. THESE MEASURES SHALL BE INSPECTED AND EVALUATED DURING CONSTRUCTION OPERATION FOR THEIR EFFECTIVENESS IN PREVENTING EROSION MATERIAL AND SEDIMENT FROM DISCHARGING FROM THE WORK AREA. IF REQUIRED, AND AS DIRECTED BY THE CITY INSPECTOR, ADDITIONAL TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTITUTED AND INSTALLED.
- ALL CONSTRUCTION SHALL BE COMPLETED IN ACCORDANCE WITH THE APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
- PROTECT ALL PROPERTY MONUMENTS AND PINS. MONUMENTS AND PINS THAT WILL BE DISTURBED DURING CONSTRUCTION SHALL BE REFERENCED AND REPLACED BY A LICENSED LAND SURVEYOR.
- CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SUCH THAT WORKMEN AND THE PUBLIC WILL BE PROTECTED FROM INJURY, AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
- CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT AND AT LEAST ONCE A WEEK DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL DUE TO CONSTRUCTION OPERATIONS. ALL STREET SURFACES, UTILITY POLES, CULVERTS, DITCHES, CURBS AND GUTTER OR OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR IN ACCORDANCE WITH THE APPROPRIATE SPECIFICATIONS.
- IF DEPARTURES FROM THE DRAWINGS OR SPECIFICATIONS ARE DEEMED NECESSARY BY THE CONTRACTOR, DETAILS OF SUCH DEPARTURES AND REASONS THEREOF SHALL BE SUBMITTED IN WRITING TO THE OWNER FOR REVIEW. NO DEPARTURES FROM THE CONTRACT DOCUMENTS WILL BE ALLOWED WITHOUT APPROVAL BY THE ENGINEER OF RECORD.
- CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING AND PIPE INVERT ELEVATIONS PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL BE PROVIDED TO THE CITY IN BOTH PAPER AND ELECTRONIC FORMATS.
- ANY AND ALL QUANTITIES SHOWN OR IMPLIED ON THE PLANS ARE FOR ESTIMATION PURPOSES ONLY.
- PRIOR TO ANY CONSTRUCTION ACTIVITIES, THE CONTRACTOR WILL NOTIFY THE SITE INSPECTOR, AT A MINIMUM, 48 HOURS PRIOR TO COMMENCING CONSTRUCTION.
- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.
- ALL BEST MANAGEMENT PRACTICES ITEMS (EG. SILT FENCE, CONSTRUCTION ENTRANCES, ETC.) SHALL BE IN CONFORMANCE WITH THE FDOT DESIGN STANDARDS, LATEST EDITION.
- CONTRACTOR SHALL COORDINATE WITH FDOT ON THE TIMING OF DRIVEWAY AND TURN LANE CONSTRUCTION ON US HWY 301 (SR35). WIDENING OF US HWY 301 UNDER FDOT FINANCIAL PROJECT ID 411257-3-52-01 WILL HAVE COMMENCED PRIOR TO CONSTRUCTION OF THE KANGAROO EXPRESS.
- US HWY301 (SR35) GENERAL NOTES:  
16. ALL CONSTRUCTION MATERIALS AND METHODS, SHALL MEET THE MOST CURRENT EDITIONS OF THE DESIGN STANDARDS, THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, AND THE UTILITY ACCOMMODATION MANUAL.  
17. ALL DISTURBED AREAS WITHIN THE DEPARTMENT'S RIGHT OF WAY SHALL BE GRADED AND SODDED WITH ARGENTINE BAHIA SOD.  
18. ALL STRIPING WITHIN THE DEPARTMENT'S RIGHT OF WAY SHALL BE LEAD-FREE THERMOPLASTIC.  
19. ALL MAINTENANCE OF TRAFFIC SHALL ADHERE TO THE REQUIREMENTS OF THE DESIGN STANDARDS 600 INDEXES.  
20. PAVED SHOULDERS NEED TO BE SAW CUT AND REMOVED PRIOR TO CONSTRUCTION.  
21. RAISED PAVEMENT MARKERS (RPMs) SHALL BE INSTALLED IN ACCORDANCE WITH FDOT INDEX 17352.

