



BOARD OF COUNTY COMMISSIONERS

THE KEYSTONE COUNTY-ESTABLISHED 1827

435 W. Walnut St., Monticello, Florida 32344

Stephen G. Fulford
District 1, Vice-Chair

Eugene Hall
District 2, Chair

J.T. Surles
District 3

Betsy Barfield
District 4

Stephen Walker
District 5

Regular Session Agenda
August 3, 2017 at the Courthouse Annex
435 W. Walnut St. Monticello, FL 32344

1. **6 PM – Call to Order, Invocation, Pledge of Allegiance**
2. **Public Announcements, Presentations, & Awards**
 - a) **Local Drug Court & Substance Abuse Treatment Program – Dr. Barbara Thoma-Reddick**
3. **Consent Agenda**
 - a) **Approval of Agenda**
 - b) **Minutes of July 6, 2017 Regular Session**
 - c) **Minutes of July 20, 2017 Regular Session**
 - d) **General/Transportation Fund Vouchers**
4. **General Business**
 - a) **County-Held Tax Certificates – Lois Howell-Hunter**
5. **PUBLIC HEARING: ORD. NO. 2017-080317-01 – FL-FRIENDLY FERTILIZER MODEL ORD.**
6. **Citizens Request & Input on Non-Agenda Items (3 Minute Limit)**
7. **County Coordinator**
8. **Commissioner Discussion Items**
9. **Adjourn**

From the manual "Government in the Sunshine", page 40:

Paragraph C. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Kirk Reams
Clerk of Courts

Parrish Barwick
County Coordinator

T. Buckingham Bird
County Attorney

ITEM 3

CONSENT AGENDA ITEMS

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
Regular Session
July 6, 2017

The Board met this date in regular session. Present were Chairman Eugene Hall, Commissioners Betsy Barfield, Stephen Fulford, JT Surles and Stephen Walker. Also present were County Attorney Buck Bird, County Coordinator Parrish Barwick and Clerk of Court Kirk Reams.

1. Chairman Hall called the meeting to order and led the pledge of allegiance and the invocation.
2. Chairman Hall presented a proclamation recognizing the Capital Area Community Action Agency for their efforts in Jefferson County.
3. **On motion by Commissioner Walker, seconded by Commissioner Barfield and unanimously carried, the consent agenda—consisting of the approval of the agenda, minutes of the June 15th, 2017 Regular Session, Mosquito Control Annual Budget Submittal, Capital Area Community Action Agency Proclamation and General/Transportation Fund Vouchers—was approved.**
4. County Coordinator Parrish Barwick introduced the grant request for drainage and road stabilization involving cross drains along upper Cody and Cody Church Road. **On motion by Commissioner Barfield, seconded by Commissioner Fulford and unanimously carried, the grant submittal was approved.**
5. County Coordinator Parrish Barwick presented the Nature Coast Regional Trail System Connector project resolution. **On motion by Commissioner Walker, seconded by Commissioner Barfield and unanimously carried, the resolution of support was approved.**
6. Clerk of Court Kirk Reams presented the Freeman Road SCRAP bid award item. **On motion by Commissioner Walker, seconded by Commissioner Surles and unanimously carried, the Board approved Capital Asphalt as the overall low bidder.**
7. Tax Collector Lois Howell Hunter addressed the Board regarding tax certificate compliance. She stated that the process of calling in county-held certificates could be causing a hardship on those taxpayers. Clerk of Court Kirk Reams stated that Florida Statutes required the County to redeem county-held certificates after 2 years. He also stated that the Board via the Clerk's Office should be informed on an annual basis by the Tax Collector of the certificates that are owned by the County. County Attorney Buck Bird stated he would research the matter and report back to the Board with a recommendation.
8. The Board set budget workshops for Tuesdays in July at 9 am at the Courthouse Annex.

9. The warrant register was reviewed and bills ordered paid.

10. **On motion by Commissioner Walker, seconded by Commissioner Fulford and unanimously carried, the meeting was adjourned.**

Chairman

Attest: _____
Clerk

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
Regular Session
July 20, 2017

The Board met this date in regular session. Present were Commissioners Stephen Fulford, JT Surles and Stephen Walker. Chairman Eugene Hall appeared telephonically. Also present were County Attorneys Buck Bird and Scott Shirley, County Coordinator Parrish Barwick and Clerk of Court Kirk Reams.

