

ORDINANCE NO. 2016 - 16

AN ORDINANCE OF OKALOOSA COUNTY, FLORIDA, AMENDING, REPEALING, AND REPLACING CHAPTER 24 OF THE OKALOOSA COUNTY CODE OF ORDINANCES CONCERNING WATER AND SEWER SERVICES; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROCEDURES; PROVIDING FOR CONNECTIONS; PROVIDING REGULATIONS; PROVIDING FOR PERMITTING, MONITORING, INSPECTIONS, AND REPORTING REQUIREMENTS; PROVIDING RATES, FEES, AND CHARGES; PROVIDING TERMS FOR THE HOLDING OF DEPOSITS; PROVIDING FOR WASTEWATER PRE-TREATMENT STANDARDS; MODIFYING ENFORCEMENT PROCEDURES AND PENALTIES; PROVIDING FOR COMPLIANCE WITH REGULATORY REQUIREMENTS; PROVIDING FOR CROSS CONNECTION CONTROL STANDARDS; REPEALING ALL ORDINANCES OR PROVISIONS THEREOF IN CONFLICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Okaloosa County Board of County Commissioners (the "Board") provides Water and Sewer Services within Okaloosa County; and

WHEREAS, the Board is authorized and required to establish regulations governing Water and Sewer Services provided within Okaloosa County; and

WHEREAS, the Board finds that the health, safety, and welfare of the citizens of Okaloosa County would be best protected by updating the regulation of Water and Sewer Services in the county; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Okaloosa County, Florida, as follows:

SECTION 1. Repeal and Create New Chapter 24. Chapter 24 of the Okaloosa County Code of Ordinances is hereby amended in its entirety to read as follows:

Chapter 24 - WATER AND SEWER
ARTICLE I. -COUNTY WATER AND SEWER SYSTEM

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DIVISION 1.– GENERALLY

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Sec. 24-101. - Official findings.

The Board of County Commissioners of Okaloosa County, Florida, hereinafter called the "Board," has caused to be published a notice of a public hearing at which all of the users of the services and facilities provided by the water and sewer system of said county and owners, tenants and occupants of property served or to be served thereby and all others interested were to be given the opportunity to be heard concerning the proposed rates, fees, and charges set forth herein, which notice was duly published in the Northwest Florida Daily News, a newspaper of general circulation in Okaloosa County on August 11, 2016, said hearing date being September 6, 2016.

Whereas, said public hearing has been duly held on September 6, 2016, in accordance with said notice, and all of the users of the services and facilities provided by said water and sewer system and the owners, tenants and occupants of properties served or to be served thereby and all others interested were heard and given the opportunity to be heard concerning the proposed rates, fees, and charges, and the Board having given due consideration thereto and being fully advised in the premises find as follows:

- (1) *County responsibility:* The Board is charged with the responsibility of providing Okaloosa County Water and Sewer System customers with safe drinking water in ample quantities and is also charged with the responsibility of collecting and disposing of domestic wastewater in order to abate the pollution of Choctawhatchee Bay, Garniers Bayou, Cinco Bayou, Dons Bayou, Chula Vista Bayou, waterways and watersheds and other streams, and this abatement of pollution is necessary and essential to protect the health of the citizens of Okaloosa

County, Florida.

(2) *Pollution abatement:* To accomplish the abatement of pollution and thereby protect the health of the citizens, the Board has adopted a plan for installing street sewers, trunk sewers and wastewater treatment facilities, and effluent disposal facilities, work on the actual construction of these facilities having been in progress for years during which time the board has expanded its facilities and has invested millions of dollars in water system, sewer lines and sewage treatment plants.

(3) *Defraying cost of facilities:* The Board has heretofore levied charges designed to defray a part of the costs of extending the trunk water mains and trunk sewer mains. These charges are, in fact, related to and are made for the purpose of partially defraying the cost of providing water and sewer infrastructure to maintain adequate levels of service to meet expected demand.

The Board officially finds that such charges are in fact sanitary sewer and water readiness to serve charges and should be so called to prevent confusion.

The Okaloosa County Water and Sewer Department is an enterprise fund and all fees and charges or other revenues collected shall be utilized to defray the cost of providing the service expansion, improvements, operation, maintenance, repair, replacement, capital outlay, restoration, environmental protection, and other costs of the system.

(4) *Removal of health hazards:* The Board, by the construction and installation of the wastewater collection and treatment facilities and water system costing millions of dollars, has abated pollution and public health hazard from Choctawhatchee Bay, Garniers Bayou, Cinco Bayou, Dons Bayou, Chula Vista Bayou, water bodies and their respective watersheds and other streams in Okaloosa County. This is a service for which no direct charge is made. It removes a health hazard for all.

(5) *Necessary connections:* The Board executed a bond agreement thereof, it is provided that at any time the construction of a sanitary sewer system had been completed within an area and was available to the abutting property, the Board would require the owners of abutting property to connect to such sewage system after the same was placed in operation at a point available to the property being then served by the board.

(6) *Combined water and sewer systems:* The Board officially declares and affirms that it has heretofore combined its water and sewer systems for the purpose of financing the construction, operation and expansion of the same, and that, out of the revenues collected from such combined rates, the principal and interest requirements of all bonds issued or assumed by it are paid. The Board officially finds that under its plan it will serve areas within the present county district limits and that such plans can be financed over the fixed period set out therein and it is contemplated that these rates and charges will provide funds for such purpose.

(7) *Reason for rates:* The costs included within the rates set out under Division 3 and listed in Appendix A are for providing for the health and welfare of the citizens of Okaloosa County by constructing water systems, wastewater treatment plants, trunk line sewers and branch line sewers and sewer service lateral lines, and includes a charge to cover the recurring and daily cost of collecting, treating and disposing of wastewater and the cost of the service necessary and incident to the removal of pollution from the waterways and bayous in and surrounding Okaloosa County by removing raw sewage from these waterbodies and bayous, and included in charges for maintaining and operating the wastewater treatment plants incident to such service and the cost of amortizing the bond indebtedness which the board has incurred in providing the water and sewer system improvements.

(8) *Reasonable service:* Under its plan for providing water it is required to increase the size of its water mains so as to deliver a reasonable volume of water sufficient to provide adequate service to the area. The Board further officially finds that a substantial expense is incurred in over sizing these lines and that a direct benefit to the water users occurs through the reduction of insurance rates available to its customers in areas where water is provided.

(9) *Purpose and policy:* This article sets forth uniform requirements for direct and indirect contributors into the

wastewater collection and treatment system for Okaloosa County and enables the Board of Commissioners to comply with all applicable state and federal laws required by the Clean Water Act of 1977, the General Pretreatment Regulations (40 CFR Part 403), Chapter 403, Florida Statutes and Rules 62-4, 62-600, 62-620, 62-625, 62-640, 62-301, 62-302, 62-303, and 62-520, Florida Administrative Code

Some of the objectives of this article are:

- a. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;

To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the Publicly Owned Treatment Works;

- b. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- c. To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- d. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works
- e. To enable Okaloosa County Water and Sewer to comply with its State of Florida Wastewater permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subjected.

This article provides for the regulation of direct and indirect contributors to the sewage system and users of the water system through the issuance of permits to certain non-domestic users and through enforcement activities, requires user reporting, assumes that existing customer's capacity will not be pre-empted, and provides for the setting of fees for the pro rata equitable distribution of costs resulting from the established program.

This water and sewer use and user charge ordinance shall apply to Okaloosa County Service District and to persons outside the cities who are, by contract or agreement with the cities, users of the cities' public owned treatment works (POTW). Except as otherwise provided herein, the Board or its authorized designated employee shall administer, implement and enforce the provisions of this article.

(10) *Charges and fees:*

- a. *Purpose:* It is the purpose of this paragraph to provide for the recovery of costs from users of the board's water, sewer and wastewater treatment and disposal systems for the implementation of the program established herein. The applicable charges or fees shall be set forth in Appendix A in this article.
- b. *Readiness to serve charges:* It is hereby determined necessary to fix and collect water and sewer readiness to serve charges from customers. Such charges shall be as contained within this article and the revenue received shall be used for operation, maintenance, replacement, debt retirement and other authorized expenses.
- c. *Charges and fees:* The Board may adopt, amend and set charges and fees which may include:
 - 1. Fees for reimbursement of costs of setting up and operating the Board's water and sewage program.
Fees for monitoring, inspection and surveillance procedures.
 - 3. Fees for reviewing accidental discharge procedures and construction.

4. Fees for service applications.
5. Fees for filing appeals.
6. Fees for consistent removal (by the Board) of pollutants otherwise subject to Federal Pretreatment Standards.
7. Other fees as the Board may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this article and are separate from all other fees chargeable by the Board.
8. The Board will review the user charges at least annually and revise the rates as necessary to ensure that adequate revenues are generated to pay the costs of operation and maintenance including replacement costs and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

The Board will notify users at least annually if the existing rate is being changed.

The public shall be afforded ample opportunity at a public hearing to review a change in fees before they are adopted.