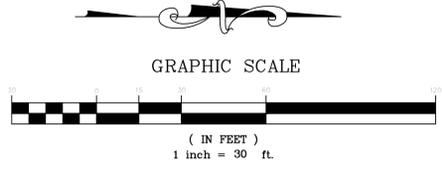
**KEY NOTES**

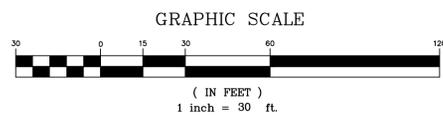
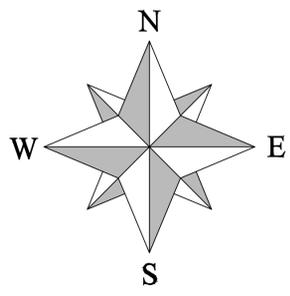
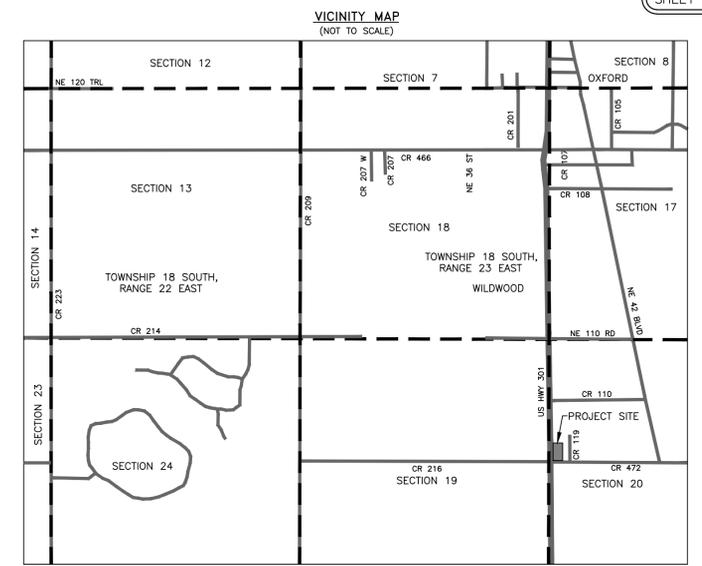
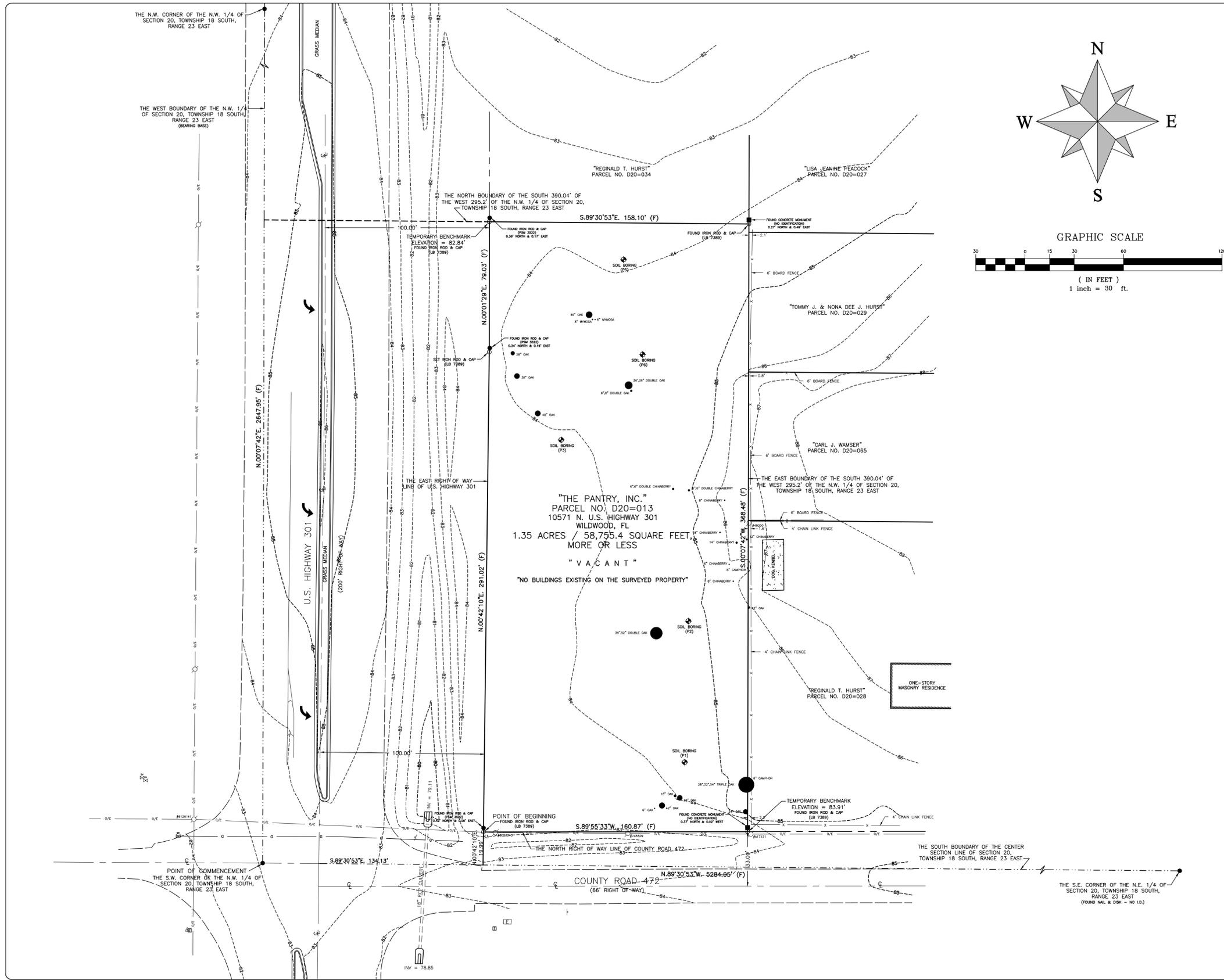
- 6" CONCRETE PAVEMENT - SEE DETAIL SHEET C-6.
- MEDIUM DUTY ASPHALT PAVEMENT - SEE DETAIL SHEET C-7.
- TYPE "D" CONCRETE CURB - SEE DETAIL SHEET C-7.
- 3' CURB TRANSITION.
- 4" THICK, 4,000-PSI CONCRETE SIDEWALK WITH 6 X 6 X 10/10 WWF - PROVIDE TOOLED JOINTS @ 5' ON CENTER AND EXPANSION JOINTS AT 25' ON CENTER.
- 5' CONCRETE SIDEWALK PER FDOT STD. INDEX NO. 310.
- SIDEWALK WITH INTEGRAL 6" RAISED CURB.
- CONCRETE HANDICAP RAMP - PER FDOT STD. INDEX NO. 304 (CR20) SHALL MEET ADA REQUIREMENTS.
- 6" DIAMETER CONCRETE FILLED PIPE BOLLARD - SEE DETAIL SHEET C-7.
- DUMPSITER PAD - SEE DETAIL SHEET C-8.
- 3' X 6' X 6" THICK CONCRETE AIR/WATER/VACUUM PAD.
- 3' X 9' X 6" THICK CONCRETE PAD WITH PAY PHONE (PHONE BY OTHERS).
- CONCRETE WHEEL STOP - PER FDOT STD. INDEX NO. 300.
- SAW CUT AND MATCH EXISTING PAVEMENT. SEE DETAIL SHEET C-7.
- 1/8" TOOLED JOINT.
- THICKENED EDGE JOINT. SEE DETAIL SHEET C-7.
- KEYED CONSTRUCTION JOINT. SEE DETAIL SHEET C-7.
- EXPANSION JOINT. SEE DETAIL SHEET C-7.
- SAW CUT AND MATCH EXISTING PAVEMENT. SEE DETAIL SHEET C-7.
- 8" REINFORCED CONCRETE PAD OVER TANKS - SEE PETROLEUM ENGINEER PLANS FOR DETAILS.
- (1) 15,000-GALLON & (1) 20,000-GALLON GASOLINE TANK - SEE PETROLEUM ENGINEER PLANS FOR DETAILS.
- 6" WIDE WHITE PARKING STRIPE - PAINTED, TYPICAL.
