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ORDINANCE NO. 120261

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING CHAPTER 27, SECTION 27-96 OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING THE DEFINITION OF INSTANTANEOUS DISCHARGE LIMIT AND SIGNIFICANT INDUSTRIAL USER; AND ADDING DEFINITIONS FOR BEST MANAGEMENT PRACTICES, BIOSOLIDS AND NON-SIGNIFICANT CATEGORICAL INDUSTRIAL USER; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

16 **WHEREAS**, at least ten (10) days notice has been given of the public hearings once by publication
17 in a newspaper of general circulation notifying the public of this proposed ordinance and of the public
18 hearings in the City Commission meeting room, first floor, City Hall, City of Gainesville; and

19 **WHEREAS**, the public hearings were held pursuant to the published notices described above at
20 which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

21 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**
22 **GAINESVILLE, FLORIDA:**

23 **Section 1.** Chapter 27, Section 27-96, Definitions, of the Gainesville Code of Ordinances, is
24 hereby amended to read as set forth below. The remaining section except as provided below remains
25 unchanged and in full force and effect.

26 **Sec. 27-96. Definitions.**

27 The following words, terms and phrases, when used in this article, shall have the meanings ascribed
28 to them in this section unless the context clearly indicates otherwise:

29 Best Management Practices or BMPs shall mean schedules of activities, prohibitions of practices,
30 maintenance procedures, and other management practices to implement the prohibitions listed in section 27-
31 180.1. BMPs include but are not limited to treatment requirements, operating procedures, and practices to
32 control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

33 Biosolids shall mean the solid, semisolid, or liquid residue generated during the treatment of domestic
34 wastewater in a domestic wastewater treatment facility not including solids removed from pump stations, lift
35 stations, and screenings, grit, sand, and inorganic material removed from the preliminary treatment
36 components of domestic wastewater treatment facilities.

37 Instantaneous ~~maximum~~ discharge limit or instantaneous limit shall mean the maximum concentration
of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or

1 composited sample as specified by the general manager for utilities or his/her designee, independent of the
2 industrial flow rate and the duration of the sampling event.

3 Local discharge limit or local limit shall mean the maximum concentration or mass of a pollutant
4 allowed to be discharged, determined from the analysis of a sample collected in a manner as specified by the
5 general manager of utilities or his/her designee. Such limit may be an instantaneous ~~maximum~~-discharge
6 limit, daily ~~maximum~~ discharge limit, or average discharge limit as determined by the general manager of
7 utilities or his/her designee.

8 Non-Significant Categorical Industrial User shall mean an industrial user which the general manager
9 for utilities or his/her designee determines is not a significant industrial user based on a finding that the
10 industrial user discharges 100 gallons per day or less of total categorical wastewater (excluding sanitary, non-
11 contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard)
12 and:

13 (1) The industrial user has consistently complied with all applicable categorical pretreatment
14 standards and requirements and

15 (2) The industrial user annually submits the certification statement as specified in 62-625.600(17),
16 F.A.C. together with any information necessary to support the certification statement and

17 (3) The industrial user never discharges any untreated concentrated wastewater.

18 Significant industrial user shall mean:

19 (1) Any industrial user subject to categorical pretreatment standards, unless the general manager for utilities
20 or his/her designee determines the industrial user to be a Non-Significant Categorical Industrial User.

22 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of this
23 Ordinance shall become and be made a part of the Code of Ordinances of the City of Gainesville, Florida,
24 and that the Sections and Paragraphs of this Ordinance may be renumbered or re-lettered in order to
25 accomplish such intentions.

26 **Section 3.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
27 such conflict hereby repealed.

28 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance or the
29 application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not
30 affect the other provisions or applications of the ordinance which can be given effect without the invalid or
31 unconstitutional provisions or application, and to this end the provisions of this ordinance are declared
32 severable.

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Section 5. This ordinance shall take effect immediately upon its adoption; provided however, the rates and charges as provided for herein shall be applicable to all monthly bills which are for the first time rendered and postmarked after 12:01 A.M., October 1, 2012.

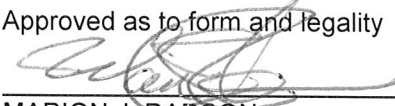
PASSED and ADOPTED this 20th day September, 2012.



CRAIG LOWE
MAYOR

ATTEST:


KURT LANNON
CLERK OF THE COMMISSION

Approved as to form and legality


MARION J. RADSON
CITY ATTORNEY

SEP 20 2012

This ordinance passed on first reading this 6th day of September, 2012.
This ordinance passed on second reading this 20th day of September, 2012.