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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, SITTING AS THE ENVIRONMENTAL CONTROL BOARD, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-068, AS AMENDED, AS FOLLOWS: **ARTICLE 15 – HEALTH REGULATIONS**; CHAPTER B, (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS; PROVIDING FOR: REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INTERPRETATION OF CAPTIONS; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Environmental Control Act, Chapter 77-616, Laws of Florida, as amended, authorized the Palm Beach County Board of County Commissioners to sit as the Palm Beach County Environmental Control Board to adopt, amend, or repeal various Environmental Control Rules; and

WHEREAS, pursuant to its authority, the Environmental Control Board adopted Environmental Control Rule II, concerning Drinking Water Supply Systems; and

WHEREAS, pursuant to Section 163.3202, Florida Statutes, the Board of County Commissioners sitting as the Environmental Control Board codified these rules into the Unified Land Development Code, Ordinance 03-068, as amended from time to time; and

WHEREAS, the County has received public participation and input regarding these Environmental Control Rules through the Land Development Regulation Advisory Board; and

WHEREAS, the Board of County Commissioners hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, public hearings have been held in conformance with the requirements set forth in Section 125.66, Florida Statutes, and the Palm Beach County Environmental Control Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. Adoption

The amendments set forth in Exhibit A, attached hereto and made a part hereof, are hereby adopted.

Section 2. Providing for Repeal of Laws in Conflict

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability

If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other item contained in this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this Ordinance.

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Section 4. Providing for a Savings Clause

All development orders, permits, enforcement orders, ongoing enforcement actions, and all other actions of the Board of County Commissioners, the Environmental Control Hearing Board, the Environmental Appeals Board, all other County decision-making, enforcement, and advisory boards, Special Masters, Hearing Officers, and all other County officials, issued pursuant to the regulations and procedures established by prior Palm Beach County land development regulations, shall remain in full force and effect.

Section 5. Interpretation of Captions

All headings of articles, sections, paragraphs, and sub-paragraphs used in this Ordinance are intended for the convenience of usage only and have no effect on the interpretations of the provisions of this Ordinance and may be renumbered or re-lettered to effectuate the codification of this Ordinance.

Section 6. Inclusion in the Unified Land Development Code

The provisions of this Ordinance shall be codified in the Unified Land Development Code and may be reorganized, renumbered or re-lettered to effectuate the codification of this Ordinance.

Section 7. Providing for an Effective Date

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 28th day of August, 2014.

SHARON R. BOCK, CLERK & COMPTROLLER

By: [Signature]
Deputy Clerk

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 3rd day of September, 2014.

EXHIBIT A

ARTICLE 15 – HEALTH REGULATIONS
SUMMARY OF AMENDMENTS

1
2 **Part 1. ULDC Art. 15.B.13, Operation and Maintenance [Related to Drinking Water Supply**
3 **Systems] (page 16 of 24), is hereby amended as follows:**

4 **CHAPTER B (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS**

5 **Section 13 Operation and Maintenance**

- 6
- 7 I. Fire hydrant maintenance and fire flow testing shall be the responsibility of the owner of the fire
8 hydrant. Maintenance and fire flow testing shall be performed in accordance with the "Standards
9 of the American Water Works Association Manual M-17" and as indicated below: **[Ord. 2006-004]**
10 1. A routine maintenance program shall be established for each fire hydrant. **[Ord. 2006-004]**
11 2. Fire flow testing of hydrants shall be performed on a three year cycle, such that all hydrants
12 in a system are fire flow tested at least once every three years unless recommended by the
13 manufacturer or the Department to be more frequent. Owners of fire hydrants which do not
14 utilize local fire departments or water utility departments to perform or oversee the fire flow
15 testing shall ~~report all available results of testing to the local fire department and water utility~~
16 ~~department~~ have completed all testing and submitted a letter of completion to the local fire
17 authority by January 1st of each year with all hydrants accounted for within the required
18 cycle. These records shall be maintained on site for review by the applicable fire authority.
19 **[Ord. 2006-004] [Ord. 2013-002]**
20 3. The minimum required fire flow from fire hydrants shall be determined as per Art.
21 15.B.8.A.21.a. **[Ord. 2006-004]**
22

Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated.

If being relocated destination is noted in bolded brackets **[Relocated to:]**.

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 3, 2014

Honorable Sharon R. Bock
Clerk and Comptroller
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Attention: Glendia Harvey, Board Services

Dear Ms. Bock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2014-026, which was filed in this office on September 3, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR

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