

LEGISLATIVE #

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ORDINANCE NO. 120261

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING CHAPTER 27 OF THE GAINESVILLE CODE OF ORDINANCES RELATING TO WATER AND SEWERAGE; AMENDING SECTION 27-96 OF THE CODE OF ORDINANCES BY CREATING AND AMENDING CERTAIN DEFINITIONS AS MORE SPECIFICALLY SET FORTH IN THE ORDINANCE; 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.

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

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

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

Section 1. The words, terms, and phrases, “Instantaneous maximum discharge limit”, “Local discharge limit”, “Interference”, and “Significant industrial user” in Section 27-96, Definitions, of the Gainesville Code of Ordinances, are amended, and the words, terms and phrases, “Best management practices”, “Biosolids”, and “Non-significant categorical industrial user”, are created and added to said Section to read as follows. The remaining words, terms and phrases, except as provided below, remain unchanged and in full force and effect.

Sec. 27-96. Definitions.

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

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

Biosolids shall mean the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility not including solids removed from pump stations, lift

1 stations, and screenings, grit, sand, and inorganic material removed from the preliminary treatment
2 components of domestic wastewater treatment facilities.

3 Instantaneous ~~maximum~~ discharge limit or instantaneous limit shall mean the maximum concentration
4 of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or
5 composited sample as specified by the general manager for utilities or his/her designee, independent of the
6 industrial flow rate and the duration of the sampling event.

7 Interference shall mean the inhibition or disruption of the wastewater collection system, treatment
8 process or any wastewater system operations. This term includes disruption of wastewater sludge—biosolids
9 use or disposal.

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

15 Non-significant categorical industrial user shall mean an industrial user which the general manager
16 for utilities or his/her designee determines is not a significant industrial user based on a finding that the
17 industrial user discharges 100 gallons per day or less of total categorical wastewater (excluding sanitary, non-
18 contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard)
19 and:

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

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

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

25 Significant industrial user shall mean:

26 (1) Any industrial user subject to categorical pretreatment standards, unless the general manager for utilities
27 or his/her designee determines the industrial user to be a non-significant categorical industrial user.

28 (2) Any industrial user that discharges an average of 25,000 gallons per day or more of process wastewater
29 to the city wastewater system or contributes five percent or more of the dry weather hydraulic or organic
30 capacity of the city wastewater system, excluding sanitary and noncontact cooling and boiler blowdown
31 wastewater.

32 (3) Any industrial user designated significant by the general manager for utilities or his/her designee on the
33 basis that the industrial user has a reasonable potential for adversely affecting the city's wastewater collection
34 system, treatment process, or any wastewater system operation or for violating any federal, state, or local
35 discharge limit or standard.

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

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

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

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

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16 PASSED and ADOPTED this _____ day September, 2012.

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CRAIG LOWE
MAYOR

ATTEST:

KURT LANNON
CLERK OF THE COMMISSION

Approved as to form and legality

MARION J. RADSON
CITY ATTORNEY

This ordinance passed on first reading this ____ day of _____, 2012.

This ordinance passed on second reading this ____ day of _____, 2012.