- HANDICAP SYMBOL, SIGN, AND STRIPING - SEE DETAIL SHEET C-7.
- STOP SIGN (R1-1) 30" X 30" HIGH INTENSITY - PER MUTCD.
- "RIGHT TURN ONLY" SIGN - R3-5 PER MUTCD. MOUNTED BELOW STOP SIGN.
- 6" SOLID WHITE STRIPE PER FDOT INDEX 17346 (THERMOPLASTIC PER FDOT SPEC.)
- 6" DOUBLE YELLOW PER FDOT INDEX 17346 (THERMOPLASTIC PER FDOT SPEC.)
- SOLID WHITE TURN LANE ARROW PER FDOT INDEX 17346 (THERMOPLASTIC PER FDOT SPEC.)
- 6" DOUBLE YELLOW PER FDOT INDEX 17346 (THERMOPLASTIC PER FDOT SPEC.)
- 18" SOLID YELLOW STRIPE (THERMOPLASTIC PER FDOT SPEC.) @ 10' O.C.
- 18" SOLID WHITE STRIPE (THERMOPLASTIC PER FDOT SPEC.) @ 10' O.C.
- 24" SOLID WHITE STOP BAR (THERMOPLASTIC PER FDOT SPEC.)
- 18" SOLID WHITE STRIPE PER FDOT INDEX 17346 (THERMOPLASTIC PER FDOT SPEC.) @ 20' O.C.
- KANGAROO EXPRESS CANOPY - SEE CANOPY PLAN.
- KANGAROO EXPRESS MONUMENT SIGN - TO BE FIELD LOCATED BY OWNER.
- GRASS - SEE NOTE 7, SHEET C-1 - SOD ONLY AREAS DIRECTED BY OWNER.
- LANDSCAPED AREA - SEE LANDSCAPE PLAN.
- 1-1/2" RPZ BACKFLOW PREVENTER.
- GREASE TRAP - SIZE ACCORDING TO 64E-6 F.A.C. - 1250 GALLON SHOWN. SEE DETAIL SHEET C-9.
- 4" PVC GRAVITY SEWER.
- 4" CLEANOUT TO SURFACE, TYPICAL - SEE DETAIL SHEET C-9.
- PRIVATE GRINDER PUMP STATION. SEE DETAIL SHEET C-10.
- PRIVATE GRINDER PUMP STATION CONTROL PANEL.
- 4" SCH40 PVC SLEEVE.
- 1-1/2" SCH40 PVC FORCE MAIN (PRIVATE).
- 2" SCH40 PVC FORCE MAIN (PUBLIC).
- 2" X 8" TAP (FORCE MAIN) SEE DETAIL SHEET C-11.
- FORCE MAIN SERVICE CONNECTION. SEE DETAIL SHEET C-10.
