

ORDINANCE NO. 2019-023

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA RELATING TO THE REGULATION OF WASTEWATER PRETREATMENT WITHIN THE SARASOTA COUNTY UTILITY SYSTEM, CODIFIED AS CHAPTER 126, ARTICLE VI OF THE CODE OF ORDINANCES OF SARASOTA COUNTY, FLORIDA; CREATING SECTION 126-119 SHORT TITLE, PURPOSE, TERRITORIAL SCOPE, AND COLLECTION OF FEES AND FINES; CREATING SECTION 126-120 DEFINITIONS; CREATING SECTION 126-121 REGULATED ESTABLISHMENTS: GREASE TRAPS AND GREASE INTERCEPTORS; CREATING SECTION 126-122 LICENSED HAULERS; CREATING SECTION 126-123 VARIANCES; CREATING SECTION 126-124 ENTRY, INSPECTION, AND SAMPLING; CREATING SECTION 126-125 ENFORCEMENT AND DAMAGES FROM SEWER SYSTEM OVERFLOWS; CREATING SECTION 126-126 FALSIFYING INFORMATION; CREATING SECTION 126-127 CONFLICT OF LAWS; CREATING SECTION 126-128 SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

CLERK OF THE COUNTY COURT
SARASOTA COUNTY, FLORIDA
19 JUL 23 AM 7:10
BOARD RECORDS
FILED FOR THE RECORD

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA;

Section 1. This Ordinance shall create a new Article VI, Chapter 126 of the Code of Ordinances of Sarasota County, Florida (the “Code”), entitled “Fats, Oils, and Grease (‘FOG’) Management Ordinance.”

ARTICLE VI. – FATS, OILS, AND GREASE MANAGEMENT

Section 2. Section 126-119 of the Code is hereby created to read as follows:

Sec. 126-119 - Short title, purpose, territorial scope, and collection of fees and fines.

- (1) This article will be known and cited as the Sarasota County Fats, Oils, and Grease (“FOG”) Management Ordinance.
- (2) The purpose of this article is to establish uniform requirements for Regulated Establishments discharging grease laden waste into the Sarasota County Publicly Owned Sewer System and to enable the County to comply with all applicable federal and state laws, including those, which apply to Sanitary Sewer Overflows.
- (3) The territorial scope of this Article includes all areas of incorporated and unincorporated Sarasota County in the Publicly Owned Sewer System of Sarasota County Utilities.

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(4) The Board of County Commissioners may set any fees or fines associated with administration of this Article through resolution. The Control Authority shall have the authority to collect such fees and fines by adding them to a Regulated Establishment's water and sewer bill.

Section 3. Section 126-120 of the Code is hereby created to read as follows:

Sec. 126-120. - Definitions.

For the purpose of this article, the following words and phrases are defined and shall have the meaning assigned herein:

- (1) *Control Authority* means the Sarasota County Administrator or designee.
- (2) *Environmental Protection Agency (EPA)* means the Federal Environmental Protection Agency of the United States, its administrator, or other duly authorized representative of said agency.
- (3) *Floatable Grease* means oil, fat or grease in a physical state such that it will separate, by gravity, from Wastewater by treatment in an approved pretreatment device.
- (4) *Garbage Grinder* means a device that shreds or grinds up solid or semisolid waste materials into smaller particles (no particle greater than 1/2-inch (1.27 centimeters) in any dimension) for discharge into the Publicly Owned Sewer System.
- (5) *Grab Sample* means a sample that is taken from a Wastewater discharge on a one-time basis with no regard to the volume of flow in the discharge.
- (6) *Gray Water* means all of the liquid contained in a Grease Interceptor that lies below the floating grease layer and above the food solids layer.
- (7) *Grease* means a material either liquid or solid, composed primarily of fat, oil, and/or grease from animal or vegetable sources. The terms "fats, oils and grease" (FOG) and "oil and grease" shall be included within this definition.
- (8) *Grease Interceptor* means a device whose rated flow exceeds fifty (50) gallons per minute (gpm), which has a minimum storage capacity of seven hundred fifty (750) gallons or more, is located underground, and outside a Regulated Establishment. This device is designed to collect, contain and remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the Publicly Owned Sewer System by gravity.
- (9) *Grease Laden Waste* means liquid waste from the kitchen fixtures which contains one hundred (100) milligrams or more grease/liter (mg/L).

