



Interoffice Memorandum

December 16, 2024

To: Jennifer Lara-Klimetz, Assistant Manager
Comptroller Clerk's Office

Through: Cheryl Gillespie, Agenda Development Supervisor
Agenda Development

From: Renée H. Parker, LEP, Manager *RHP*
Environmental Protection Division
(407) 836-1420

**Staff Person: Renée H. Parker, Manager
Environmental Protection Division
(407) 836-1420**

Subject: Request for Public Hearing on January 28, at 2:00 p.m., to Consider Adoption of an Ordinance Amending Section 15-30, Article II, chapter 15, Orange County code of ordinances; modifying the composition and representative membership of the Environmental Protection Commission; and providing an effective date.

Type of Hearing: Amending Chapter 15, Article II, Section 15-30, Air and Water Pollution Control Act

Hearing required by
Florida Statute # or Code: Section 125.66, Florida Statutes

Advertising requirements: Publish once in a newspaper of general circulation in Orange County at least ten days prior to public hearing.

Advertising timeframes: At least ten days prior to public hearing.

Estimated time required
For public hearing: 2 minutes.

Hearing Controversial: No.

District #: All Districts.

December 2, 2024

Request for Public Hearing - to Consider Adoption of an Ordinance Amending Chapter 15, Article II, Section 15-30, Air and Water Pollution Control Act

Spanish contact person: Para más información en español acerca de estas reuniones públicas, favor de llamar a la División de Protección Ambiental, 407-836-1400.

Special Instructions to Clerk:

1. Ordinance Title for Advertisement:

AN ORDINANCE PERTAINING TO THE COMPOSITION AND REPRESENTATIVE MEMBERSHIP OF THE ENVIRONMENTAL PROTECTION COMMISSION; AMENDING SECTION 15-30, ARTICLE II, CHAPTER 15, ORANGE COUNTY CODE OF ORDINANCES; MODIFYING THE COMPOSITION AND REPRESENTATIVE MEMBERSHIP OF THE ENVIRONMENTAL PROTECTION COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

AND

AUTHORIZE STAFF TO CORRECT ANY NON-SUBSTANTIAL GRAMMATICAL OR SCRIVENER'S ERRORS WITHIN THE ORDINANCE.

2. Once the Board of County Commissioners makes a decision on the proposed revisions to Chapter 15, Article II, Section 15-30, Wetland Conservation Areas Ordinance, please submit the decision letter to Renée H. Parker with EPD.

Materials being submitted as backup for public hearing request:

1. A copy of the draft proposed ordinance

RHP/AE: ae

Attachments

c: Jon V. Weiss, P.E., Deputy County Administrator
Tanya Wilson, Director, Planning, Environmental, and Development Services Dept.
Scott Skraban, Deputy Director, Planning, Environmental, and Development Services Dept.
Georgiana Holmes, Deputy County Attorney, Orange County Attorney's Office
Joy Carmichael, Assistant County Attorney, Orange County Attorney's Office

ORDINANCE NO. _____

**AN ORDINANCE PERTAINING TO THE COMPOSITION
AND REPRESENTATIVE MEMBERSHIP OF THE
ENVIRONMENTAL PROTECTION COMMISSION;
AMENDING SECTION 15-30, ARTICLE II, CHAPTER 15,
ORANGE COUNTY CODE OF ORDINANCES;
MODIFYING THE COMPOSITION AND
REPRESENTATIVE MEMBERSHIP OF THE
ENVIRONMENTAL PROTECTION COMMISSION; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapter 67-1830, Laws of Florida, known as Orange County's Air and Water Pollution Control Act ("Act"), authorized and empowered the Orange County Board of County Commissioners (the "Board") to create and establish the Orange County Pollution Control Board; and

WHEREAS, in May 1968, the Board activated the Orange County Air and Water Pollution Control Board and appointed the first five members; and

WHEREAS, on November 14, 1983, the Board approved Resolution 1983-M-61 to change the name of the Orange County Pollution Control Department to the Orange County Environmental Protection Department; and

WHEREAS, pursuant to the authority granted by Chapter 84-490, Laws of Florida, and as amended by chapter 67-1830, the Board renamed the Orange County Air and Water Pollution Control Board as the Orange County Environmental Protection Commission; and

WHEREAS, in 1996, the Board approved Ordinance No. 1996-37 to expand the composition and representative membership of the Environmental Protection Commission to seven members comprised of the current membership of a professional engineer, a representative of agricultural interests, a representative of recognized environmental conservation organizations, two representatives of private businesses or municipalities directly regulated, affected and subject to the Act, an environmental specialist with a degree in a scientific field, and a citizen representative; and

WHEREAS, the Board desires to modify the composition and representative membership of the Environmental Protection Commission.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE
COUNTY:

Section 1. Amendment to Section 15-30. Subsection (c) of Section 15-30 (“Same –

Organization”) pertaining to the composition and representative membership of the Environmental Protection Commission is amended to read as follows, with additions being shown by underlines and deletions being shown by strike-throughs:

Section 15-30. Same – Organization.

(a) The Orange County Environmental Protection Commission established pursuant to this act [article] shall consist of seven ~~(7)~~ members appointed by the board of county commissioners and shall comply with chapter 2, article VI, creation, operation, review of advisory boards, of this Code.

(b) Appointments shall be made by the board of county commissioners.

(c) The composition and representative membership of the commission shall be as follows:

- (1) A representative who is a professional engineer ~~registered~~ licensed in the state, pursuant to the requirements of Chapter 471, Florida Statutes, as amended from time to time, with experience in the field of ~~civil engineering or environment engineering~~ that is relevant to the duties and responsibilities of the commission;
- (2) A representative of the agricultural ~~interests~~ industry actively engaged in agricultural operations, such as, but not limited to, bona fide farming, pasture, grove, or forestry operations, including horticulture, floriculture, viticulture, dairy, livestock, poultry, bee, and aquaculture;
- (3) A representative of a recognized environmental conservation organizations;
- (4) ~~Two (2)~~ A representatives of a private businesses or municipalities who are ~~is~~ directly regulated, affected ~~and or~~ subject to the provisions of this act [article];
- (5) A representative who is an environmental specialist with a degree in a scientific field and specific knowledge of

aquatic biology, zoology, botany or other similar related field;

- (6) ~~A Two~~ citizen representatives of the interests and point of view of the general public for the effective and continuing protection of the environmental quality of the air, water, and land in the County ~~and not directly regulated or affected by the provisions of this act [article].~~

In all other respects, Section 15-30 shall remain unchanged.

Section 2. Effective date. This ordinance shall take effect pursuant to general law.

ADOPTED THIS ____ DAY OF _____, 2024.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Jerry L. Demings

Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____

Deputy Clerk

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