- NEW 1" WATER METER.
- 1-1/2" RPZ BACKFLOW PREVENTER.
- NEW 1 1/2-INCH SCH40 PVC WATER LINE.
- 8" DUCTILE IRON WATER LINE.
- 8" X 12" TAP (WATER MAIN)
- FIRE HYDRANT AND VALVE ASSEMBLY - SEE DETAIL SHEET C-9.
- 8" GATE VALVE WITH VALVE BOX.
- 6" HIGH CHAIN LINK FENCE - PER FDOT STD. INDEX NO. 802 (OR APPROVED EQUAL).
- ROOF DRAINS @ SLOPE EQUALS 1.0 PERCENT (5/16") MINIMUM. SIZE PER PLAN. USE SCH40 PVC. BACKFILL FULL DEPTH W/ NO.57 CRUSHED STONE UNDER PAVEMENT.
- FOOT INDEX NO. 214 - CURB INLET TOP TYPE 9 (STRUCTURE BOTTOM 4" DIA. PER FDOT INDEX NO. 200).
- FOOT INDEX NO. 232 - DITCH BOTTOM INLET TYPE C (WITH CAST IRON GRATE).
- STROM DRAIN MANHOLE. PRECAST 4' DIA. STRUCTURE PER FDOT INDEX NO. 200 AND 201
- FOOT INDEX NO. 270 - FLARED END SECTION.
- CROSS DRAIN MITERED END SECTION PER SUMNER COUNTY REQUIREMENTS.
- CROSS DRAIN MITERED END SECTION PER FDOT INDEX NO. 272.
- SINGLE FIXTURE LED AREA LIGHT ON A 20' POLE, TYP. SEE DETAIL SHEET C-8.
- DOUBLE FIXTURE LED AREA LIGHT ON A 20' POLE, TYP. SEE DETAIL SHEET C-8.
- SINGLE FIXTURE WALL MOUNTED LED AREA LIGHT. SEE DETAIL SHEET C-8.
- NEW TELEPHONE SERVICE LINE - SEE BUILDING PLANS
- PAD MOUNTED TRANSFORMER
- NEW UNDERGROUND ELECTRIC SERVICE - SEE BUILDING PLANS 6" SLEEVE - SCHEDULE 40 PVC
- 6" SLEEVE - SCHEDULE 40 PVC
- 4" BACKUP SLEEVE - SCHEDULE 40 PVC
- SOLID WHITE DIRECTIONAL ARROW (PAINTED)
- 1' X 1' CHAMFER
- 6" WHITE STRIPE 6-10 SKIP PER FDOT INDEX 17346 (THERMOPLASTIC PER FDOT SPEC.)