(10) *Grease Trap* means a device, whose rated flow is less than fifty (50) gpm, located inside a Regulated Establishment and designed to collect, contain and remove food wastes and Grease from the waste stream while allowing the balance of the liquid waste to discharge to the Publicly Owned Sewer System by gravity.

(11) *Licensed Hauler* Any person carrying on or engaged in vehicular transport of septage, industrial waste, interceptor waste, or Grease as part of or incidental to any business for the purpose of hauling and discharging septage, industrial waste, interceptor waste, or Grease to approved disposal facilities.

(12) *Notice of Violation (NOV)* means a written notice informing a user that a violation of this article has occurred.

(13) *Notify* means contact by telephone, in person, or via certified United States mail, return receipt requested.

(14) *Premises* means a parcel of real estate or portion thereof including any improvements thereon which is determined by the Control Authority to be a single user for the purposes of receiving, using and paying for sewer services.

(15) *Pretreatment Reviewer* means the following individuals whose main function is to review user appeals relating to Grease issues, Chief Building Inspector or designee, Utilities Director or designee, and the pretreatment coordinator or designee.

(16) *Publicly Owned Sewer System* means any of the following County owned and/or maintained components:

(a) a treatment works, also referred to as a wastewater treatment plant, as defined by Section 212 of the Clean Water Act (CWA) (33 U.S.C. 1292);

(b) any devices and systems used to pump, store, treat, recycle, or reclaim wastewater;

(c) piping, lift stations, and pump stations that convey wastewater; or

(d) any sewers that convey wastewater to the County's Wastewater Reclamation Facilities (WRFs) from persons who are customers of the county by contract or agreement.

(17) *Regulated Establishment (RE)* means any facility engaged in preparing and/or packaging food or beverages for sale or consumption, on or off site, with the exception of private residences. Regulated Establishments shall include, but are not limited to food courts, food manufacturers, food packagers, factories, restaurants, grocery stores, convenience stores, bakeries, cafeterias, lounges, hospitals, correctional facilities, hotels, nursing homes, assisted living facilities, churches, and schools.

(18) *Sanitary Sewer Overflow* means releases of untreated sewage into the environment.

(19) *Utilities Director* means the person designated by the county to administer the activities of the utilities division, supervise the operation of the Publicly Owned Sewer System, maintain records of such operation, prepare operating budgets and make recommendations to the Sarasota County Board of County Commissioners concerning activities within his responsibility and authority.

(20) *Wastewater* means the liquid containing domestic wastes from dwellings, commercial buildings, industrial facilities, institutions and any other source, whether treated or untreated which is contributed to or permitted to enter the Publicly Owned Sewer System.

Section 4. Section 126-121 of the Code is hereby created to read as follows:

Sec. 126-121. - Regulated Establishments: Grease Traps and Grease Interceptors.

(1) *General Requirement.* Except as otherwise provided in this Article, all Regulated Establishments must have a Grease Trap or Grease Interceptor as per the requirements of the Florida Building Code as may be amended from time to time.

(2) *New facilities.* Upon the effective date of this Article, Regulated Establishments which are newly proposed or constructed, or existing facilities which will be expanded or renovated, shall be required to install, operate and maintain a Grease Interceptor or Grease Trap according to the requirements of the Florida Building Code. All new regulated establishments shall be required to complete and submit a grease management facility survey prior to commencing discharge to the Publicly Owned Sewer System.

(3) *Existing facilities.* For the purposes of sizing and installation of Grease Interceptors, all Regulated Establishments existing within the county prior to the effective date of this article shall be permitted to operate and maintain existing Grease Interceptors or Grease Traps provided same are in efficient operating condition. Upon the effective date of this article, each existing facility shall be required to complete and submit a grease management facility survey. The Control Authority shall provide the survey form to all Regulated Establishments identified. All Regulated Establishments are required, under the terms of this article, to complete and submit the form within thirty (30) calendar days of receipt. Failure to do so will result in a fine as established by resolution of the Board of County Commissioners. All fees and fines shall be added to the monthly service bill of the Regulated Establishment. The Control Authority may require an existing Regulated Establishment to install, operate and maintain a new Grease Interceptor or Grease Trap that complies with the requirements of this article or to modify or repair any noncompliant plumbing or existing interceptor or trap within ninety (90) days of written notification by the County when any one or more of the following conditions exist:

(a) County staff finds the facility to be contributing oils and grease in quantities sufficient to cause line stoppages, grease buildup in the county

system, or necessitate increased maintenance on the wastewater collection system;

(b) the facility is found to be contributing oils and grease in quantities in excess of one hundred (100) mg/L;

(c) the facility has an undersized, irreparable or defective grease interceptor or trap;

(d) the facility has a garbage grinder;

(e) remodeling of the food preparation or kitchen waste plumbing system is performed which requires a plumbing or building permit to be issued; or

(f) the existing facility is sold or undergoes a change of ownership.