Sec. 24-102. - Definition of terms.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this article shall have the meanings hereinafter designated:

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

Approval authority means the Secretary of the Florida Department of Environmental Protection or other duly designated representative of that agency.

Assessment means (1) the process of making the official valuation of property for purposes of taxation. (2) The valuation placed property as a result of this process. (3) The charge against any particular parcel of land within the boundaries of irrigation, water, sewer, drainage, or other district created for the purpose of constructing improvements, or a share of the total cost of such improvements, usually based on the proportionate benefits received by such parcel as a result of the improvement.

Assessments, special means a direct tax levy assessed against property to pay for property improvements that ordinarily are a direct benefit to the property itself.

Assets mean any real property and property rights that are of value to and owned by the Board.

Capital means property of a permanent nature or intended for long continued use or possession, employed in or necessary for the conduct of an undertaking, and representing the investment of money or its equivalent. Examples include trucks, meters, pumps, and motors.

Fixed means permanent property, such as land, buildings, sewer collection pipelines, tanks, rights and benefits (tangible and intangible), permanently employed in the rendering of a service or in the production of a product.

Intangible means any element of value applied to permanent property of a non-physical nature such as a franchise, trademark, patent, copyright, good will, cost of organizing, developing, and establishing; also, such items as going value, right of access, water right, and power right.

Physical. See "assets, tangible" below.

Tangible means permanent property of a physical nature such as lands, buildings, mineral deposits, wells, reservoirs, plant equipment of all kinds, utensils, furnishings, merchandise intended for immediate use and permanent improvements.

Authority means a department or unit of a public agency created to perform a single function or a restricted group of related activities. Usually such units are financed from service charges, fees, and tolls, but in some instances they also have taxing powers. An authority may be completely independent of other governments for its creation, its financing, or the exercise of certain powers.

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 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 County

Board means the Board of County Commissioners of Okaloosa County, Florida.

Bypass means the intentional diversion of wastewater streams from any portion of an industrial user's treatment facility.

*Best Management Practices (BMPs)*mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in subsections 62-625.400(1)(a) and (2), F.A.C. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, industrial sludge or waste disposal, or drainage from raw materials storage

Betterment means an addition made to, or change made in, a fixed or capital asset which is expected to prolong its life, expand its capacity, or increase its efficiency beyond initial design parameters and over and above that arising from maintenance, and the cost of which is therefore added to the book value of the asset. The term is

sometimes applied to sidewalks, sewers, and highways, but it is preferable to designate these as "improvements." See also improvements.

Biochemical Oxygen Demand (BOD). means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., milligrams per liter).

Building drain means that part of the piping of a building which collects sewage 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 laterals or other place of disposal. Also called house connection.

Capital costs means cost of major rehabilitation, betterments, expansion or upgrading required as facilities reach the end of their useful life.

Categorical Industrial User means an industrial user subject to categorical pretreatment standards under Rule 62-625.410, F.A.C., including 40 CFR Chapter I, Subchapter N, Parts 405 through 471, as of July 1, 2009, hereby adopted and incorporated by reference.

Categorical standards means National Categorical Pretreatment Standards

Chemical oxygen demand (COD) means a measure of the oxygen required to oxidize all compounds, both organic and inorganic in water, usually expressed as a concentration (e.g., milligrams per liter).

Cities mean all incorporated cities or towns or their city councils in Okaloosa County, Florida.

City administrator means the person designated by the city council to administer all city activities.

City council means the duly elected officials of the cities.

Collection system (sewer) means the sewer lines and appurtenances used and useful in the collection and conveyance of sewerage. See also "sanitary sewer."

Commercial user (customer) means all retail stores, restaurants, office buildings, laundries, and other private business and service establishments.

Composite sample means a collection of individual samples obtained at regular intervals, usually every one or two hours during a 24-hour time span. Each individual sample is combined with the others in proportion to the rate of flow when the sample was collected. The resulting mixture (composite sample) forms a representative sample and is analyzed to determine the average conditions during the sampling period.

Consistent Removal means the average of the lowest 50 percent of the removal measured in accordance with subsection 62-625.420(2), F.A.C.

Control authority shall refer to the *Director of Okaloosa County Water and Sewer* designated by the Board of County Commissioners of Okaloosa County, Florida.

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.

County means Okaloosa County Florida

Customer (user) means every person who is responsible for contracting (expressly or implicitly) with the *Board* in

obtaining, having or using water or connections with water or sewer taps to the water or sewer system of the Board and in obtaining, having, or using water or sewer and other related services furnished by the board for the purpose of using water and disposing of sewage through said sewer system. Said term shall not include the occupants of each unit of a multiple-family dwelling unit building. They are a separate and distinct customer or user.

Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

Daily Maximum Limit means the maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Direct discharge means the discharge of treated or untreated sewage directly to the waters of the State of Florida.

Director means the Director of the Okaloosa County Water and Sewer Department or his/her designee.

Discharge means the introduction of pollutants into a WWF from any non-domestic source regulated under Chapter 403, F.S.

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

Enterprise fund means a fund established to account for operations (a) that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes. Examples of enterprise funds are those for water, sewer, gas, and electric utilities; swimming pools; airports; parking garages; and transit systems.

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 said agency.

Existing Source means any source of discharge that is not a "New Source."

Fixed means permanent property, such as land, buildings, sewer collection pipelines, tanks, rights and benefits (tangible and intangible), permanently employed in the rendering of a service or in the production of a product.

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

Flush toilet means the common 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.

Governmental shall include legislative, judicial, administrative, and regulatory activities of federal, state, and local governments.

Governmental user includes legislative, judicial, administrative, and regulatory activities of federal, state and local governments.

Grab Sample means an individual, discrete sample collected at a specific time. A grab sample includes all sub samples or aliquots (e.g. individual containers for specific analytes or analyte groups), sample fractions (e.g. total and filtered samples), and all applicable field quality control samples (e.g. field sample duplicates or split samples) collected at the same locations within a time not exceeding 15 minutes.

Health officer means the Okaloosa County Environmental Health Director.

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

Improvements means buildings, other structures, and other attachments or annexations to land which are intended to remain so attached or annexed, such as sidewalks, trees, drives, tunnels, drains, and sewers. Sidewalks, curbing, sewers, and highways are sometimes referred to as "betterments", but the term "improvements" is preferred.

Indirect discharge means the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the CWA, (33 U.S.C. 1317), into the POTW (including holding tank sewage discharged into the system).

Industrial user shall include any non-governmental, non-residential user of publicly owned sewer treatment works which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions: Division A-Agriculture, Forestry, and Fishing; Division B Mining; Division D Manufacturing; Division E Transportation, Communications, Electric, Gas and Sanitary; and Division I Services.

Industrial waste surcharge means the charge made in excess of the sewer service charge for all sewage over and above normal domestic sewage (wastewater).

Industrial wastes mean the sewage from industrial processes as distinct from domestic sewage.

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

Institutional user includes social, charitable, religions and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

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

Intangible means any element of value applied to permanent property of a non-physical nature such as a franchise, trademark, patent, copyright, good will, cost of organizing, developing, and establishing; also, such items as going value, right of access, water right, and power right

Interference means the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the POTW operating permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the CWA, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

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

Maximum Allowable Industrial Loading means the total mass of a pollutant that all industrial users and other controlled sources may discharge without causing pass through or interference.

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.

Method Detection Limit or "MDL" means an estimate of the minimum amount of a substance that an analyte process can reliably detect. An MDL is analyte-specific and matrix-specific and is laboratory dependent.

Monthly Average means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

Monthly Average Limit means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

National Categorical Pretreatment Standard means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the CWA (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 CWA (33 U.S.C. 1342).

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

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

Normal domestic wastewater (sewage) means sewage discharged into the 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 Kjeldahl nitrogen is not more than 30 mg/l; and total flow is not more than 25,000 gallons per day.

New Source means:

- (1) Any building, structure, facility or installation from which there is or may be a discharge. The construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the CWA 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 at which no other source is located,
 - 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 shall 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 subparagraph (1)b. or (1)c. above but otherwise alters, replaces, or adds to existing process or production equipment; or

(3) Construction of a new source, as defined in this chapter, has commenced if the owner or operator has:

- a. Begun, or caused to begin as part of a continuous on-site construction program
 1. Any placement, assembly, or installation of facilities or equipment, or
 2. 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.
- 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 rule.

Non-contact Cooling Water means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product.

Non-Significant Categorical Industrial User means an industrial user that discharges 100 gallons per day (gpd) or less of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and:

- (1) Has consistently complied with all applicable categorical pretreatment standards and requirements;
- (2) Annually submits the certification statement required in subsection 62-625.600(17), F.A.C., together with any additional information necessary to support the certification statement; and
- (3) Never discharges any untreated categorical process wastewater.

Operation and maintenance means those functions that result in expenditures during the useful life of the water or sewage works for materials, labor, utilities, and other items which are necessary for managing and maintaining the water or sewage works to achieve the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

Pass Through means a discharge which exits the WWF into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the WWF's permit (including an increase in the magnitude or duration of a violation).