**SITE DATA**

ZONING (CITY OF WILDWOOD).....C-3 (Commercial)  
 PETITION NUMBER:.....2008-059  
 PARCEL ID:.....D20-013  
 MINIMUM SETBACK:.....25' FRONT YARD SETBACK ALONG HWY301  
 MINIMUM SIDE YARD:.....25' ALONG CR472  
 MINIMUM REAR YARD:.....15'  
 LANDSCAPE BUFFER:.....15' EAST PROPERTY LINE  
 15' NORTH PROPERTY LINE  
 25' SOUTH PROPERTY LINE  
 PROPERTY ACREAGE:.....1.35 ACRES (58,806 SQ. FT.)  
 ONSITE IMPERVIOUS AREA:.....0.86 ACRES (37,672 SQ. FT.)  
 % IMPERVIOUS (ONSITE):.....64%  
 OFFSITE IMPERVIOUS AREA:.....0.21 ACRES (9,203 SQ. FT.)  
 OPEN SPACE REQUIRED (20%):.....0.27 ACRES  
 OPEN SPACE PROVIDED (28%):.....0.39 ACRES  
 (50% OF DETENTION AREA INCLUDED AS OPEN SPACE)  
 PROPOSED USE:.....GAS STATION W/ CONVENIENCE STORE/FOOD SERVICE  
 NUMBER OF SEATS AND OCCUPANCY LOAD:.....8 SEATS  
 GROSS BUILDING AREA:.....3,813 SQ. FT.  
 PUBLIC ACCESS FLOOR AREA:.....1,935 SQ. FT.  
 BUILDING HEIGHT:.....<30 FT (ONE STORY)  
 CANOPY HEIGHT:.....<30 FT  
 EMPLOYEES:.....3 PER 8 HOUR SHIFT  
 HOURS OF OPERATION:.....24 HOUR

REQUIRED PARKING:  
 RETAIL SALES:.....RETAIL USE LESS THAN 100,000 SQ. FT. GLA  
 4.0 PER 1,000 SQ. FT. GLA = 16 SPACES  
 TOTAL REQUIRED:.....16 SPACES  
 PARKING PROVIDED:.....20 SPACES TOTAL  
 DISABLED PARKING:.....2 SPACES (MIN. 1 VAN ACCESSIBLE)  
 COMPACT SPACES:.....1 SPACE  
 PAVED PARKING AREA:.....4,219 SQ. FT.  
 PAVED DRIVEWAY AREA:.....24,183 SQ. FT.  
 LANDSCAPE REQUIREMENTS:.....1 CANOPY TREE AND 3 SHRUBS PROVIDED IN THE FOR PARKING LOTS INTERIOR LANDSCAPE AREAS FOR EVERY 25 PAVED PARKING SPACES.





**DESCRIPTION:**  
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMMITMENT NUMBER 44-2009-0351A2)

THE SOUTH 390.04 FEET OF THE WEST 295.2 FEET OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LESS HIGHWAY 301 RIGHT OF WAY, AND LESS STATE ROAD 472 RIGHT OF WAY.

**BEING ONE AND THE SAME AS THE FOLLOWING DESCRIBED:**

COMMENCE AT THE S.W. CORNER OF THE N.W. 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE S.89°30'53\"/>