(4) *Plumbing connections.* Grease Interceptors or Grease Traps shall be located in the Regulated Establishment's lateral sewer line between all fixtures which may introduce grease into the Publicly Owned Sewer System. Such fixtures shall include but not be limited to the following: sinks, dishwashers, automatic hood wash units, floor drains in food preparation and storage areas, and any other fixture which is determined to be a potential source of Grease. Garbage Grinders installed within Regulated Establishments shall be plumbed through the Grease Interceptor(s) and a solids interceptor shall separate the discharge before connecting to the Grease Trap. Solids interceptors and Grease Interceptors shall be sized and rated for the discharge of the Garbage Grinder. Wastewater from sanitary facilities and other similar fixtures shall not be introduced into the Grease Interceptor or Grease Trap under any circumstances.

(5) *Grease Traps.* Approval of the installation of a Grease Trap instead of a Grease Interceptor at a new Regulated Establishment shall be as specified in the Florida Building Code. All Regulated Establishments shall comply with the following guidelines:

(a) *Inspection, cleaning and maintenance.* Each Regulated Establishment shall be solely responsible for the cost of trap installation, inspection, cleaning and maintenance. Cleaning and maintenance must be performed at regularly scheduled intervals no greater than thirty (30) calendar days or at each time the total volume of captured Grease and solid material displaces more than thirty (30) percent of the total volume of the unit. Each Regulated Establishment is required to keep a written record of the date, action taken, and volume hauled, whenever the Grease Trap is opened, inspected, cleaned and maintained.

(b) *Repairs.* The Regulated Establishment shall be responsible for the cost and scheduling of all repairs to its Grease Trap(s). Repairs required by the Control Authority shall be completed within ten (10) calendar days after

the date of written notice of required repairs is received by the facility, unless the County approves in writing of a different schedule.

(c) *Disposal.* Grease and solid materials removed from a Grease Trap shall be transported by a Licensed Hauler and properly disposed of at a facility permitted to receive such wastes.

(d) *Record keeping.* Each Regulated Establishment shall maintain a written record in the form of a logbook or file of all Grease Trap maintenance, including the time and date of the maintenance, name(s) of individual or company that performed the maintenance, details of any repairs required and dates of repair completion, volume hauled, additives, and any other records pertaining to the trap or material removed or used. The records shall be retained for a period of three (3) years and be made available upon request by the Control Authority.

(6) *Grease interceptors.* Grease Interceptors shall be installed at all new Regulated Establishments as specified by the Florida Building Code. All Regulated Establishments shall comply with the following guidelines:

(a) *Inspection, pumping, and maintenance.* Each Regulated Establishment shall be responsible for the costs of installing, inspecting, pumping, cleaning and maintaining its Grease Interceptor. Pumping services shall include the initial complete removal of all contents including floating materials, Wastewater, and bottom sludge and solids from the interceptor. Grease Interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles and all pipe work. The return of Gray Water back into the Grease Interceptor is prohibited. It shall be the responsibility of each Regulated Establishment to inspect its Grease Interceptor during the pumping procedure to ensure that the Grease Interceptor is properly cleaned out and that all fittings and fixtures inside the Grease Interceptor are in working condition and functioning properly.

(b) *Minimum interceptor pumping frequency.* Each Regulated Establishment shall have all of its Grease Interceptor(s) pumped at a minimum every ninety (90) calendar days.

(c) *Additional interceptor pumping requirements.* In addition to required pumping, the Control Authority may determine that additional pumping of the Grease Interceptor(s) is required according to the following criteria:

1. When the floatable grease layer in the outlet side exceeds six (6) inches in depth, as measured by an approved dipping method; or
2. When the settleable solids layer in the outlet side exceeds eight (8) inches in depth, as measured by an approved dipping method.

(d) *Repairs.* Each Regulated Establishment shall be responsible for the cost and scheduling of all repairs to its Grease Interceptor(s). Repairs required by the Control Authority shall be completed within ten (10) calendar days after written notice is received by the facility unless the Control Authority establishes a different compliance date.