Permit means a permit issued to a WWF in accordance with Chapter 62-620, F.A.C.

Person means any individual, partnership, co-partnership, firm, company, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context. This definition includes all Federal, State, and local governmental entities.

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

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

Pollutant means dredged spoil, solid waste, incinerator residue, *filter backwash*, sewage, garbage, sewage sludge, munitions, *Medical Wastes*, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

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

POTW means public owned treatment works.

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

Pretreatment or *treatment* means the reduction of the amount of pollutants, the elimination of pollutants, the alteration of the nature of pollutants or the alteration of the nature of pollutant properties in sewage 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 by 40 CFR Section 403.6(d).

Pretreatment Program means a program administered by a public utility that meets the criteria established in Rule 62-625.500, F.A.C.

Pretreatment requirements means any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial or commercial user.

Pretreatment Standard means any regulation containing pollutant discharge limits promulgated by the EPA under Sections 307(b) and (c) of the CWA or by the Department under Chapter 403, F.S., which applies to industrial users. This term includes prohibitive discharge limits established in Rule 62-625.400, F.A.C.

Prohibited Discharge Standards or Prohibited Discharges means absolute prohibitions against the discharge of certain substances. These prohibitions appear in Section 24-234 of this ordinance.

Properly shredded garbage means the sewage 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 the *Board* and is owned and maintained by the *Board* in public rights-of-way or easements.

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

Readiness to serve charge means a charge levied on a user of the water or sewage system which includes a user charge, a charge for capital reserve and debt service, other charges for current services, or all of these.

Removal means a reduction in the amount of a pollutant in the WWF's effluent or alteration of the nature of a pollutant during treatment at the WWF. The reduction or alteration can be obtained by physical, chemical or biological means and may be the result of specifically designed WWF capabilities or may be incidental to the operation of the treatment system. Removal as used in this chapter shall not mean dilution of a pollutant in the WWF.

Replacement means the expenditures for obtaining and installing equipment, accessories or appurtenances

which are necessary during the useful life of the treatment plant to maintain the capacity and performance for which such plants were designed and constructed. The term "operations and maintenance" ("O&M") includes replacement.

Residential (domestic) user means any contributor to the sewage system whose lot, parcel or real estate or building is used for residential (domestic) dwelling purposes only.

Responsible Corporate Officer means:

- (1) A president, secretary, treasurer, or 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
- (2) The manager of one or more manufacturing, production, or operating facilities, provided, the manager;
 - a. Is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations;
 - b. Is authorized to initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations;
 - c. Can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements;
 - d. Has been assigned or delegated the authority to sign documents in accordance with corporate procedures.

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

Septage means septic tank waste or waste from portable toilets (AKA "porta potties").

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

- (1) A sewer line constructed with solid 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.

Septic Tank Waste means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Severe Property Damage means substantial physical damage to property, damage to an industrial user's treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Sewage means the spent water of a community. The equivalent term is "wastewater."

Sewer means a pipe or conduit that carries sewage.

Shall is mandatory; *may* is permissive.

Significant Industrial User means, except as provided in paragraphs (3) and (4) below, the following:

(1) Categorical Industrial Users; and

(2) Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the WWF (excluding domestic wastewater, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment plant; or is designated as such by the control authority on the basis that the industrial user has a reasonable potential for adversely affecting the WWF's operation or for violating any pretreatment standard or requirement in accordance with paragraph 62-625.500(2)(e), F.A.C.

(3) The control authority (except where the Department is acting as the control authority) may determine that an industrial user subject to categorical pretreatment standards under Rule 62-625.410, F.A.C., including 40 CFR Chapter I, Subchapter N, Parts 405 through 471, is a non-significant categorical industrial user.

(4) Upon a finding that an industrial user meeting the criteria in paragraph (2) above has no reasonable potential for adversely affecting the WWF's operation or for violating any pretreatment standard or requirement, the control authority may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with paragraph 62-625.500(2)(e), F.A.C., determine that such industrial user is not a significant industrial user.

Slug Discharge means any discharge of a non-routine, episodic nature, which has a reasonable potential to cause interference, pass through or in any other way violate the WWF's regulations, local limits or permit conditions.

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.

State means State of Florida.

Storm drain sometimes termed storm sewer, it shall mean a drain or sewer for conveying surface 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 there from.

Suspended solids (SS) means total suspended solid matter that either floats on the surface of or is in suspension in water, sewage 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 non-filterable residue.

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 sewers and wastewater treatment facilities provided.

Useful life means the estimated period during which a wastewater treatment works will be operated.

User charge means that portion of the total water and sewage readiness to serve charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the water and sewage systems.

User (customer) means any person or firm who contributes causes or permits the contribution of sewage into board's POTW.

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

Wastewater treatment system means the devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial sewage. These include intercepting sewers, outfall sewers, sewage collection systems, pumps, power and other equipment and their appurtenances; extensions improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated sewage in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal sewage or industrial sewage, including sewage in combined stormwater and sewer systems.

Water meter means a water volume measuring and recording device, furnished and/or installed by the board or a user, and approved by the board.

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 of Florida or any portion.

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

WWF means wastewater facility or a POTW

Sec. 24-103. - Abbreviations.

The following abbreviations shall have the designated meanings:

ASTM	-	American Society Testing Materials
Board	-	Board of Commissioners, Okaloosa County, Florida
BOD	-	Biochemical Oxygen Demand
CFR	-	Code of Federal Regulations
COD	-	Chemical Oxygen Demand
CWA	-	Clean Water Act
EPA	-	Environmental Protection Agency
FDEP	-	Florida Dept. Of Environmental Protection
l	-	Liter
mg	-	Milligrams
mg/l	-	Milligrams per liter
NPDES	-	National Pollutant Discharge Elimination System
OCWS	-	Okaloosa County Water and Sewer

POTW	-	Publicly Owned Treatment Works
SIC	-	Standard Industrial Classification
SWDA	-	Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
TSS	-	Total Suspended Solids
USC	-	United States Code
WEF	-	Water Environmental Federation
WWF	-	Wastewater Facility

Sec. 24-104. - Ordinance adoption.

The Board does hereby find that such rates, fees, charges, rules and regulations herein set forth shall be necessary to provide funds sufficient at all times to pay the cost of expanding, maintaining, repairing and operating the said water and sewer systems, including the reserves for such purposes and for replacements and depreciation and necessary extensions, and to pay the principal of, and the interest on, all bonds and other debts presently outstanding and payable from such revenues. A copy of the foregoing ordinance including a schedule of such rates, fees and charges shall be kept on file in the office of the Clerk of the Circuit Court for Okaloosa County and shall be open to inspection by all parties interested.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of this article shall not affect the validity of any other part of this article which can be given effect without such invalid part or parts.

Secs. 24-105. - 24-130. - Reserved.

DIVISION 2. - PERMITS, MONITORING, AND REPORTING

Sec. 24-131. - Sewage dischargers.
Sec. 24-132. - Water and sewer permits.
Sec. 24-133. - Permit modifications and revocation.
Sec. 24-134. - Permit conditions.
Sec. 24-135. - Permit duration.
Sec. 24-136. - Permit transfer or changed conditions.
Sec. 24-137. - Permit fees.
Sec. 24-138. - Reporting requirements for permittee.
Sec. 24-139. - Monitoring facilities.
Sec. 24-140. - Inspection and sampling.
Sec. 24-141. - Pretreatment.
Sec. 24-142. - Certification statements.
Sec. 24-143. - Regulation of waste from other jurisdictions.
Sec. 24-144. - Confidential information.
Secs. 24-145—24-160. - Reserved.

Sec. 24-131. - Sewage dischargers.

It shall be unlawful to use public water or discharge sewage to the public sewage system without a permit, except as authorized by the Board in accordance with the provisions of this article.

Sec. 24-132. - Water and sewer permits.

(1) When requested by the Director, a User must submit information on the nature and characteristics of its wastewater within 45 days of the request. The Director is authorized to prepare a form for this purpose and may periodically require Users to update this information.

(2) The Director may designate a User to be a Non-Significant Categorical User in accordance with the definition in Section 24-102. Such a designation must be in writing and based on an annual update from the User as to the quantity and nature of the wastewater being discharged by the User to the sewer system.

(3) *Permits:*

a. All Significant Users, as defined in section 24-102, proposing to connect to the water and sewer system shall obtain a permit before connecting to the water system or contributing to the sewage system.

b. All existing Significant Users, as defined in section 24-102, connected to the water system or connected and contributing to the sewer system shall obtain a water or sewer permit within 180 days after the effective date of this article.