- SURVEYOR'S NOTES:**
1. THE FIELD MEASURED BEARINGS DEPICTED HEREON ARE ASSUMED, BASED ON THE WEST BOUNDARY OF THE N.W. 1/4 OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 23 EAST, TO BEAR N.00°07'42\"/>
  - 2. UNLESS OTHERWISE SHOWN, UNDERGROUND IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY.
  - 3. THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA WERE NOT SEARCHED BY PREECE LAND SURVEYING, INC.
  - 4. THE LANDS DEPICTED HEREON ARE SUBJECT TO RECORDED AND UNRECORDED RIGHTS OF WAY, RESTRICTIONS, EASEMENTS AND RESERVATIONS THAT MAY OR MAY NOT APPEAR WITHIN THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.
  - 5. ADDITIONS OR DELETIONS TO THIS MAP OF SURVEY AND/OR REPORT BY OTHER THAN THE SIGNING PARTY(IES) IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY(IES).
  - 6. THIS SURVEY HAS BEEN PREPARED FOR SOLE AND EXCLUSIVE BENEFIT OF THE PARTY(IES) NAMED HEREON, AND SHALL NOT BE RELIED UPON BY ANY OTHER INDIVIDUAL OR ENTITY WITHOUT THE CONSENT OF SAID PARTY(IES) AND THE SIGNING SURVEYOR.
  - 7. THIS MAP OF SURVEY IS NOT VALID AND IS TO ONLY BE USED FOR REFERENCE PURPOSES ONLY, UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER INDICATED HEREON.
  - 8. THE MEASURED DISTANCES DEPICTED HEREON WERE MEASURED TO THE STANDARD OF THE U.S. SURVEY FOOT.
  - 9. THE SYMBOLS USED TO REPRESENT PHYSICAL FEATURES ARE FOR GRAPHIC ILLUSTRATION ONLY AND MAY OR MAY NOT REFLECT THE ACTUAL SIZE AND SHAPE OF THE FEATURE BEING REPRESENTED.
  - 10. THE SIGNING PARTY(IES) SIGNATURE DATE DOES NOT REPRESENT THE ACTUAL DATE OF SURVEY.
  - 11. THE SURVEYED LANDS DEPICTED HEREON APPEAR TO LIE WITHIN FLOOD ZONE \"C\" - AN AREA OF MINIMAL FLOODING, BASED ON GRAPHIC INTERPRETATION OF THE FLOOD INSURANCE RATE MAP, FOUND IN COMMUNITY PANEL NUMBER 120296 0075 B, EFFECTIVE MARCH 15, 1982.
  - 12. THE MOST CURRENT ABUTTING RECORDED INSTRUMENTS FOR ADJOINERS TO THE LANDS SURVEYED WERE NOT FURNISHED.
  - 13. THE VERTICAL DATUM ESTABLISHED FOR THIS SURVEY WAS BASED ON N.G.S. CONTROL POINT \"SUMTER 41\", ELEVATION = 81.26', NAVD-88.

**SURVEYOR'S CERTIFICATION:**  
TO: PANTRY, INC., A DELAWARE CORPORATION, GILLIGAN, KING, GOODING & GIFFORD, P.A., OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND ATTORNEYS' TITLE FUND SERVICES, LLC:

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 11c, 13, 16 & 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 10, 2012.

DATE OF PLAT OR MAP: \_\_\_\_\_  
GLEN H. PREECE, JR., P.S.M.  
REGISTRATION NO. LS 5427  
STATE OF FLORIDA

**LEGEND**

(P) = PLAT DIMENSION	R.C.P. = REINFORCED CONCRETE PIPE	⊕ = WATER METER	⊕ = STORM DRAINAGE MANHOLE
(F) = FIELD MEASUREMENT	C.M.P. = CORRUGATED METAL PIPE	⊕ = TELEPHONE RISER BOX	⊕ = STORM INLET
(D) = DEED DIMENSION	V.C.P. = VITRIFIED CLAY PIPE	⊕ = ELECTRIC BOX	⊕ = WELL
(C) = CALCULATED DIMENSION	P.V.C. = POLYVINYL CHLORIDE	⊕ = CABLE TV RISER BOX	⊕ = BURIED CABLE MARKER
R/W = RIGHT OF WAY LINE	O/E = OVERHEAD ELECTRIC	⊕ = IRRIGATION CONTROL BOX	⊕ = LIGHT POLE
C.B. = CHORD BEARING	Δ = DELTA ANGLE	⊕ = WOOD POWER POLE	⊕ = SIGN POST
O.R.B. = OFFICIAL RECORDS BOOK	● = FOUND 5/8\"/>		