1. Commissioner Fulford called the meeting to order at 6:05 pm and led the pledge of allegiance and the invocation.
2. Quentin Easler, with the Apalachee Regional Planning Council requested the Board's approval to pursue a grant. **On motion by Commissioner Walker, seconded by Commissioner Surles and unanimously carried (3-0), the Board gave Mr. Easler approval to move forward and make grant application.**
3. **On motion by Commissioner Walker, seconded by Commissioner Surles and unanimously carried (3-0), the consent agenda—consisting of the approval of the agenda and General/Transportation Fund Vouchers—was approved.**
4. Chris Johnson, with Carr, Riggs and Ingram, gave an overview of the County Audit. He stated that on the whole, the County had a clean audit. He noted that the County's general fund balance was down approximately \$1.6 million from the prior year and cautioned the Board against spending non-designated fund balance on recurring items such as salary, benefits and items of that nature.
5. Commissioner Fulford gave a presentation on possible scenarios for the Economic Development Council.
6. **PUBLIC HEARING: Ordinance No. 2017-080317-01, FL Friendly Fertilizer**
7. Attorney Scott Shirley read and explained the above ordinance. **On motion by Commissioner Surles, seconded by Commissioner Walker and unanimously carried (4-0), the first reading was approved.**
8. Attorney Buck Bird discussed the Tax Deed timeframes. It was the consensus of the Board to continue following the statutory guidelines.
9. Clerk of Court Kirk Reams discussed a grant for the sewer system off Highway 59. He requested the Board's to move forward with the grant application. It was the consensus of the Board that Clerk Reams move forward.
10. The warrant register was reviewed and bills ordered paid.
11. **On motion by Commissioner Walker, seconded by Commissioner Surles and unanimously carried (3-0), the meeting was adjourned at 7:48 pm.**