(4) *Permit Application:* Significant Users as defined in section 24-102 required to obtain a permit in accordance with this article shall complete and file, with the Board, an application on the form prescribed by the Board and accompanied by a fee as specified in Appendix A. Existing Significant Users shall apply for a water or sewer permit within 30 days after the effective date of this article. Proposed new significant users shall apply at least 30 days prior to connecting to water or sewer service. In support of the application, the significant users shall submit, in units and terms appropriate for evaluation, the following information:

a. Name, address, and location, (if different from the user's address);

- b. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- c. Sewage constituents and characteristics including but not limited to those mentioned in this article as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- d. Time and duration of sewage contribution;
- e. Average daily and three-minute peak sewage flow rates including daily, monthly and seasonal variations if any;
- f. Site plans, floor plans, mechanical and plumbing plans and details to show all water supply and sewers, water and sewer connections and appurtenances by the size, location and elevation.
- g. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged to the sewer;
- h. Where known, the nature and concentration of any pollutants in the discharge to the sewer which are limited by any county, state, or federal pretreatment standards along with 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;
- i. 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:

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment equipment 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.).
 2. No increment referred to in this paragraph (a) shall exceed nine months.
 3. 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 Board including, as 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 9 months elapse between such progress reports to the Board.
- j. Each product produced by type, amount, process or processes and rate of production;
 - k. Type and amount of raw materials processed (average and maximum per day);
 - l. Number and type of employees, hours of operation of facility, and proposed or actual hours of operation of pretreatment system;

- m. Any other information as may be deemed by the Board to be necessary to evaluate the permit application.
 - n. A list of any current environmental permits held by the facility.
 - o. A list and a diagram showing the location of any existing monitoring locations.
1. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 24-142.
 2. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Director prior to, or together with, any reports to be signed by an Authorized Representative
 3. A facility determined to be a Non-Significant Categorical Industrial User by the Director must annually submit the signed certification statement in Section 24-142.

The Director will evaluate the data furnished by the user and may require additional information. Once the application is complete, the Director will act on the application within 30 days. Failure to act within this time limit does not grant a permit by default. If action is not taken within 30 days, the applicant may appeal directly to the Board. After evaluation and acceptance of the data furnished, the Board may issue a water or sewage user permit subject to terms and conditions provided herein. The applicant may appeal directly to the Board if the applicant objects to the action taken. Such an appeal must be represented to the Board within 45 days of the action taken.

Sec. 24-133. - Permit modifications and revocation.

- (1) The Director may modify an individual wastewater discharge permit for good cause. The right and ability of the Director to make such modifications shall be included as an express term of any permit issued. Good cause shall be limited to, the following reasons:
- a. To incorporate any new or revised Federal, State or local Pretreatment Standards or Requirements;
 - b. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
 - c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - d. Information indicating that the permitted discharge poses a threat to the County's POTW, County personnel or the receiving waters;
 - e. Violation of any terms or conditions of the individual wastewater discharge permit;
 - f. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - g. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
 - h. To correct typographical or other errors in the individual wastewater discharge permit;
 - i. To reflect a transfer of the facility ownership or operation to a new owner or operator;
 - j. The development of revised more stringent local limits.

(2) The Director may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- a. Failure to notify the Director of significant changes to the wastewater prior to the changed discharge;
- b. Failure to provide prior notification to the Director of changed conditions pursuant to Section 24-134 of this ordinance;
- c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- d. Falsifying self-monitoring reports and certification statements;
- e. Tampering with monitoring equipment;
- f. Refusing to allow the Director access to the facility premises and records;
- g. Failure to meet effluent limitations;
- h. Failure to pay fines;
- i. Failure to pay sewer charges;

Sec. 24-134. - Permit conditions.

Water and sewer user permits shall be expressly subject to all provisions of this article, and all other applicable regulations, user charges and fees established by the Board. Permits shall contain the following:

- (1) The unit charge or schedule of user charges and fees for the sewage to be discharged to the public sewer;
- (2) Limits on the average and maximum sewage constituents and characteristics. These limits may prescribe limits based on the concentration or mass of constituents.
- (3) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
- (4) Requirements for installation and maintenance of inspection and sampling facilities;
- (5) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (6) Compliance schedules;
- (7) Requirements for submission of technical reports or discharge reports (see reporting requirements for permittee);
- (8) Requirements for maintaining and retaining plan records relating to sewage discharge as specified by the Board, and affording Board access thereto;
- (9) Requirements for notification of the Board of any new introduction of sewage constituents or any substantial change in the volume or character of the sewage constituents being introduced into the sewage treatment system;

- (10) Requirements for notification of slug discharges as per this article;
- (11) Statement of non-transferability without prior notification to the control authority and without providing a copy of the existing control mechanism to the new owner or operator;
- (12) Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules shall not extend the compliance date beyond applicable State or Federal deadlines;
- (13) Effluent limits, including best management practices, based on applicable general pretreatment standards in this chapter, categorical pretreatment standards, local limits, and State law and local law;
- (14) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
- (15) Other conditions as deemed appropriate by the Board to ensure compliance with this article.

Sec. 24-135. - Permit duration.

Permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Board during the term of the permit as limitation or other just cause exists. The user shall be informed of any proposed changes in their permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Sec. 24-136. - Permit transfer or changed conditions.

Water user or sewage discharge permits are issued to a specific user for a specific operation. A water user or sewage discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Board. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

Each User must notify the Director of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least 90 days before the change. The Director may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 24-132 of this ordinance.

Sec. 24-137. - Permit fees.

The Board may establish charges and fees when necessary which may include:

- (1) Fees for reimbursement of costs of setting up and operating the board's pretreatment program;
- (2) Fees for monitoring, inspections, and surveillance procedures;
- (3) Fees for reviewing accidental discharge procedures and construction;
- (4) Fees for mobile discharge operations permit;
- (5) Fees for permit applications;
- (6) Fees for permit renewal;
- (7) Fees for filing appeals;

- (8) Other fees as the Board may deem necessary to carry out the requirements contained herein.

The current fees are listed in Appendix A.

Sec. 24-138. - Reporting requirements for permittee.

(1) Baseline Monitoring Reports.

Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a) (4), whichever is later, existing Categorical 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 ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial 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. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

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

a. All information required in Section 24-132 (4)

b. Measurement of pollutants.

1. The User shall provide the information required in Section 24-132 (4)

The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

3. Samples should 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 User should measure the flows and concentrations necessary to allow use of the combined waste-stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e), this adjusted limit along with supporting data shall be submitted to the Control Authority;

4. Sampling and analysis shall be performed in accordance with Section 24-138 (7) of this ordinance;

5. The Director may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

6. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

c. Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 24-102 and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis. If not, it shall be indicated whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

d. 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 must be provided. 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 24-132(4)(i) of this ordinance.

e. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 24-142 of this ordinance and signed by an Authorized Representative as defined in Section 24-102.

(3) Periodic compliance reports.

a. All Significant Industrial Users must, at a frequency determined by the Director, submit no less than twice per year (July 28 and January 28) reports indicating the nature, 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. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation, required by the Director of the Pretreatment Standard necessary to determine the compliance status of the User.

b. If the user's discharge is limited as to the mass of the pollutant in the discharge, the report required by subparagraph above of this paragraph shall indicate the mass of pollutants regulated by pretreatment standards in the sewage of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentrations, or production and mass where requested by the Board or pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the applicable pretreatment standard. All analysis shall be performed in accordance with procedures established by the approval authority pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the EPA administrator. Sampling shall be performed in accordance with the techniques approved by the approval authority (FDEP).

c. All periodic compliance reports must be signed and certified in accordance with Section 24-142 of this ordinance.

d. 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.

e. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location, more frequently than required by the Director, using the procedures prescribed in Section 138(g) of this ordinance, the results of this monitoring shall be included in the report.

(4) Reports of Potential Problems.

a. In the case of any discharge, including but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or Slug Load that might 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.

b. Within five (5) 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 might 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 ordinance.

c. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (a.)above Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

d. Significant Industrial Users are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge.

(5) Notice of Violation/Repeat Sampling and Reporting.

If sampling performed by a User indicates a violation; the User must notify the Director within twenty-four (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 thirty (30) days after becoming aware of the violation. Re-sampling by the Industrial User is not required if the County performs sampling at the User's facility at least once a month, or if the County performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the County receives the results of this sampling, or if the County has performed the sampling and analysis in lieu of the Industrial User.

(6) Notification of the Discharge of Hazardous Waste.

a. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall 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 twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 24-134 of this ordinance. The notification requirement in this Section does not apply under the self-monitoring requirements of Sections 24-138 of this ordinance.

b. Dischargers are exempt from the requirements of paragraph (a), above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

c. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Director, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

d. In the case of any notification made under this Section, the 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.

e. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued there under, or any applicable Federal or State law.

(7) 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 40 CFR Part 136 and amendments thereto and Paragraph 62-625.600(1)(e), F.A.C., Chapter 62-160, F.A.C., and the Department of Environmental Protection Standard Operating Procedures for Field Activities, DEP-SOP-001/01 (DEP-SOP-001/01, FS 2400, Wastewater Sampling) unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Director or other parties approved by EPA.

(8) Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report and based on data that is representative of conditions occurring during the reporting period.

a. 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 Director. Where time-proportional composite sampling or grab sampling is authorized by the Director, 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 maybe 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 Director, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

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

c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 24-138 (a) and 24-138(j) [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 are available, the Director may authorize a lower minimum. For the reports required by paragraphs Section 24-138 (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.