(e) *Disposal.* Wastes removed from each Grease Interceptor shall be transported by a Licensed Hauler and shall be properly disposed of at a facility permitted to receive such wastes. Grease, solid materials or Gray Water removed from an interceptor may not be returned to any Grease Interceptor, private sewer line or to any portion of the Publicly Owned Sewer System.

(f) *Record keeping:* Each Regulated Establishment shall maintain a written record in the form of a logbook or file of all interceptor maintenance, including the time and date of the maintenance, the name(s) of individual or company that performed the maintenance, details of any repairs required and dates of repair completion, volume hauled, additives, and any other records pertaining to the interceptor. Each report shall include copies of either the Licensed Hauler's receipt or manifest. The records shall be retained for a period of three (3) years and shall be made available upon request by the Control Authority.

(g) *Interceptor additives.* Any chemicals, enzymes, emulsifiers, live bacteria or other grease cutters or additives shall be approved by the Control Authority prior to their use by the Regulated Establishment or the Licensed Hauler. Safety data sheets and any other applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the Control Authority together with a written statement outlining the proposed use of the additive(s). Based upon the information received and any other information solicited from the potential user or supplier, the Control Authority shall permit or deny the use of the additive in writing. Permission to use any specific additive may be withdrawn by the Control Authority at any time.

(h) *Alternative grease removal devices or technologies.* Alternative devices and technologies such as automatic grease removal systems shall be subject to written approval by the Control Authority prior to installation. Approval of the device shall be based on demonstrated (proven) removal efficiencies and reliability of operation. The Control Authority may approve these types of devices depending on manufacturers' specifications on a case-by-case basis. The Regulated Establishment may be required to furnish analytical data demonstrating that grease discharge concentrations to the Publicly Owned Sewer System will not exceed the established limitation.

Section 5. Section 126-122 of the Code is hereby created to read as follows:

Sec. 126-122. Licensed Haulers.

(1) *Licensing of Haulers.* Any person, firm, or business desirous of collecting, pumping, hauling Grease Interceptor waste, or hauling Grease Trap wastes from Regulated Establishments shall be required to obtain an annual license with the County as a Licensed Hauler.

(2) *License Required.* It shall be unlawful for any person, firm, or business to clean or pump out Grease Interceptors or Grease Traps without being licensed with the County for this purpose. The registration required by the County shall be in addition to any other permits, registrations, or occupational licenses required by Federal, State, and local agencies having lawful jurisdiction. The license is not transferable.

(3) *Reporting.* Each Licensed Hauler shall submit a quarterly report to the Control Authority of all its Grease Trap or Grease Interceptor activity. Reports shall be due on or before the 15th day of January, April, July, and October in each year. Each report shall record the number of times, total volume of material hauled since the last report, and the name(s), address, pickup location for each Regulated Establishment, along with the disposal destination. Reports shall be submitted as required and shall be subject to a fine as established by Board Resolution if received after the 15th day of the month specified.

Section 6. Section 126-123 of the Code is hereby created to read as follows:

Sec. 126-123. Variances.

(1) *Variance Procedure.* If a Regulated Establishment determines that pumping every ninety (90) calendar days is unnecessary to remain in compliance with the additional Grease Interceptor pumping requirements of this Article, the facility may make written application to the Control Authority for a variance from the pumping requirements. The variance procedure shall be as follows:

(a) *Application.* The Regulated Establishment shall submit an application for a variance on a form provided by the Control Authority. The application shall include the next date and time the facility intends to have its Grease Interceptor pumped and cleaned and an affidavit from the Regulated Establishment stating that it shall permit no further pumping or cleaning of the Grease Interceptor until the Control Authority has completed its evaluation and notified the Regulated Establishment of the appropriate pumping frequency.

(b) *Inspections.* The Control Authority may inspect the Grease interceptor on the specified date during or after the pump-out procedure.

1. If the interceptor is in good working condition during the initial inspection, the Control Authority may re-inspect the interceptor approximately ninety (90) days after the initial inspection.

2. If the interceptor is in good working condition after the initial re-inspection, the Control Authority may inspect the interceptor at intervals of approximately every fourteen (14) working days to determine grease and solids levels using an approved dipping method.