Chairman

Attest: _____

VENDOR NAME	DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	DUE DATE	TY VOUCHER PE NUMBER	TRANSACTION DESCRIPTION	TRANS AMOUNT	DISC/WITH AMOUNT
CASH CODE-08008		G/L CASH ACCOUNT-111010000				CASH-CHECKING-CO TRANS		
Advanced Business System	08/03/2017	-	290002	07/13/2017	VR 11080317-006	Mtr#70306,70314	66.46	.00
						CHECK TO VENDOR==>VENDOR ADVBUSIN Advanced Business Systems	TOTALS 66.46	.00
A Mining Group, LLC	08/03/2017	-	78941	07/05/2017	VR 11080317-026	Yard	993.56	.00
A Mining Group, LLC	08/03/2017	-	78983	07/06/2017	VR 11080317-028	Yard	139.67	.00
A Mining Group, LLC	08/03/2017	-	79052	07/10/2017	VR 11080317-027	Yard	840.71	.00
A Mining Group, LLC	08/03/2017	-	79091	07/11/2017	VR 11080317-025	Yard	1002.36	.00
						CHECK TO VENDOR==>VENDOR AMININGG A Mining Group, LLC	TOTALS 2976.30	.00
Antelope Computer Servic	08/03/2017	-	519	07/11/2017	VR 11080317-005	RoadDept-RemoveVirus, Spyw	50.00	.00
						CHECK TO VENDOR==>VENDOR ANTELOPE Antelope Computer Service	TOTALS 50.00	.00
CenturyLink	08/03/2017	-	83040717	07/16/2017	VR 11080317-001	Act#312168304	410.38	.00
						CHECK TO VENDOR==>VENDOR CENTLINK CenturyLink	TOTALS 410.38	.00
First Call Truck Parts	08/03/2017	-	1021	06/13/2017	VR 11080317-020	#4505 CREDIT	-299.64	.00
First Call Truck Parts	08/03/2017	-	2624	07/11/2017	VR 11080317-018	#4505 Prim F/W Separator	246.38	.00
First Call Truck Parts	08/03/2017	-	2812	07/13/2017	VR 11080317-017	#4505 Alg Tool	14.85	.00
First Call Truck Parts	08/03/2017	-	65506	06/12/2017	VR 11080317-019	#4505 Antifreeze,FuelPowe	299.64	.00
						CHECK TO VENDOR==>VENDOR FIRSTCAL First Call Truck Parts	TOTALS 261.23	.00
Grubbs Petroleum, Inc*	08/03/2017	-	176560	07/17/2017	VR 11080317-024	Road Dept Fuel	15760.23	.00
						CHECK TO VENDOR==>VENDOR GRUBBSPE Grubbs Petroleum, Inc*	TOTALS 15760.23	.00
Gulf Coast Lumber/Supply	08/03/2017	-	20113	07/17/2017	VR 11080317-021	#300170 BoltsNutsWashers	5.58	.00
						CHECK TO VENDOR==>VENDOR GULFCOLU Gulf Coast Lumber/Supply*	TOTALS 5.58	.00
Howdys Rent A Toilet	08/03/2017	-	619413	07/07/2017	VR 11080317-004	#18072 Hwy 19 N	64.00	.00
Howdys Rent A Toilet	08/03/2017	-	619414	07/07/2017	VR 11080317-003	#19214 Hold Pond Hwy 19	64.00	.00
						CHECK TO VENDOR==>VENDOR HOWDYS Howdys Rent A Toilet	TOTALS 128.00	.00
Monticello Carquest Inc.	08/03/2017	-	88147617	07/10/2017	VR 11080317-016	Cust#132 HydHose,Fitting	88.24	.00
Monticello Carquest Inc.	08/03/2017	-	88147693	07/11/2017	VR 11080317-013	Cust#132 FuelPump,GasCan	59.69	.00
Monticello Carquest Inc.	08/03/2017	-	88147745	07/12/2017	VR 11080317-015	Cust#132 Battery	45.59	.00
Monticello Carquest Inc.	08/03/2017	-	88148029	07/18/2017	VR 11080317-014	Cust#132 Hyd Hose-Bulk	69.68	.00
						CHECK TO VENDOR==>VENDOR MONTCARQ Monticello Carquest Inc.	TOTALS 263.20	.00
Nationwide Transmission	08/03/2017	-	38338	07/10/2017	VR 11080317-007	Road Dept-Sensor	550.93	.00

VENDOR NAME	DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	DUE DATE	TY VOUCHER PE NUMBER	TRANSACTION DESCRIPTION	TRANS AMOUNT	DISC/WITH AMOUNT
						CHECK TO VENDOR==>VENDOR NATIONTA Nationwide Transmission &	TOTALS 550.93	.00
Office Depot*	08/03/2017	-	94340806	07/14/2017	VR 11080317-022	#943408064-1 BottledWater	58.08	.00
						CHECK TO VENDOR==>VENDOR OFFDEP Office Depot*	TOTALS 58.08	.00
O'Reilly Automotive, Inc	08/03/2017	-	5-298474	07/10/2017	VR 11080317-011	#336410 Battery,Towels	151.21	.00
O'Reilly Automotive, Inc	08/03/2017	-	5-298482	07/10/2017	VR 11080317-012	#336410 Oil	133.99	.00
O'Reilly Automotive, Inc	08/03/2017	-	5-298835	07/13/2017	VR 11080317-009	#336410 Gas-Magnum	80.24	.00
O'Reilly Automotive, Inc	08/03/2017	-	5-299203	07/17/2017	VR 11080317-010	#336410 TransFld,TorqWren	147.85	.00
						CHECK TO VENDOR==>VENDOR OREILLY O'Reilly Automotive, Inc.	TOTALS 513.29	.00
Ring Power Corporation*	08/03/2017	-	C3213853	07/11/2017	VR 11080317-008	#024320 Coupling,SealRing	184.00	.00
						CHECK TO VENDOR==>VENDOR RINGPOWC Ring Power Corporation*	TOTALS 184.00	.00
Safety-Kleen Systems, In	08/03/2017	-	05067038	06/30/2017	VR 11080317-023	#JE10809 #CN05067038	49.68	.00
						CHECK TO VENDOR==>VENDOR SAFETYKL Safety-Kleen Systems, Inc	TOTALS 49.68	.00
Vector Security	08/03/2017	-	59572541	07/05/2017	VR 11080317-002	Act#6478853	31.45	.00
						CHECK TO VENDOR==>VENDOR VECTOR Vector Security	TOTALS 31.45	.00
						CASH ACCOUNT # 111010000	TOTALS 21308.81	.00
						BANK ACCOUNT # 0101006511	TOTALS 21308.81	.00
						FINAL REPORT TOTALS	21308.81	.00