(9) Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements and documentation associated with Best Management Practices. Records shall include the date, exact place, method, time of sampling, name of the person(s) taking the samples, 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 County, or where the User has been specifically notified of a longer retention period by the Director.

(10) Reports on Compliance with Categorical Pretreatment Standard Deadline.

Within ninety (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 24-132(c) and 24-138(b) 2 of this ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 24-134[Note: See 40 CFR 403.6(c)], this report shall contain a reasonable equivalent measure of the User's long-term production rate. For all other Users 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 24-142 of this ordinance. All sampling will be done in conformance with Section 24-138(g) and Section 23-138(h).

(11) All Users not required to obtain an individual wastewater discharge permit shall provide appropriate surveys and/or reports to the Director as the Director may require.

Sec. 24-139. - Monitoring facilities.

The Board shall require to be provided and operated at the users own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises, but the Board may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Board's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Board.

Sec. 24-140. - Inspection and sampling.

The Board shall inspect the facilities of any User to ascertain whether the purpose of this article is being met and all requirements are being complied with. Persons or occupants of premises where sewage is created or discharged shall allow the Board or their duly authorized representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying of records or in the performance of any of their duties. The Board, approval authority and (where the state is the approval authority), EPA shall have the right to setup on the User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Board, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

- (1) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be borne by the User.
- (2) Unreasonable delays in allowing the Director access to the User's premises shall be a violation of this ordinance.
- (3) Search Warrants: If the Director has been refused access to a building, structure, property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the

County designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Director may seek issuance of a search warrant from the 1st Judicial Circuit Court in and for Okaloosa County, Florida.

Sec. 24-141. - Pretreatment.

Significant Users shall provide necessary wastewater pretreatment as required to comply with this article and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Board shall be provided, operated and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Board for review, and shall be acceptable to the Board before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce wastewater acceptable to the Board under the provisions of this article. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Board prior to the User's initiation of the changes.

All records relating to compliance with pretreatment standards will be made available to officials of the EPA or approval authority upon request.

Sec. 24-142 - Certification statements.

(1) Certification of Permit Applications and User Reports

The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 24-132 and Users submitting periodic compliance reports required by Section 24-138. The following certification statement must be signed by an Authorized Representative as defined in Section 24-102:

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.

(2) Annual Certification for Non-Significant Categorical Industrial Users—A facility determined to be a Non-Significant Categorical Industrial User by the Director pursuant to 24-132 must annually submit the following certification statement signed in accordance with the signatory requirements in Section 138(b)(5). This certification must accompany an alternative report required by the Director:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

(a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 24-102

(b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and

(c) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based on the following information.

Sec. 24-143 - Regulation of waste received from other jurisdictions.

(1) If another municipality, or User located within another municipality, contributes wastewater to the POTW, the Director shall enter into an inter-local agreement with the contributing municipality.

(2) Prior to entering into an agreement required by paragraph (1), above, the Director shall request the following information from the contributing municipality:

- a. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
- b. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
- c. Any other information as the Director may deem necessary.

(3) An inter-local agreement, as required by paragraph (1), above, shall contain the following conditions:

- a. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and Local Limits, including required Baseline Monitoring Reports (BMRs) which are at least as stringent as those set out in Section 138 of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to County's ordinance or Local Limits;
- b. A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;
- c. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Director; and which of these activities will be conducted jointly by the contributing municipality and the Director;
- d. A requirement for the contributing municipality to provide the Director with access to all information that the contributing municipality obtains as part of its pretreatment activities;
- e. Limits on the nature, quality and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
- f. Requirements for monitoring the contributing municipality's discharge;
- g. A provision ensuring the Director access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Director; and
- h. A provision specifying remedies available for breach of the terms of the inter-local agreement.

Sec. 24-144 - Confidential information.

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, monitoring programs, and from the Director's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Director, that the release of such information would divulge information,

processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES, or State Wastewater Program, or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

Secs.24-145.-24-160. - Reserved.

DIVISION 3. - USER CHARGES; COMBINED WATER, SEWER SERVICE AND WASTEWATER TREATMENT RATES

Sec. 24-161. - Generally.

Sec. 24-162. - Inclining block rate structure.

Sec. 24-163. - Water conservation rate—Residential single-family customers only.

Sec. 24-164. - Life line water rate.

Sec. 24-165. - Sewer consumption rate billing cap—Residential single-family customers only.

Sec. 24-166. - Potable water.

Sec. 24-167. - Sanitary sewer.

Sec. 24-168. - Late charges.

Sec. 24-169. - Service availability.

Sec. 24-170. - Expansions and extensions.

Sec. 24-171. - Customer deposits.

Sec. 24-172. - Site specific water and sewer capacity expansion charges.

Sec. 24-173. - Non-site specific capacity expansion charges sold by Okaloosa County.

Sec. 24-174. - User classification.

Sec. 24-175. - Collection fees.

Sec. 24-176. - Hold harmless.

Sec. 24-177. - Construction water.

Sec. 24-178. - Fire hydrant meters.

Sec. 24-179. - Customer adjustments.

Secs. 24-180—24-190. - Reserved.

Sec. 24-161. - Generally.

The water and sewer rates contained within this section shall be synonymous with the term "user charges" as defined in section 24-102 of this article. The charges set forth are for customers meeting the treatment parameters set forth in Division 5. In such cases where a User exceeds the normal treatment standards and the Board agrees to treat such waste, a surcharge will be placed in order to cover additional treatment costs. The method for determining all charges shall include all costs necessary to provide proper system O & M, replacement, and meet debt service requirements in order to maintain the system as an "enterprise fund" as defined in section 24-101 and Division 5. These rates shall be reviewed annually during the County's budget formulation period to reflect the ongoing needs of the system. The County's budget shall be available for review during the public hearing phase of the County's budget preparation. Additionally, any rate changes, if adopted, will be advertised in a paper of major circulation prior to final implementation.

The water and sewer system budget shall be produced in accordance with GAMP standards and State of Florida accounting codes, to include, but not limited to: salaries and wages; indirect salary and wage costs; contractual services; materials and supplies; utilities; mechanical and vehicular equipment replacement; and, debt service.

Sec. 24-162. - Inclining block rate structure.

The water rate structure for single family residential customers includes an inclining block rate structure. An inclining block rate structure is one in which the rate per 1,000 gallons of water usage increases as water usage increases. The rate increases in usage blocks, or ranges of usage. For example, in the Okaloosa County residential single family water rate structure specified in Appendix A of this Ordinance, the lowest rate is paid for water usage between 0 and 3,000 gallons per month. The rate is higher for water usage between 3,001 and 10,000 gallons per month.

Sec. 24-163. - Water conservation rate—Residential single-family customers only.

For water usage over 10,000 gallons per month, the rate is even higher and represents a conservation rate, as all usage by a single family customer over this amount can be considered to be excessive relative to the typical usage requirements of this customer class. This higher rate is intended to provide a financial incentive to encourage water conservation.

Sec. 24-164. - Life line water rate.

The lowest rate block in the inclining block rate described in the preceding paragraphs can be considered a "life line" rate. The intent of a life line rate is to shelter the amount of water usage typically required for essential domestic requirements from high rates. This is accomplished in the Okaloosa County water rate structure as part of the total inclining block rate structure and serves not only as a life line rate, but also as a conservation incentive in that it provides an economic benefit for lower water usage, even at the low end of the usage profile of single family residential customers.

Sec. 24-165. - Sewer consumption rate billing cap—Residential single-family customers only.

When an inclining block water rate structure is implemented, which includes a conservation block, it is appropriate to cap sewer billings for single-family residential users at a level consistent with the usage at which the conservation rate takes effect. The theory of this sewer billing cap is that water usage above the conservation rate level is for irrigation and is not being returned to the sewer for treatment; therefore, there should not be a charge for sewage treatment for water use above that level. The Okaloosa County sewer rate structure has such a sewer billing cap for residential single family customers for all water usage above 10,000 gallons per month, which is also the usage level at which the water conservation rate takes effect.

Sec. 24-166. - Potable water.

- (1) *User charges.* The charges fixed in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance, are hereby designated and fixed as the basic charges for potable water sold to customers within the County service area and which shall be paid by each customer of the Board using potable water within the County service area and these charges shall be included and become part of the combined water and sewer charges as fixed hereof in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance.

A Customer shall be deemed to mean a connection to this system which receives one billing even though many "Users" may receive service from the system through such "Customers." "User" shall be deemed to mean one of a multiple number being provided service together with others of that number through one "Customer." For example, the apartment house is the "Customer" and each apartment is a "User", and a mobile home park is a "Customer", while each of the mobile homes parked therein is a "User."

The inter-utility emergency water rate which is set by inter-local agreements shall remain unchanged at \$1.00 per 1,000 gallons.

- (2) *Capacity expansion charges.* The Water and Sewer department will perform all connections and disconnections to the water and sewer system. The fees fixed in Appendix A—User Charge Tables For Okaloosa County Water and Sewer Charge Ordinance, are hereby designated and fixed as water capacity expansion charges (formerly referred to as "tapping fees") and shall be paid by each new connection to the water system. These charges are for the purpose of defraying the cost of providing water supply capacity to serve each new connection. The actual cost of construction of any line required to make the connection will be charged to the customer in addition to the charges specified herein. The cost of construction and cost of meter sets over one inch may include a fifteen percent administrative charge, added to the subtotal of material, labor, and contracted services.

