

ORDINANCE 16-21

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, REPEALING SECTIONS 78-251, 78-252, 78-253, 78-254 AND 78-259 OF THE CODE OF ORDINANCES TO CONFORM WITH STATE LAW THAT PREEMPTS THE CITY FROM IMPOSING ADDITIONAL OR DUPLICATIVE REQUIREMENTS OR FEES IN THE PERMITTING OF THE LOCATION, ABANDONMENT, BORING OR OTHER ASSOCIATED ACTIVITIES RELATING TO THE INSTALLATION OR ABANDONMENT OF GROUNDWATER WELLS; THAT SECTIONS 78-255 THROUGH 78-258 SHALL BE RENUMBERED 78-251 THROUGH 78-254; AMENDING RENUMBERED SECTION 78-253 TO REMOVE THE REFERENCE TO INSPECTION AND APPROVAL OF WELLS; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, in 2013 the Florida Legislature passed House Bill 999 which provided for authorization by the Department of Environmental Protection to the Southwest Florida Water Management District as the solely responsible entity to issue well permits within its permitting jurisdiction; and

WHEREAS, certain provisions within the Dunedin Code of Ordinances require City-issued permits to drill wells, provide for the City's regulation of groundwater wells, the monitoring of water quality and require the City be notified of certain activities relating to the installation of wells; and

WHEREAS, City staff has reviewed its code as it relates to HB 999's restrictions that prevent other unauthorized local governments from imposing additional or duplicative requirements or fees and establishing programs for permitting the location, abandonment, boring or other associated activities relating to the installation or abandonment of groundwater wells, and has determined Sections 78-251, 78-252, 78-253, 78-254 and 78-259 of the Code of Ordinances cannot be legally enforced; and

WHEREAS, the Dunedin City Commission has found certain revisions to the Code of Ordinances are necessary and meritorious in order to comply with the statutory requirements of F.S. 373.308(1).

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Sections 78-251 through 78-254 of the Code of Ordinances are hereby repealed.

Section 2. That Sections 78-255 through 78-258 of the Code of Ordinances shall be renumbered 78-251 through 78-254.

Section 3. That Section 78-259 of the Code of Ordinances is hereby repealed.

Section 4. That the renumbered Section 78-253 of the Code of Ordinances shall be amended to read as follows:

Sec. 78-253. - Inspection; approval required.

All ~~wells and~~ sprinkler systems shall be inspected and approved by the city development services department before initial operation.

Section 5. That this Ordinance shall become effective upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 15th day of December, 2016.



Julie Ward Bujalski
Mayor

ATTEST:



Denise M. Kirkpatrick
City Clerk

READ FIRST TIME AND PASSED: December 01, 2016

READ SECOND TIME AND ADOPTED: December 15, 2016