VENDOR NAME	DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	DUE DATE	TY VOUCHER PE NUMBER	TRANSACTION DESCRIPTION	TRANS AMOUNT	DISC/WITH AMOUNT
CASH CODE-01001		G/L CASH ACCOUNT-011010000		CASH-CHECKING-GEN. FUND				
Advanced Business System	08/03/2017	-	290003	07/13/2017	VR 01080317-008	Mtr#70303,70312,70313	174.01	.00
Advanced Business System	08/03/2017	-	290072	07/14/2017	VR 22080317-079	Mtr#70301	49.71	.00
Advanced Business System	08/03/2017	-	290152	07/17/2017	VR 01080317-039	Mtr#70302,70315,70316	389.66	.00
Advanced Business System	08/03/2017	-	290242	07/18/2017	VR 01080317-040	Mtr#70304	16.54	.00
Advanced Business System	08/03/2017	-	290242	07/18/2017	VR 01080317-041	Mtr#70304	16.54	.00
Advanced Business System	08/03/2017	-	290329	07/19/2017	VR 01080317-075	Mtr#68863	23.92	.00
Advanced Business System	08/03/2017	-	290329	07/19/2017	VR 19080317-076	Mtr#68863	23.91	.00
CHECK TO VENDOR==>VENDOR ADVBUSIN Advanced Business Systems TOTALS							694.29	.00
American Express	08/03/2017	-	07101701	07/10/2017	VR 01080317-010	Act#3782-981993-21005	587.28	.00
CHECK TO VENDOR==>VENDOR AMEXPRES American Express TOTALS							587.28	.00
Animal Medical Clinic*	08/03/2017	-	267580	07/14/2017	VR 01080317-030	Act#4512 Vet Services	180.00	.00
Animal Medical Clinic*	08/03/2017	-	267581	07/14/2017	VR 01080317-029	Act#4512 T.K.X.	112.00	.00
Animal Medical Clinic*	08/03/2017	-	267592	07/14/2017	VR 01080317-027	Act#4512 Vet Services	90.00	.00
Animal Medical Clinic*	08/03/2017	-	267657	07/14/2017	VR 01080317-026	Act#4512 Vet Services	18.00	.00
Animal Medical Clinic*	08/03/2017	-	267829	07/18/2017	VR 01080317-028	Act#4512 Vet Services	90.00	.00
CHECK TO VENDOR==>VENDOR ANIMALCL Animal Medical Clinic* TOTALS							490.00	.00
Ard, Shirley & Rudolph,P	08/03/2017	-	11388	07/21/2017	VR 01080317-011	Monthly Plan Rep 08/17	2188.33	.00
CHECK TO VENDOR==>VENDOR ARDSHIRL Ard, Shirley & Rudolph,PA TOTALS							2188.33	.00
Best Industrial Supply	08/03/2017	-	4791	07/19/2017	VR 22080317-080	SolidWaste-T.P.	35.95	.00
CHECK TO VENDOR==>VENDOR BESTINDU Best Industrial Supply TOTALS							35.95	.00
T. Buckingham Bird	08/03/2017	-	08011701	08/01/2017	VR 01080317-001	Monthly Budget 08/17	2253.25	.00
CHECK TO VENDOR==>VENDOR BIRDTBUC T. Buckingham Bird TOTALS							2253.25	.00
Marty Bishop	08/03/2017	-	08011701	08/01/2017	VR 01080317-002	Monthly Budget 08/17	19104.54	.00
CHECK TO VENDOR==>VENDOR BISHOPM Marty Bishop TOTALS							19104.54	.00
CenturyLink	08/03/2017	-	97760717	07/16/2017	VR 23080317-101	Act#311709776	5469.83	.00
CHECK TO VENDOR==>VENDOR CENTLINK CenturyLink TOTALS							5469.83	.00
State of Florida	08/03/2017	-	2K-7184	06/15/2017	VR 01080317-033	#215-8844	205.19	.00
State of Florida	08/03/2017	-	2K-7185	06/15/2017	VR 01080317-034	#215-8844	6.22	.00
State of Florida	08/03/2017	-	2L-3369	06/30/2017	VR 01080317-035	#215-8844	205.19	.00
State of Florida	08/03/2017	-	2L-3370	06/30/2017	VR 01080317-036	#215-8844	4.00	.00