(3) *Maintenance responsibility.* It is the responsibility of the property owner to install and maintain water service lines from the end of the County's water service line to the property owner's building or facility. The County's maintenance responsibility for water service lines is for that portion of the service line which is within County rights-of-way or dedicated or public easements. Water service lines are defined as the following: the water service line itself plus the meter box or vault, the water meter and all associated plumbing, valves and fixtures inside the meter box or vault. If the Customer's water service line or lines are connected to a private water main on private property controlled by a private subdivision, mobile home park, condominium, townhouse, apartment or similar entity, then only the meter box or vault, the water meter and all associated plumbing, valves and fixtures inside the meter box or vault will be the responsibility of the Water and Sewer department. If the County provides water service to a customer, then the County owns and maintains the meter box or vault, the water meter and all associated plumbing, valves and fixtures inside the meter box or vault – regardless of the location of the meter box or vault. Further, the County has the right to perform any meter-related duties on meters owned by the County, including, but not limited to reading, maintenance, replacement, service initiation, and service termination. If there exists a leak on a privately owned main or service line, it is the responsibility of the owner to report and repair the leak in a timely manner. Failure to do so shall result in the service being terminated by the Water and Sewer department until the repairs are completed to the satisfaction of the Water and Sewer department.

Sec. 24-167. - Sanitary sewer.

(1) *User charges.* The charges fixed in Appendix A—User Charge Tables for Okaloosa County Water and Sewer User Charge Ordinance, are hereby designated and fixed as the basic charges for sanitary sewer services made available to Customers within the County service area and which shall be paid by each Customer for whom sewer service is available within the area served and these charges shall be included and become part of the combined water and sewer charges as fixed hereof in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance.

(2) *Capacity expansion charges.* The Water and Sewer department will perform all connections and disconnections to the sanitary sewer system. The fees fixed in Appendix A—User Charge Tables for Okaloosa County Water and Sewer User Charge Ordinance, are hereby designated and fixed as sewer capacity expansion charges (formerly referred to as "tapping fees") and shall be paid by each new connection to the sanitary sewer system.

These charges are for the purpose of defraying the cost of providing sanitary sewer treatment and disposal capacity to serve each new connection. The actual cost of construction of any line required to make the connection will be charged to the Customer in addition to the charges specified herein. The cost of construction may include a fifteen percent administrative charge, added to the subtotal of material, labor, and contracted services.

(3) *Maintenance responsibility.* It is the responsibility of the property owner to install and maintain sewer lateral lines from the end of the County's lateral, including the connection point, to the property owner's building or facility. Maintenance of the County's laterals which lie within County rights-of-way or dedicated or public easements, to the trunk line will be the responsibility of the Water and Sewer department up to, but not including, the connection point. If there exists a leak on a privately owned main or service line (for a private subdivision, mobile home park, condominium townhouse, apartment or similar entity) where unauthorized inflow occurs (such as sand, stormwater, or potable water), it is the responsibility of the owner to report and repair the leak in a timely manner. Failure to do so shall result in the water and/or sewer service being terminated by the Water and Sewer department until the repairs are completed to the satisfaction of the Water and Sewer department.

Sec. 24-168. - Late charges.

The Board shall collect a late charge of ten percent of the amount of any bill for any User of the services and/or facilities of the water or sewer system which has not been paid within 15 days after the bill date as printed on the Customer's utility bill.

Sec. 24-169. - Service availability.

The Board recognizes that there will be instances where the service is not available and cannot be made available within a reasonable time, and the Board will consider each case presented to the Board in writing and will determine in its discretion whether or not the service is available or will become available within a reasonable time and the Board reserves the right to make no water or sewer charge in those cases where the service is not available or cannot be made available within a reasonable time.

Sec. 24-170. - Expansions and extensions.

The sewer charges include estimated sums required to continue the expansion, extension and development of the sewer system to areas not now served by such system, and the Board recognizes that it cannot complete the services to these areas except in an orderly and planned expansion program extending over a reasonable time. The Board will consider each case upon the merits and the facts peculiar to such case and will determine in its discretion whether or not the sewer service is available to the location or will become available to the location within a reasonable time.

Sec. 24-171. - Customer deposits.

The Board shall collect deposits from all County water and sewer system Customers to ensure payment of final bills. The schedule of deposits in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance, are hereby designated and fixed as the deposits to be paid by all Customers of the County water and sewer system connecting after the effective date of this article.

Any interest earned by the Board on the deposits while held by the board shall be deemed an additional charge for water and sewer service.

The current deposit on record will be credited to the account of single family residential customers who have remained in good standing for a minimum of 10 years. Good standing shall be defined as no late payments. If a customer receives a deposit back and then is delinquent on a payment, the deposit at the current rate may be reinstated on the next bill.

Sec. 24-172. - Site specific water and sewer capacity expansion charges.

Water and sewer capacity expansion charges (formerly referred to as "tapping fees") shall be for a specific project at a specific site and shall not be transferable, except as noted in section 24-173 below. No water and/or sewer capacity expansion charge that has been physically connected to the Okaloosa County Water and/or Sewer System shall be allowed to be moved to any other site. Water and sewer capacity expansion charges are non-refundable, unless the physical connection to the Okaloosa County Water and/or Sewer System has not been made; in that case, any refunds would be for the original charges paid (not necessarily the current charges listed in Appendix A) to the current land owner. Capacity expansion charges run with the land. Any interest earned by the Board on capacity expansion charges while being held by the Board shall be deemed an additional charge for water and sewer service.

Sec. 24-173. - Non-site specific capacity expansion charges sold by Okaloosa County.

Any non-site specific water and sewer capacity expansion charges (formerly referred to a "tapping fees") sold by Okaloosa County between March of 1982 and April of 1985, for which no physical connection has been made to the Okaloosa County Water and/or Sewer System, may be used toward payment of capacity expansion charges for new construction projects. Each of the non-site specific capacity expansion charges sold by Okaloosa County between March of 1982 and April of 1985, for which no physical connection has been made to the Okaloosa County Water and/or Sewer System shall be valued at one equivalent residential unit (ERU) based on the charges in effect at the time of the passage of this article as listed in Appendix A. This value shall be applied as a credit toward the payment of any applicable water or sewer capacity expansion charges. The ERU credit value for these non-site specific capacity expansion charges shall be permanently fixed at the price in effect at the time of

the passage of this article and shall never increase.

Sec. 24-174. - User classification.

Where a Commercial User and Residential User are billed through the same meter, the account will be billed as a commercial account.

Sec. 24-175. - Collection fees.

A five percent collection fee will be charged to all other agencies or entities for which the Board bills and collects from Customers.

Sec. 24-176. - Hold harmless.

The Customer accepts responsibility for the interior plumbing being in proper working order and turned off when requesting new service or reconnection of water service. The Customer expressly assumes responsibility and all liability for any damage to the premises and to any damage that may occur to the property of others. The Customer will indemnify and hold harmless the Board and its representatives for any resulting damage to the owner and/or tenant's premises and the real and personal property of others due to the aforementioned turning on of service at the water meter.

Sec. 24-177. - Construction water.

Water used for construction purposes shall be metered and shall be billed in accordance with the "potable water charges" as specified in Appendix A. If sewer is available as defined in this article, usage shall be billed in accordance with the "sanitary sewer charges" as specified in Appendix A. Such billing for sewer is to commence 120 days from the meter set date.

Sec. 24-178. - Fire hydrant meters.

Fire hydrants shall be operated only by the employees of the water department and employees of legal fire districts approved by the Board, in the proper exercise of their duties. Temporary use of fire hydrants by other persons, corporations or entities shall only be permitted with the approval of the Director of the water department and only after the installation by water department employees of a fire hydrant meter and approved backflow prevention assembly. A deposit and set charge in the amount specified in Appendix A must be paid in advance of the installation. Consumption charges shall be billed in accordance with the "potable water charges" as specified in Appendix A.

Sec. 24-179. - Customer Adjustments.

For residential users, in the case of a water leak, adjustments to monthly billing may occur on a case-by-case basis, as determined by the Director, or his/her designee. Adjustments for commercial users will be per the provisions of written policy adopted by the Board on July 1, 2008.

Secs. 24-180. - 24-190. - Reserved.

DIVISION 4. - FIRE AND IRRIGATION WATER SERVICE RATES

Sec. 24-191. - Irrigation sprinkler system.

Sec. 24-192. - Reclaimed water.

Sec. 24-193. - Fire line connections.

Secs. 24-194—24-210. - Reserved.

Sec. 24-191. - Irrigation sprinkler system.