3. If during re-inspection of the outlet side of the interceptor, if either the level of grease reaches six (6) inches or the level of solids reaches eight (8) inches, the Control Authority shall use the number of days from the initial pumping date to the final re-inspection date as the new pumping frequency requirement to be included in the variance granted. If these thresholds are not reached, the Control Authority may continue to inspect the interceptor at intervals of approximately every fourteen (14) working days.

4. When either the level of grease exceeds six (6) inches or the level of solids exceeds eight (8) inches, on the outlet side of the interceptor, the Control Authority may use the number of days from the initial pumping date to the previous re-inspection as the new pumping frequency to be included in the variance granted.

(c) *Two (2) or more interceptors.* Where two or more interceptors are connected in series, a single variance application process shall apply to a group of interceptors serving a single Regulated Establishment at the single location. The two or more interceptors shall all be pumped initially on the same day and the variance for the first interceptor shall be determined when the grease or solids criteria are reached. The first interceptor shall not be pumped at this time and the variance process shall continue to monitor the second interceptor until either the grease or solids criteria are reached. At this time both interceptors shall be pumped and the new variances for the first and second interceptors will be issued. Additional interceptors located on site at a Regulated Establishment will be handled on a case by case basis.

(d) *Evidence of Tampering.* If there is any evidence that the interceptor has been tampered with or pumped out during the variance procedure, the procedure will be declared null and void and a new application will be required from the Regulated Establishment to re-start the procedure. Additionally, the Regulated Establishment may be subject to the enforcement process outlined in this Article.

(e) *Term or Duration of the Variance.* A variance shall remain valid until there is either a change in ownership of the Regulated Establishment, a remodeling of the kitchen occurs which requires a county plumbing permit to be issued, or there is evidence that the interceptors are no longer remaining in compliance with the minimum required pumping frequency and the additional interceptor pumping requirements found in this Article.

(f) *Mandatory Pump-Out.* Notwithstanding any provisions otherwise within this Article, pump-out and cleaning of an interceptor shall be required at least once every one-hundred-eighty (180) days with no return of Gray Water to the interceptor.

(g) *Failure to Pump Out:* Failure to provide a complete pump-out of an interceptor at the required intervals may result in revocation of the approved variance and an enforcement proceeding as outlined in this Article.

Section 7. Section 126-124 of the Code is hereby created to read as follows:

Sec. 126-124. - Entry, inspection, and sampling.

(1) *Entry.* All Regulated Establishments shall allow the Control Authority, bearing proper credentials and identification, access to all parts of the premises during reasonable business hours, for the purpose of inspection, observation, and sampling in accordance with the provisions of this Article. Any Regulated Establishment refusing the Control Authority entry to or upon the Premises for purposes of inspection, sampling effluents or performing such other duties as required by this Article shall constitute a violation of the terms of this article. The Control Authority may seek a warrant, court order, or any other legally available procedures to discharge their duties.

(2) *Inspection and sampling.* Grease Interceptors and Grease Traps shall be inspected as necessary to ensure compliance with this Article and to determine if proper cleaning and maintenance schedules are being performed. The Control Authority may collect effluent samples to determine compliance. The Control Authority shall re-inspect any Regulated Establishment that received a deficiency notice after the original inspection. In the event the Regulated Establishment did not miss a scheduled pump out and is compliant with all other deficiencies upon first re-inspection, there shall be no charge for the re-inspection. In the event of continuing non-compliance, successive re-inspections will be scheduled, and appropriate fees as set by Board resolution shall be charged to the Regulated Establishment for the first and all successive re-inspections. Such fees may be charged to the appropriate account of the Sarasota County Utilities Water and Sewer bill.

(3) *Security.* Where a Regulated Establishment has security measures which require proper identification and clearance before entry into its premises, the Regulated Establishment shall make necessary arrangements so that, upon presentation of suitable

identification, the Control Authority or designee will be permitted to enter without delay for the purposes of performing specific responsibilities.

(4) *Installation of Sampling, Metering, or Monitoring Devices.* The Control Authority shall have the right to set up any sampling, metering, or monitoring devices on the Regulated Establishment's property as are necessary to conduct sampling, metering, or monitoring of the Regulated Establishment's operations. The equipment shall be maintained at all times in a safe and proper operating condition by the Regulated Establishment at its expense. All devices used to measure wastewater flow and quality shall be calibrated to the manufacturer's recommendation to ensure their accuracy.