VENDOR NAME	DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	DUE DATE	TY VOUCHER PE NUMBER	TRANSACTION DESCRIPTION	TRANS AMOUNT	DISC/WITH AMOUNT	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-056	#AN2AW01	11.21	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-058	#AN2M001	286.42	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-059	#AN2M002	112.05	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-060	#AN2M005	67.23	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-063	#AN2M008	93.14	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-064	#AN2M009	58.82	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-065	#AN2M010	89.64	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-066	#AN2M011	33.61	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-067	#AN2M011	33.62	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-068	#AN2M012	44.82	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-069	#AN2M013	51.82	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-070	#AN2M015	22.41	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-071	#AN2M016	67.23	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-072	#AN2M017	89.64	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-073	#AN2M018	44.82	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 01080317-074	#AN2M021	25.00	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 19080317-057	#AN2AW01	11.20	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 19080317-061	#AN2M006	48.32	.00	
State of Florida	08/03/2017	-	2L-6790	06/30/2017	VR 22080317-062	#AN2M007	67.23	.00	
State of Florida	08/03/2017	-	2L-6791	06/30/2017	VR 01080317-053	#AN2	50.18	.00	
State of Florida	08/03/2017	-	2L-6792	06/30/2017	VR 19080317-077	#AN2-14844	33.95	.00	
State of Florida	08/03/2017	-	2L-6793	06/30/2017	VR 01080317-054	#AN2-10457	24.34	.00	
State of Florida	08/03/2017	-	2L-6794	06/30/2017	VR 01080317-055	#AN2-1550	38.37	.00	
CHECK TO VENDOR==>VENDOR DEPTMGMT State of Florida							TOTALS	1825.67	.00
Duke Energy	08/03/2017	-	12170717	07/11/2017	VR 01080317-023	Act#4924911217	978.99	.00	
Duke Energy	08/03/2017	-	60800717	07/18/2017	VR 01080317-009	Act#3663516080	78.36	.00	
Duke Energy	08/03/2017	-	64050717	07/11/2017	VR 01080317-022	Act#6504596405	141.09	.00	
Duke Energy	08/03/2017	-	90640717	07/20/2017	VR 01080317-078	Act#3193189064	658.10	.00	
Duke Energy	08/03/2017	-	93470717	07/10/2017	VR 22080317-081	Act#2704479347	264.92	.00	
Duke Energy	08/03/2017	-	95940717	07/14/2017	VR 01080317-031	Act#5010229594	531.72	.00	
CHECK TO VENDOR==>VENDOR DUKE Duke Energy							TOTALS	2653.18	.00
First Call Truck Parts	08/03/2017	-	3247	07/20/2017	VR 22080317-087	#4515 Antifreeze	155.88	.00	
CHECK TO VENDOR==>VENDOR FIRSTCAL First Call Truck Parts							TOTALS	155.88	.00
Florida Institute Educat	08/03/2017	-	FIE3950	04/12/2017	VR 26080317-090	Implementation Support	2500.00	.00	
CHECK TO VENDOR==>VENDOR FLINSTIT Florida Institute Educati							TOTALS	2500.00	.00
Gulf Coast Lumber/Supply	08/03/2017	-	20179	07/18/2017	VR 22080317-082	#300166 Coupling	5.69	.00	
Gulf Coast Lumber/Supply	08/03/2017	-	20202	07/18/2017	VR 22080317-083	#300166 CREDIT	-2.50	.00	
CHECK TO VENDOR==>VENDOR GULFCOLU Gulf Coast Lumber/Supply*							TOTALS	3.19	.00
Holley, Inc	08/03/2017	-	553900-2	07/17/2017	VR 22080317-088	#JE155 Rake	41.12	.00	

