

## ORDINANCE NO. 541

AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA IMPLEMENTING THE REQUIREMENTS OF THE MUNICIPAL USER PERMIT FOR DISCHARGE TO THE MILITARY POINT REGIONAL ADVANCED WASTEWATER TREATMENT FACILITY SYSTEM; ADOPTING LOCAL LIMITS THAT MEET OR EXCEED BAY COUNTY LOCAL LIMITS; AUTHORIZING THE OPERATOR A RIGHT OF ENTRY, OPPORTUNITY TO INSPECT, AND ABILITY TO CONDUCT ENFORCEMENT AGAINST INDIVIDUAL SIGNIFICANT INDUSTRIAL USERS IF THE CITY OF MEXICO BEACH FAILS TO DO SO; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Mexico Beach, Florida ("City") adopted Ordinance No. 529 setting forth uniform requirements for direct and indirect contributions into the wastewater collection and treatment system for the City and enabling the City to comply with all applicable State and Federal laws required by the Clean Water Act of 1977, as amended and the General Pretreatment Regulations (Chapter 62-625, Florida Administrative Code); and

WHEREAS, the City adopted the Military Point Advanced Wastewater Treatment Facility Interlocal Agreement in September of 1996 ("Agreement"), designating Bay County ("County") to act as the Operator of the wastewater facilities described therein ("Operator") and establishing, among other things, the rights and duties of the parties thereto; and

WHEREAS, the County, as Operator, issued a Municipal User Permit to the City effective June 15, 2004 and expiring December 31, 2009; and

WHEREAS, this Municipal User Permit included certain Pretreatment Program Requirements; and

WHEREAS, the City desires to ensure its compliance with the Municipal User Permit.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF MEXICO BEACH IN BAY COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. Adoption of Pretreatment Local Limits. The City adopts and shall maintain local limits that are at least as stringent as the limits described in the County Pretreatment Ordinance and, therefore, the County limits shall serve as the City local limits unless the City adopts more stringent local limits.

SECTION 2. Operator Right to Enter and Opportunity to Inspect. The City grants to a governmental Operator, to the fullest extent that it can do so under the law, the power to enter

facilities of individual Industrial Users, as such term is defined in Ordinance No. 267 as may be amended from time to time, to periodically verify compliance with pretreatment standards.

SECTION 3. Operator Enforcement. The City grants to a governmental Operator, to the fullest extent that it can do so under the law, the authority to enforce pretreatment standards against significant Industrial Users when the City has failed to do so.

SECTION 4. Operator Right to Permit. The City grants to a governmental Operator, to the fullest extent that it can do so under the law, the power to enter facilities of individual Industrial Users to periodically verify compliance with pretreatment standards.

SECTION 5. Annual Inspections. The City will conduct an annual survey of all Industrial Users and transmit each survey to the governmental Operator.

SECTION 6. Repealer. All codes, ordinances and resolutions or parts of codes, ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

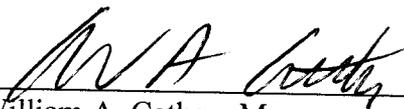
SECTION 7. Severability Clause. If any phrase, clause, sentence, paragraph, section, or subsection of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Ordinance.

SECTION 8. Recording. A certified copy of this Ordinance shall be filed with the Clerk of Circuit Court of Bay County, Florida, and duly recorded in the public record of Bay County, Florida.

SECTION 9. Effective Date. This Ordinance shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED at a meeting of the City Commission of the City of Mexico Beach, Florida, on this 12<sup>th</sup> day of June, 2007.

CITY OF MEXICO BEACH, FLORIDA

By:   
William A. Cathey, Mayor

ATTEST:

  
Deborah McLeod, City Clerk