(5) *Obstructions.* 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 Regulated Establishment at the written or oral request of the Control Authority and shall not be replaced. The costs of clearing such access shall be borne by the Regulated Establishment.

(6) *Unreasonable Delay.* Any delays longer than 24 hours in allowing the Control Authority access to the Regulated Establishment's premises shall be a violation of this Article.

Section 8. Section 126-125 of the Code is hereby created to read as follows:

Sec. 126-125. – Enforcement and Damages Caused by Sewer System Overflows.

(1) *Inspections and Processing.* Investigations related to possible violations of this Article shall be conducted by code enforcement officers. Any code enforcement officer may seek all available remedies in law or equity, including, but not limited to, an administrative search warrant from a court of competent jurisdiction, a criminal search warrant from a court of competent jurisdiction, a subpoena for records once any required notice is given, or an injunction from a court of competent jurisdiction to enforce or restrict any relevant law. All violations of this Article will be processed according to Chapter 2, Article VIII, of the Sarasota County Code of Ordinances, per the provisions of any municipal ordinances for code enforcement, as applicable, and per provisions of F.S. ch. 162, pt. I or II, as may be applicable. A code enforcement officer is specifically authorized to issue a citation for each violation. Each day of any such violation shall constitute a separate and distinct offense.

(2) *Abatement and Termination of Service.* If a Regulated Establishment continues to violate the provisions set forth in this Article, or fails to initiate/complete corrective action in response to the Control Authority's directive, the Control Authority shall have the authority to take one of the following options:

1. Abate the violation by pumping the Grease Interceptor and placing the appropriate charge on the facility's monthly Sarasota County Utilities Water and Sewer bill;

2. Assess any inspection fees as authorized by Board Resolution; or
3. Terminate water and sewer service.

(3) *Appeal.* A Regulated Establishment shall have the right to appeal the Control Authority's decision at a Code Enforcement Special Magistrate hearing. The Control Authority shall have the burden of proving the propriety of its decision by a preponderance of the evidence.

(4) *Civil and injunctive relief.* The County may also enforce this Article by action in equity, including injunctive or declaratory relief, in a court of competent jurisdiction.

(5) *Bill of Costs.* A person who causes a Septic Sewer Overflow shall be responsible for all response costs. The Control Authority may prepare a bill of costs for those incidents where the Control Authority has expended funds which are recoverable, as set forth herein:

(a) *Delivery of Written Bill of Costs.* The Control Authority shall present a written Bill of Costs to the Regulated Establishment within sixty (60) days of the Septic System Overflow in the same manner as the notice requirements of Chapter 162, Florida Statutes. The bill of costs shall include the following details:

- a. The amount of time expended by responders;
- b. The labor costs associated with providing a response; and
- c. Any capital or other costs expended by responders.

(b) *Regulated Establishment's Right to Appeal.* A Regulated Establishment shall thereafter have the right to challenge the bill of costs by filing a written appeal with the Office of the County Attorney within ten (10) days. Appeals shall be heard by a special magistrate with whom Sarasota County contracts to provide this service as set forth in Chapter 2, Article VIII of the Sarasota County Code of Ordinances. The Control Authority shall have the burden of proving its bill of costs.

(c) *Uncontested Bill of Costs.* Any uncontested bill shall be included in the Regulated Establishment's monthly water and sewer bill.

Section 9. Section 126-126 of the Code is hereby created to read as follows:

Sec. 126-126. - Falsifying information.

Any person who knowingly makes any false statements, representations or certification in any application, record, report, plan or other document filed or required to be maintained

pursuant to this Article or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Article shall, upon conviction, be punished by a fine of not more than \$1,000 per violation per day or by imprisonment for a term not to exceed 60 days or by both such fine and imprisonment.

Section 10. Section 126-127 of the Code is hereby created to read as follows:

Sec. 126-127. Conflicts of law.

Whenever the requirements or provisions of this article are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements will apply.

Section 11. Section 126-128 of the Code is hereby created to read as follows:

Sec. 126-128. Severability.

It is the board of county commissioners' intent that if any section, subsection, clause or provision of this article is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this article. The board of county commissioners further declares its intent that this article would have been adopted if such unconstitutional provision was not included.

Section 12. This ordinance shall take effect on January 1, 2020.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida, this 9th day of July, 2019.

**BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA**

By: _____

Chair

ATTEST:

KAREN E. RUSHING, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Sarasota County, Florida

By: _____

Deputy Clerk