

EMERGENCY ORDINANCE

AN ORDINANCE PROHIBITING THE DUMPING OF WASTES WITHIN TWO THOUSAND FIVE HUNDRED FEET (2,500') OF ANY WATERS WITHIN WALTON COUNTY, FLORIDA: PROVIDING FOR THE ISSUANCE OF PERMITS THEREFOR: PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; AND REPEALING ANY AND ALL PROVISIONS OF ANY ORDINANCE, RESOLUTION, OR CODE IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, FLORIDA, ON AN EMERGENCY BASIS:

SECTION 1. DEFINITIONS - In construing this ordinance, the words, phrases, or terms, unless the context otherwise indicates, shall have the following meanings:

(A) "BOARD" is the Board of County Commissioners of Walton County, Florida.

(B) "WATERS" shall include but not be limited to rivers, lakes, creeks, ponds, streams, springs, impoundments, ditches flowing into any herein defined water, and all other waters or bodies of water, including fresh, brackish, saline, tidal, or surface.

(C) "WASTES" means treated or untreated sewage, industrial wastes, and all other liquid, gaseous, solids, radioactive, or other substances which may tend to pollute or pollute any waters of Walton County, Florida.

(D) "PERSON" means the state or any agency or institution thereof, any municipality, political subdivision, public or private corporation, individual, partnership, association or other entity.

SECTION 2. PERMITS; GENERAL ISSUANCE; DENIAL; REVOCATION PROHIBITION; PENALTY:

(A) No person shall dump any wastes within the territorial limits of Walton County, Florida, unless such person shall obtain a permit thereof as provided herein.

(B) The Board shall authorize the issuance of a permit upon the payment of a fee in the amount of One Hundred Dollars (\$100.00), and the submission of an application documenting that one of the following qualifications have been met:

(1) The proposed dump, or deposit site, is not within Two Thousand Five Hundred Feet (2,500') of any of the waters of Walton County, Florida, or

(2) The applicant or person was depositing or discharging treated or untreated wastes on a regular or continuous basis within Two Thousand Five Hundred Feet (2,500') of the waters of Walton County, Florida, prior to the 4th day of November, 1975, and said applicant shall have 30 days from the effective date of this ordinance in which to submit its application and obtain its permit hereunder.

(C) Any permit issued hereunder shall specify the area in which the dumping, discharging or depositing of wastes shall take place, and any permit holder dumping outside of the area so designated shall be subject to the revocation of his or its permit, and further be in violation of this ordinance.

(D) Any person who willfully or negligently commits a violation of this ordinance shall be guilty of a misdemeanor and punishable by a fine not in excess of Five Hundred Dollars (\$500.00) or sixty (60) days in jail, or both, for each offense. Each day during any portion of which such violation occurs constitutes a separate offense.

SECTION 3. EFFECTIVE DATE - This ordinance shall take effect immediately upon its passage by the Board of County Commissioners of Walton County, Florida, and its deposit in the U. S. Postal Service for special delivery by registered mail to the Department of State of the State of Florida.

ADOPTED this 4th day of November, 1975.

WALTON COUNTY, a Political
Subdivision of the State of
Florida

By: Hughie Infinger
Hughie Infinger, Chairman of the
Board of County Commissioners

ATTEST:

Philip A. Anderson
Philip A. Anderson, Clerk

I, Philip A. Anderson, Clerk of Circuit Court and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the foregoing is a true and correct copy of an Emergency Ordinance which was duly adopted at a regular meeting of the Board of County Commissioners on the 4th day of November, 1975, and appears on record in my office.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this the 18th day of November, 1975.

Philip A. Anderson
Philip A. Anderson, Clerk