County Administrator Robert Weisman



Department of Planning, Zoning & Building 2300 North Jog Road West Palm Beach, FL 33411

Phone: 561-233-5200 Fax: 561-233-5165

TITLE: ADOPTION HEARING

UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS TO ARTICLE 15, HEALTH REGULATIONS

SUMMARY: The proposed ordinance will account for minor revisions, scrivener's errors, omitted text, and specific amendments in Art. 15, Health Regulations, of the Unified Land Development Code (ULDC).

- Ordinance Title
- □ Exhibit A Article 15 Health Regulations

LDRAB/LDRC: The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on March 26, 2014, motion passed 16 - 0 and the Land Development Regulation Commission (LDRC) on May 28, 2014, motion passed 13 - 0. All proposed ULDC amendments were found to be consistent with the Plan.

BCC Public Hearings: June 26, 2014, Request for Permission to Advertise for First Reading on July 24, 2014: Approved, 7 – 0. July 24, 2014 - Approve on First Reading and advertise for an Adoption Hearing on August 28, 2014. Approved, 7 - 0.

MOTION: TO ADOPT 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: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

1	ORDINANCE 2014		
2 3 4 5 6 7 8 9 10 11 12 12 12 12 12 12 12 12 12 12 12 12	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.		
13	WHEREAS, the Palm Beach County Environmental Control Act, Chapter 77-616, Laws		
14	of Florida, as amended, authorized the Palm Beach County Board of County Commissioners to		
15 16	sit as the Palm Beach County Environmental Control Board to adopt, amend, or repeal various		
17	Environmental Control Rules; and		
18	WHEREAS, pursuant to its authority, the Environmental Control Board adopted		
19	Environmental Control Rule II, concerning Drinking Water Supply Systems; and		
20	WHEREAS, pursuant to Section 163.3202, Florida Statutes, the Board of County		
21	Commissioners sitting as the Environmental Control Board codified these rules into the Unified		
22	Land Development Code, Ordinance 03-068, as amended from time to time; and		
	WHEREAS, the County has received public participation and input regarding these		
23	Environmental Control Rules through the Land Development Regulation Advisory Board; and		
24	WHEREAS, the Board of County Commissioners hereby elects to conduct its public		
25	hearings on this Ordinance at 9:30 a.m.; and		
26	WHEREAS, public hearings have been held in conformance with the requirements set		
27	forth in Section 125.66, Florida Statutes, and the Palm Beach County Environmental Control		
28	Act.		
29	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF		
30	PALM BEACH COUNTY, FLORIDA, as follows:		
31	Section 1. Adoption		
32	The amendments set forth in Exhibit A, attached hereto and made a part hereof, are		
33	hereby adopted.		
34	Section 2. Providing for Repeal of Laws in Conflict		
35	All local laws and ordinances in conflict with any provisions of this Ordinance are hereby		
36	repealed to the extent of such conflict.		
37	Section 3. Severability		
38	If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other		
39	item contained in this Ordinance is for any reason held by the Court to be unconstitutional,		
40	inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this		
41	Ordinance.		

ı	Section 4. Providing for a Savings Clause		
2	2 All development orders, permits, enforcement orders, ongoing enforcement ac		
3	3 all other actions of the Board of County Commissioners, the Environmental Control F		
4	Board, the Environmental Appeals Board, all other County decision-making, enforcement		
5	advisory boards, Special Masters, Hearing Officers, and all other County officials, is		
6	pursuant to the regulations and procedures established by prior Palm Beach County la		
7	development regulations, shall remain in full force and effect.		
8	Section 5. Interpretation of Captions		
9	All headings of articles, sections, paragraphs, and sub-paragraphs used in this		
10	Ordinance are intended for the convenience of usage only and have no effect on the		
11	interpretations of the provisions of this Ordinance and may be renumbered or re-lettered to		
12	effectuate the codification of this Ordinance.		
13	Section 6. Inclusion in the Unified Land Development Code		
14	The provisions of this Ordinance shall be codified in the Unified Land Development Code		
15	and may be reorganized, renumbered or re-lettered to effectuate the codification of this		
16	Ordinance.		
17	Section 7. Providing for an Effective Date		
18	The provisions of this Ordinance shall become effective upon filing with the Departmen		
19	of State.		
20			
21	APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach		
22	County, Florida, on this the day of, 20		
	SHARON R. BOCK, CLERK & PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS		
23 24	By: By: Priscilla A. Taylor, Mayor		
	APPROVED AS TO FORM AND LEGAL SUFFICIENCY		
	By: County Attorney		
25 26 27	EFFECTIVE DATE: Filed with the Department of State on the day of		
28	, 20		

EXHIBIT A

ARTICLE 15 – HEALTH REGULATIONS SUMMARY OF AMENDMENTS

<u>2</u> 3	Part 1.	ULDC Art. 15.B.13, Operation and Maintenance [Related to Drinking Water Supply Systems] (page 16 of 24), is hereby amended as follows:
1	CHAPTER	B (PBC ENVIRONMENTAL CONTROL RULE II) DRINKING WATER SUPPLY SYSTEMS

5 Section 13 Operation and Maintenance

I. Fire hydrant maintenance and fire flow testing shall be the responsibility of the owner of the fire hydrant. Maintenance and fire flow testing shall be performed in accordance with the "Standards of the American Water Works Association Manual M-17" and as indicated below: [Ord. 2006-004]
 1. A routine maintenance program shall be established for each fire hydrant. [Ord. 2006-004]
 2. Fire flow testing of hydrants shall be performed on a three year cycle, such that all hydrants in a system are fire flow tested at least once every three years unless recommended by the manufacturer or the Department to be more frequent. Owners of fire hydrants which do not

in a system are fire flow tested at least once every three years unless recommended by the manufacturer or the Department to be more frequent. Owners of fire hydrants which do not utilize local fire departments or water utility departments to perform or oversee the fire flow testing shall report all available results of testing to the local fire department and water utility department have completed all testing and submitted a letter of completion to the local fire authority by January 1st of each year with all hydrants accounted for within the required cycle. These records shall be maintained on site for review by the applicable fire authority. [Ord. 2006-004] [Ord. 2013-002]

3. The minimum required fire flow from fire hydrants shall be determined as per Art. 15.B.8.A.21.a. [Ord. 2006-004]

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Notes:

<u>Underlined</u> indicates <u>new</u> 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.