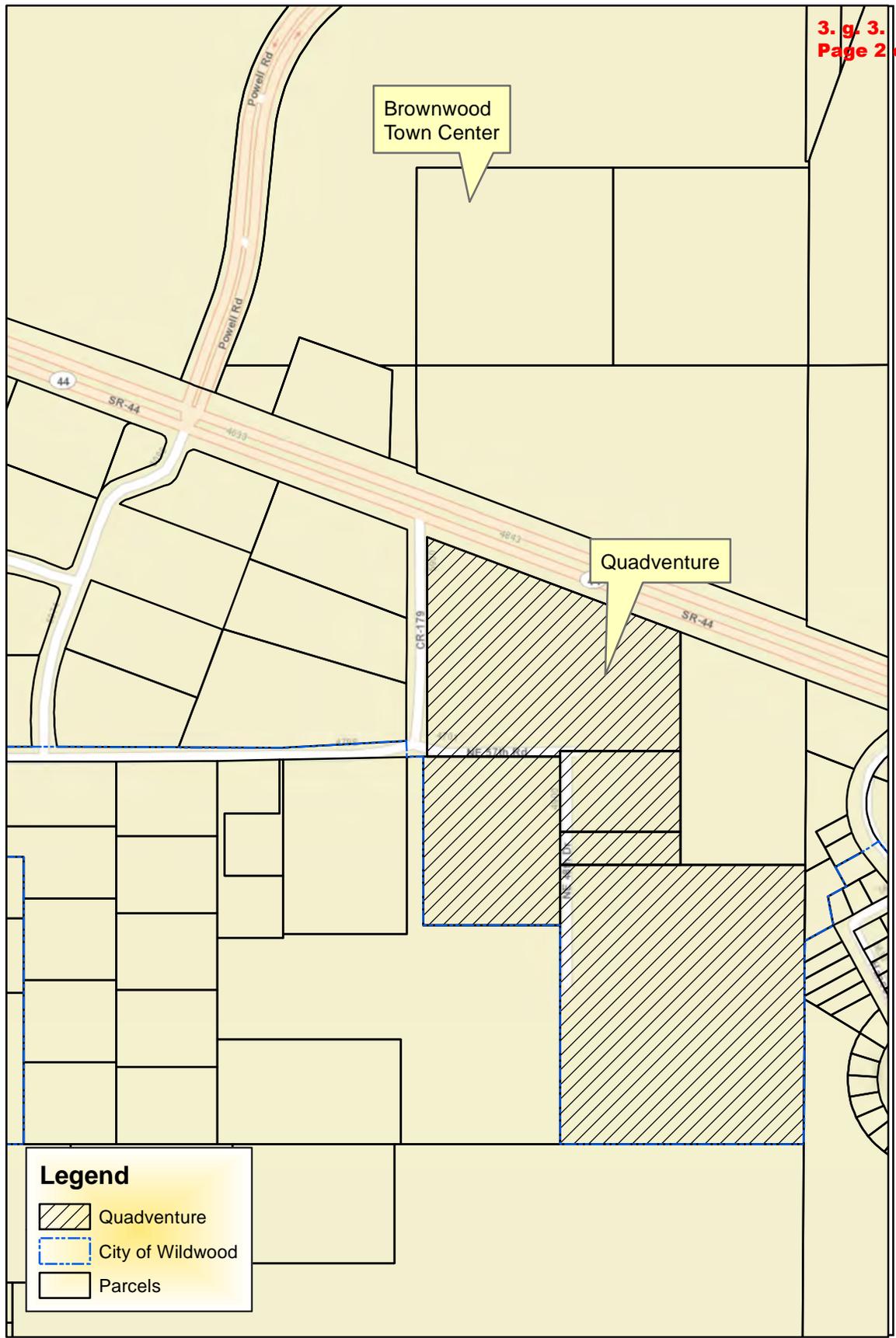
ALTA/ACSM LAND TITLE SURVEY  
FOR:  
**PANTRY, INC.,**  
A DELAWARE CORPORATION

**PREECE**  
LAND SURVEYING, Inc.  
BELLWETHER PROFESSIONAL PARK  
2201 S.E. 30TH AVENUE, SUITE 102  
OCALA, FL 34471  
PHONE: (352) 351-0091  
FAX: (352) 351-0093 FAX  
EMAIL: glen@pinc.us  
(LICENSED BUSINESS NO. 7389)

**48 HOURS BEFORE YOU DIG**  
CALL SUNSHINE  
**1-800-432-4770**  
IT'S THE LAW IN FLORIDA

DATE OF FIELD SURVEY: OCTOBER 10, 2012			
DRAWN: G.H.P.	REVISIONS	BY	DATE
CHECKED: G.H.P.			
F.B. PAGES			
42 14-15			
SEE FILE			
FILE INFO:			
20-18-23			
SCALE: 1" = 30'	COPYRIGHT © 2012	JOB ORDER #	09-161UP





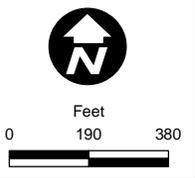
**Legend**

-  Quadventure
-  City of Wildwood
-  Parcels

I:\Terr\GIS\Maps\Location\Location - Quadventure PD Ex.mxd - 2/18/2013 11:12:14 AM - torneal



City of Wildwood  
100 North Main Street  
Wildwood, FL 34485  
Phone: (352) 330-1330  
www.wildwood-fl.gov



LOCATION MAP	
<b>QUADVENTURE WILDWOOD, FLORIDA</b>	
FEBRUARY 2013	PD EXTENSION



January 29, 2013

Mr. Jason McHugh  
Development Services Coordinator  
City of Wildwood  
100 N. Main Street  
Wildwood, FL 34785

**Re: *Quadventure, LLC PUD (#1477/1)***  
***Request for a PUD Extension (Ordinance No. 02011-01)***

Dear Jason:

On behalf of our clients, Quadventure, LLC we would like to respectfully request a one (1) year extension of the PUD expiration date. As you are aware, market conditions due to the economic conditions have not been conducive for development in the last several years, either in sales or venture capital. Requesting only a six month extension would not provide the appropriate timeframe needed for market conditions to change.