The rates charged for irrigation systems shall be the standard water and sewer rates for the appropriate customer class, as specified in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance. Separate water meters for irrigation purposes are prohibited, except for residential single family customers meeting all of the following strict conditions:

- (1) That the Customer shall have both water and sewer service provided by Okaloosa County Water and Sewer.
- (2) That the Customer shall provide written documentation that they cannot install an irrigation well utilizing the sand and gravel aquifer. This shall consist of a notarized written statement from a licensed well drilling contractor stating that the sand and gravel aquifer is not accessible on that customer's property, or a notarized copy of a legally binding homeowner's association covenant which prohibits the customer from installing irrigation well.
- (3) That the Customer shall be responsible for the cost of the installation of the irrigation meter by the Okaloosa County Water and Sewer System as specified in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance. The Customer shall be responsible for having a licensed plumber or licensed lawn irrigation contractor connect their irrigation system to the irrigation meter, after obtaining all required permits. Installation of an automatic rain sensor shutoff shall also be required.
- (4) That the total consumption of the Customer's domestic and irrigation meters shall be combined and subject to the inclining block rate structure for residential single family water consumption as specified in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance. The consumption recorded by the irrigation meter shall not be subject to sewer consumption charges.

The Board discourages the use of potable water for irrigation purposes and encourages the use of reclaimed water and sand and gravel aquifer wells for irrigation purposes, where available, for irrigation.

Sec. 24-192. - Reclaimed water.

The Board encourages the use of reclaimed water for irrigation, where available, and is progressively expanding its system. When available, the Board requires utilization in lieu of the potable water system.

Sec. 24-193. - Fire line connections.

For fire connections to provide fire sprinkler systems on private property, Capacity Expansion Charges shall be as designated and fixed in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance. *Connection Size In Inches* is defined as the nominal diameter of the dedicated fire line as it enters the building; should a dedicated fire line enter multiple buildings, the *Connection Size In Inches* is defined as the nominal diameter of the dedicated fire line where it connects to the distribution system (public or private). The

actual cost of construction of any line required to make the connection will be charged to the Customer in addition to the charges specified herein. The cost of construction may include a fifteen percent administrative charge, added to the subtotal of material, labor, and contracted services.

Customers with fire connections shall pay a monthly charge for availability as designated and fixed in Appendix a—User Charge Tables for Okaloosa County Water and Sewer User Charge Ordinance. In the case of multiple unit buildings or facilities, the Owner of the real property shall be responsible for the payment of the monthly fire line charges as specified in Appendix A, even if the domestic water service is individually metered.

Fees for fire line connections to provide sprinkler systems must be paid in advance.

Should the Board have reason to believe that water is being used from any fire line connection for other than fire protection purposes, then the Board shall install a detector check. Should the detector check indicate such use, then the Owner shall be required to furnish and pay for the installation of a fire line meter in addition to other penalties imposed by the Board.

Secs. 24-194. - 24-210. - Reserved.

DIVISION 5. - ASSESSMENTS, CAPACITY EXPANSION CHARGES, SEWER REQUIREMENTS AND RESTRICTIONS

Subdivision I. - In General
Subdivision II. - Wastewater Treatment

Subdivision I. - In General

Sec. 24-211. - Water and sewer assessments.

Sec. 24-212. - Capacity expansion charge, date of charge and extended payment.

Sec. 24-213. - Multiple users defined.

Sec. 24-214. - Deferral of payment of capacity expansion charges for economic development purposes.

Secs. 24-215—24-230. - Reserved.

Sec. 24-211. - Water and sewer assessments.

The Board officially finds that there are instances where the Board may find it expedient to cooperate with the cities and/or residents in the Okaloosa County Service Area under an agreement between the cities and/or residents and the Board, under which the County will provide water and/or sewer improvements, and will assess the Owners of property on a front-foot basis for said improvements, such assessment not to exceed the measure of the charge which the Board fixes in this article unless specifically stated otherwise herein.

Sec. 24-212. - Capacity expansion charge, date of charge and extended payment.

The Board finds and declares that on and after the date of passage of this article, for each new connection to the water and/or sewer system, the fee unless otherwise specified by an acquisition agreement (related to non-county water and/or sewer system acquisition) shall be at a minimum, the amount specified in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance for each equivalent residential unit (ERU), based upon ERU equivalencies as specified in the aforementioned Appendix A, payable in advance of the issuance of a construction permit, to defray the cost of providing the sanitary sewer lines and wastewater treatment and disposal plant capacity to serve such area. Such sums shall be paid by cash, certified check or partial payment contract within 90 days from the date that the service becomes available as applied to sewer system extension into areas where sanitary sewer service is not available.

(1) The partial payment plan shall apply to the total charges in such amounts as are respectively set out above, including the amount of any penalty, and shall be the cash rate plus a charge of ten percent of the total cash basis, such ten percent to include recording and cancellation fees, interest and agreement preparation costs. If the partial payment plan is elected, the initial payment shall be ten percent of the charges as identified plus an amount equal to a monthly payment of \$20.00 water and/or \$75.00 sewer. Thereafter, amount noted above shall be billed monthly, with the last payment amount being any unpaid balance.

(2) The partial payment plan shall only be available in those instances where the customer is currently being supplied with water or sewer services through a private well and/or septic tank located on the specific parcel of property that is being required to connect to the Board's service as the result of the extension of Board's water or sewer lines contiguous to the parcel of property to be served, and is intended to offset the impact to customers financially affected by the Board's water and sewer connection requirement.

(3) Effective with the passage of this article, any existing structures or facilities where the correct number of water and/or sewer capacity expansion charge ERUs have not been paid, shall be considered as having been

paid if the sewer has been connected as defined in this article for more than five years prior to the adoption of this article. This section shall only apply to capacity expansion fee requirements. Any other mandatory requirements in this article concerning sewer availability, mandatory connection to available sewer, or payment of water and sewer readiness to serve charges, consumption charges and flat fees, are not affected by this section.

Sec. 24-213. - Multiple users defined.

All water or sewer capacity expansion charges levied in the form of a fee collected at the time of the connection, to serve multiple-dwelling units, such as apartment houses, duplex apartments, office buildings, hotels, motels, mobile home parks and other buildings occupied by more than one commercial tenant such as stores within shopping centers and all other multiple-use establishments, shall pay the amount as fixed in Appendix A—User Charge Tables For Okaloosa County Water and Sewer User Charge Ordinance for each equivalent residential unit (ERU).

(1) The Board does hereby officially find and declare by this article that all such charges are necessary to partially defray the cost of providing a trunk water and/or sewer capacity sufficient to provide adequate water and/or sewer service for units involved.

(2) When any Applicant requests authorization to connect to a sewer line or water line of the Board for service to a multiple unit connection, or sub-division, such applicant shall file a certified statement showing the number of units within each multiple dwelling, apartment house, multiplex apartment, office building, hotel, motel, or other multiple-unit structure. The Applicant must execute the necessary agreements and make available to the Engineers for the Board, all plans and specifications covering the construction of the improvements which will use the sewer and/or water service system of the Board through the connection applied for. The Engineers for the Board shall determine the number of appropriate ERUs based on number of multiple units and the appropriate meter and/or connection size required to adequately serve the connection.

(3) In the event any Applicant requesting authorization to connect to the sewer system or water system of the Board incorrectly states, or misrepresents the facts to the Board in giving the information required in the application, an additional and further charge for each ERU is hereby fixed at 100 percent of the amount set forth above and levied as a penalty for failure to comply herewith.

(4) In the event subsequent additional demand is placed upon the system capacity by an existing Customer, additional charges shall apply as shown in the aforementioned Appendix A.

(5) The Board does hereby officially find and declare that a substantial part of providing water and sewer service is the cost of the large water and sewer mains and wastewater treatment plants and the charge for connections to such lines is in fact a charge which is levied to partially pay for the cost of the infrastructure.

(6) In the event any application is made for the right to connect to the sewer or water system of the Board, and payment for the permit is made after the date of this article, and a permit issued by the Board, the Board assumes no liability if there is no water line or sewer line then available and accessible to the location. Service may be provided at such future time as the Board may determine.

Each applicant must determine the location of the existing, proposed, available, or accessible sewer line or water line prior to making such application and must advise the Board of this location at the time of application.

(7) The Board does hereby officially find and declare that a substantial part of providing water and sewer service is the cost of the large water and sewer mains and wastewater treatment plants and the charge for connections to such lines is in fact a charge which is levied to partially pay for those costs. Multiple-unit customers are an additional burden on the capacity of the water or sewer lines, and the capacity of the

wastewater treatment plants, and an increase in charges must be levied against any user, based on the extent of such use.

Sec. 24-214. – Deferral of Payment of Capacity Expansion Charges for Economic Development Purposes.

(1)The Board hereby establishes a deferral program that allows the payment of water and sewer capacity expansion charges over time for those non-residential projects which have been determined to qualify as an Economic Development Project by the Okaloosa County Economic Development Council.

(2) Eligibility. In order to qualify for the deferral program, the non-residential business must have applied for and received an Economic Development Ad Valorem Tax Exemption by the County either prior to or concurrently with the approval of the deferral. In addition, the non-residential business must be certified by the Economic Development Council of Okaloosa County as a high impact economic development project within a target industry business as established under the provisions of section 288.106, Florida Statutes. A high impact economic development project shall be a project which creates one hundred (100) new high impact jobs and/or will provide a capital investment of at least ten million dollars (\$10,000,000).

