

ORDINANCE NO. 2023-__

AN ORDINANCE AMENDING CHAPTER 37, ARTICLE XX OF ORANGE COUNTY CODE KNOWN AS THE "SEWER USE ORDINANCE" REGULATING THE PRETREATMENT OF WASTEWATER; AMENDING DIVISION 3, SECTION 37-755, SURCHARGE PROGRAM, TO CLARIFY THE OBJECTIVES OF THE SURCHARGE PROGRAM AND THE DIRECTOR'S DISCRETION TO REMOVE A SIGNIFICANT COMMERCIAL OR INDUSTRIAL USER FROM THE SURCHARGE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Amendments; In General. Article XX, Chapter 37, Division 3 of the Orange County Code is hereby amended as set forth in Section 2 below, with additions being shown as underlined and deletions being shown as ~~strike-throughs~~.

Section 2. Amendment to Division 3, Section 37-755. Section 37-755 ("Surcharge program.") is amended to read as follows:

Sec. 37-755. Surcharge program.

The primary objective of the surcharge program is the protection of the sanitary sewer system and treatment facilities and the environment. The secondary objective is the equitable recovery of costs for receiving and treating abnormally high strength wastes, such as CBOD, TSS, TN, total phosphorus, and total oil and grease, from nonresidential users. Program requirements are outlined under separate cover of the Wastewater Discharge and Industrial Pretreatment Standards Technical Manual.

* * *

(4) A user has the right to appeal a surcharge in writing to the director within thirty (30) days of the date of the monthly bill. The decision of the director shall be final. Additionally, the director or designee has the discretion to remove a significant commercial

38 user or significant industrial user from the surcharge program upon
40 a finding that the user's discharge poses no excessive loading or
42 other potential contamination to the sanitary sewer system and does
44 not create any environmental concerns. The director or designee
46 may also remove a user from the program upon a finding that
equitable recovery costs for receiving and treating abnormally high
strength wastes has been achieved or that the waste is primarily
residential in nature and poses no additional demand on the sanitary
sewer system and treatment facilities.

Section 3. Effective Date. This ordinance shall become effective as provided by

48 general law.

ADOPTED THIS ____ DAY OF _____, 2023.

50 ORANGE COUNTY, FLORIDA
52 By: Board of County Commissioners

54 By: _____
Jerry L. Demings
Orange County Mayor

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

60 By: _____
62 Deputy Clerk

64 \\ocfile\\legaldept\\gholmes\\ordinances\\surcharge program (ch. 37 - art. xx)\\2023 drafts\\2022-11-22 ch. 37 art. xx - surcharge program - draft.docx