In addition, since the City has revised their Comprehensive Plan, several of the development conditions within the PUD no longer apply, thus there is an opportunity to revise the approved Conceptual Development Plan.

We appreciate the City's consideration of the request and should you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg A. Beliveau', is written over a light blue horizontal line.

Greg A. Beliveau, AICP

c: Anita Valdez  
Jerry Galbreath  
File

P:\Projects\1477-1 Quadventure\Correspondence\Outgoing\L\_McHugh\_extension\_01-29-13\_GB.docm

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## CITY OF WILDWOOD

### CITY COMMISSION REPORT      Commission Meeting Date: Feb. 25, 2013

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Subject:                      Irrigation Meters

Submitted By:              Bruce H. Phillips, PE, PLS, Utility Director

Department:                Utility Department

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Staff Recommendation (Motion Ready):  
Recommend rescind the November 13, 2006 moratorium on irrigation meters in the City of Wildwood's Utility Service Area.

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#### **BACKGROUND:**

In the November 13, 2006 Commission meeting, the City Commission placed a moratorium on the installation of irrigation meters. The minutes read as follows:

*“CM Stevens explained that potable water was being pumped and used for irrigation. Mayor Wolf reminded that if people run water for irrigation through their household meter, then their sewer bill would increase and they would be upset. Commissioner Allen noted that WRPC (Withlacoochee Regional Planning Council) is requesting that new development put in reuse while under construction. Mayor Wolf – asked where is the 300,000 pumped going that is not being billed. CM Stevens noted that it is being reviewed and there has been some tightening up. CA Blair suggested that the Commission consider creating a TIE for reuse.*

*Motion by Commissioner Strickland, second by Commissioner Bivens that a moratorium be placed on irrigation meters for new development in absence of reuse. Motion carried.”*

#### **FINDING, CONCLUSIONS AND RECOMMENDATIONS:**

##### **FINDINGS:**

This action by the City Commission has been interpreted in such a way that the motion virtually required ALL water meters to have a wastewater billing component. This interpretation effects not only irrigation meters but also commercial/industrial meters that would not have a discharge to the City's wastewater system.

##### **Irrigation meters:**

1. The use of potable water for irrigation purposes is not banned by Southwest Florida Water Management District (SWFWMD) or the City's Water Use Permit (WUP).
2. Irrigating through the household meter does require a wastewater billing component.

3. Water conservation is encouraged by the Withlacoochee Regional Planning Council (WRPC) as well as all of the State Water Management Districts and reuse is a good way to conserve when available.
4. Reuse lines are being required in all new developments.

**Commercial/Industrial meters without a wastewater discharge:**

1. At least one industrial manufacturing application has recently requested a second water meter to supply water to its manufacturing facility. All water used in the manufacturing process is consumed by the process. None is discharged to the wastewater system. The facility has a separate meter that supplies water to its office and restrooms.
2. Another issue exists where two (2) fire hydrant meters have been leased to fill and clean equipment, in order to not pay the wastewater component. This has tied up two of the City's fire hydrant meters and virtually placed the hydrants out of service.

**CONCLUSIONS:**

1. Individual wells for irrigation purposes are allowed by City code, but create a potential for cross-connections to the City's potable system.
2. Irrigation meters do not carry the wastewater charges.
3. City has the ability to monitor irrigation meters for conservation purposes but, does not have the ability to monitor irrigation well usage.
4. Irrigation meters will provide additional revenue to the City.
5. When the City has available reuse capacity, the installation of reuse mains within the developed portions of the City should be explored.
6. Applications for water exist that do not use capacity in the wastewater treatment plant.

**LEGAL REVIEW:** N/A

**RECOMMENDATIONS:**

- Staff recommends the City Commission rescind the November 13, 2006 moratorium on irrigation meters, allowing meters to be installed for irrigation purposes and for commercial/industrial purposes when no flow to the City's wastewater system will take place.

**FISCAL IMPACT:**

- Allowing irrigation meters will increase revenues to the enterprise fund.

**ALTERNATIVES:**

Continue with the moratorium.

**SUPPORT MATERIAL:** None