(3) Terms of the deferral shall be as follows:

a. The payment of the water and sewer capacity expansion charges, which would normally be required to be paid in advance of the issuance of a building permit and the setting of the water meter, shall be deferred. Only the water and sewer capacity expansion charges shall be eligible for deferral and not the cost of expansion of any lines or infrastructure necessary to provide service to the project. The County is authorized, but not obligated, to enter into additional agreements to address the provision and funding of necessary capital infrastructure to serve a project based upon the specific circumstances of a particular project.

b. In lieu of payment prior to construction, the business shall be allowed to pay the water and sewer capacity expansion charges on their utility bill once service is instituted and shall be paid over a period of three years in equal monthly payments. The deferred payment plan shall apply to the total charges in such amounts as respectively set out in Appendix A-User Charge Tables for Okaloosa County Water and Sewer User Charge Ordinance except for an up-front charge of ten percent of the total amount deferred, including interest, recording and cancellation fees, and agreement preparation costs.

c. Prior to approval of the deferral program for the property, the owner must enter into an agreement with the County, which is approved by the board, requiring that they will pay the amounts of the water and sewer capacity expansion charges and that in the event, they fail to pay the full amount in any given month, water service will be cut off/locked in accordance with existing cut off practice, including due dates, past due dates and cut off dates. If the monthly charges are not paid for three months after the first due date, that the property owner consents that the remaining amount owed and any administrative costs involved may be assessed against the property and collected on the ad valorem tax bill as a non-ad valorem assessment against the property.

Secs. 24-215. - 24-230. - Reserved.

Subdivision II. - Wastewater Treatment

Sec. 24-231. - Findings; revenue.

Sec. 24-232. - Connection mandatory; permit termination.

Sec. 24-233. - Prohibited discharges generally; application for service, etc.

Sec. 24-234. - Discharge; consent and permission required; prohibited discharges enumerated.

Sec. 24-235. - Discharge alternatives.

Sec. 24-236. - Federal standards applicable; reporting requirements.

Sec. 24-237. - Local discharge limits.

Sec. 24-238. - Enforcement; penalty.
Sec. 24-239. - Interceptors.
Sec. 24-240. - Pretreatment or flow-equalizing facilities.
Sec. 24-241. - Significant industrial or commercial users.
Sec. 24-242. - Discharge of sewage into storm sewer prohibited.
Sec. 24-243. - Permit required for discharge of cooling and/or condensing water.
Sec. 24-244. - Compliance requirements.
Sec. 24-245. - Industrial charges and regulations.
Sec. 24-246. - Services for below grade users.
Secs. 24-247—24-260. - Reserved.

Sec. 24-231. - Findings; revenue.

The Board does hereby officially find and declare that each year it spends a substantial sum for the continued operation of its wastewater treatment plants, and that this service is essential to the health and welfare of the Users and to the Board and is necessary to prevent pollution of bayous, local waterways and waterbodies. It further declares and finds that they cannot perform this service unless it obtains revenue for that purpose.

Sec. 24-232. - Connection mandatory; permit termination.

Where no water service is made available by the Board and sewer service is available, sewer treatment service will be provided at the prevailing rates. The Board may, at its discretion, terminate any such person's permit to discharge such waste or sewage into the lines of the Board.

Where both water service and sewer service are available, connection to both is mandatory. Failure to connect does not relieve the customer from required billing.

Sec. 24-233. - Prohibited discharges generally; application for service, etc.

No person shall discharge or cause to be discharged any stormwater, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial process water into any sewer line.

Any person, firm, corporation, or other legal entity desiring to obtain service from the Board shall make written application to the Board for such service and shall in such application state all pertinent facts incident to the operations of the Applicant, including a statement of whether or not the Applicant obtains and uses water for industrial purposes from the Board, the estimated volume of sewage proposed to be included within the service of the Board, the estimated average amount of B.O.D., of suspended solids, and the percentage of fats and other defined materials to be disposed of. The Board shall determine whether or not it can or shall render the service and shall fix the terms and conditions on which the service shall be provided.

The Owner or his Agent shall make application on a special form furnished by the Board. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Board. A permit and inspection fee as specified in Appendix A shall be paid at the time the application is filed.

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 Board from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

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, courtyard, or driveway, the front building may be extended to the rear building. The Board does not and shall not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

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

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 code or other applicable rules and regulations of the Board. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manual of Practice No. 9 shall apply.

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, at the expense of the Owner.

No person shall make connection of roof downspouts, foundation drains, areaway drains, 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.

The Applicant for the building sewer permit shall notify the Board when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Board.

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 Board.

The Board will define the availability of sewers and costs associated with sewer permits or constructions.

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Board, or the procedures set forth in appropriate specifications of the ASTM and the WEF Manual of Practice No. 9. All such connections shall be made air tight and water tight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Board before installation.

If any house sewer permits entrance of infiltration or inflow, the Board may:

- (1) Require the Owner to repair the house sewer.
- (2) Charge the Owner a sewer rate that reflects the additional cost of sewage treatment from the Owner's property.
- (3) Require the Owner to temporarily disconnect his sewer from the Board's sewer system while repairs are being made.

Where sewer service is unavailable, all cost associated with permit, construction and extension shall be the responsibility of the permit applicant.

Sec. 24-234. - Discharge; consent and permission required; prohibited discharges enumerated.

No person shall discharge or cause to be discharged any waters or wastes into the sewer system of the Board until written application is made to, and written consent and permission granted by the Board and only upon such terms and conditions as the Board may fix. No person shall, without such consent, discharge or cause to be discharged into any public sewer any of the hereinafter described waters or wastes, substances or materials:

Waters or waste shall be limited in discharges to sewage 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 waters of the treated sewage, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Board may set limitations lower than the limitations established hereinafter, if, in their opinion, such more severe limitations are necessary to meet the above objectives. In forming their opinion as to the acceptability, the Board 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 treatment process employed, capacity of the wastewater treatment facilities, degree of treatability of the sewage in the wastewater treatment facility, and other pertinent factors.

(1) General prohibitions: An Industrial User shall not introduce into a WWF any pollutant which causes pass through or interference. These general prohibitions and the specific prohibitions below apply to each Industrial User introducing pollutants.

(2) Specific Prohibitions: The following limitations or restrictions on materials or characteristics of sewage or water discharged to the sewers which shall not be violated without approval of the Board are as follows:

- a. Any liquid or vapor having a temperature higher than 150°F (65°C) or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C).
- b. Any water or waste which contains more than 100 milligrams per liter by weight of fat, oil or grease.
- c. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- d. 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.
- e. 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 sewage 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.
- f. Any waters or wastes having a pH lower than 5.5 or greater than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage system.
- g. Any waters or wastes containing a toxic or poisonous substance or any other materials in sufficient quantity to injure or interfere with any wastewater treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving waters of the wastewater treatment plant.
- h. Any waters or sewage containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment plant.
- i. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- j. Any waters or wastes having a biochemical oxygen demand in excess of 300 milligram per liter.
- k. Any water or sewage containing more than 200 milligram per liter of suspended solids which shall include such materials as in subparagraph (b) above.

- l. Any waters or sewage having an objectionable color which is not removable in the existing wastewater treatment plant processes.
- m. Any unpolluted water or unpolluted sewage (ground water, i.e. well point water, roof runoff, subsurface drainage, Deionized water, Non-contact cooling water, unless specifically authorized by permit).
- n. Any radioactive sewage or isotopes of such half-life or concentrations as may exceed limits established in compliance with applicable state or federal regulations.
- o. Any waters or sewage containing odor-producing substances exceeding limits which may be established by the Board.
- p. Quantities of flow, concentrations, or both which constitute a "slug" as defined.
- q. Waters or sewage containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable 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.
- r. Any water or sewage which, by interaction with other water or sewage in the public sewer system, release obnoxious gases, form solids which interfere with the collection system, or create a condition deleterious to structures and wastewater treatment processes.
- s. Sewage containing constituents in concentrations which are in excess of the concentrations set for normal sewage (300 mg/l BOD, and 200 mg/l TSS, 30 mg/l TKN, 15 mg/l phosphorous.)
- t. Pollutants which create a fire or explosion hazard in the WWF.
- u. Heat in amounts which will inhibit biological activity in the WWF resulting in interference. Wastewater having a temperature greater than 150 degrees F (51.7degreesC), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
- v. Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through.
- w. Any trucked or hauled pollutants, except at discharge points designated by the County.
- x. Wastewater which impairs color and cannot be removed by the treatment process, or impairs the treatment process, such as but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent.
- y. Sludges, screenings or other residues from the pretreatment of industrial wastes.
- z. Medical Wastes, except as specifically authorized by permit.
- aa. Detergents, surface-active agents, or other substances which might cause excessive foaming.
- bb. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, or more than 10% of the Lower Explosive Limit of the meter.