VENDOR NAME	DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	DUE DATE	TY VOUCHER PE NUMBER	TRANSACTION DESCRIPTION	TRANS AMOUNT	DISC/WITH AMOUNT	
CHECK TO VENDOR==>VENDOR HOLLEY Holley, Inc							TOTALS	41.12	.00
Ingram Library Services	08/03/2017	-	99135480	07/02/2017	VR 26080317-092	Act#2005054 Literacy	890.23	.00	
Ingram Library Services	08/03/2017	-	99135481	07/02/2017	VR 26080317-091	Act#2005054 Literacy	1812.60	.00	
Ingram Library Services	08/03/2017	-	99135483	07/02/2017	VR 26080317-093	Act#2005054 Literacy	126.67	.00	
Ingram Library Services	08/03/2017	-	99203817	07/07/2017	VR 01080317-016	Act#2005054	54.76	.00	
Ingram Library Services	08/03/2017	-	99203818	07/07/2017	VR 01080317-015	Act#2005054	12.38	.00	
Ingram Library Services	08/03/2017	-	99203819	07/07/2017	VR 26080317-096	Act#2005054 Literacy	145.63	.00	
Ingram Library Services	08/03/2017	-	99203820	07/07/2017	VR 01080317-014	Act#2005054	97.76	.00	
Ingram Library Services	08/03/2017	-	99247918	07/09/2017	VR 01080317-021	Act#2005054	51.27	.00	
Ingram Library Services	08/03/2017	-	99247919	07/11/2017	VR 26080317-094	Act#2005054 Literacy	138.25	.00	
Ingram Library Services	08/03/2017	-	99247920	07/11/2017	VR 26080317-095	Act#2005054 Literacy	33.57	.00	
Ingram Library Services	08/03/2017	-	99247921	07/11/2017	VR 01080317-020	Act#2005054	866.15	.00	
Ingram Library Services	08/03/2017	-	99247922	07/11/2017	VR 01080317-018	Act#2005054	23.73	.00	
Ingram Library Services	08/03/2017	-	99247923	07/11/2017	VR 01080317-019	Act#2005054	19.71	.00	
Ingram Library Services	08/03/2017	-	99268072	07/12/2017	VR 01080317-013	Act#2005054	19.59	.00	
Ingram Library Services	08/03/2017	-	99268073	07/12/2017	VR 26080317-097	Act#2005054 Literacy	35.04	.00	
Ingram Library Services	08/03/2017	-	99268074	07/12/2017	VR 01080317-012	Act#2005054	27.13	.00	
CHECK TO VENDOR==>VENDOR INGRAM Ingram Library Services							TOTALS	4364.45	.00
Jefferson Co. Extension	08/03/2017	-	07191701	07/19/2017	VR 01080317-044	Sams-HotDogBuns,Bags	23.30	.00	
Jefferson Co. Extension	08/03/2017	-	07211701	07/21/2017	VR 01080317-037	MacIay Gardens Entry	66.97	.00	
CHECK TO VENDOR==>VENDOR JEFFEXTE Jefferson Co. Extension							TOTALS	90.27	.00
MAC PAPERS, INC.	08/03/2017	-	648673	07/20/2017	VR 01080317-100	#JE0312 Paper	349.00	.00	
CHECK TO VENDOR==>VENDOR MAC MAC PAPERS, INC.							TOTALS	349.00	.00
Madison County	08/03/2017	-	07251701	07/25/2017	VR 01080317-050	VA Shared Costs 07/17	1834.67	.00	
CHECK TO VENDOR==>VENDOR MADISONB Madison County							TOTALS	1834.67	.00
MailFinance	08/03/2017	-	N6658376	07/20/2017	VR 01080317-051	Cust#00777345	315.18	.00	
CHECK TO VENDOR==>VENDOR MAILFIN MailFinance							TOTALS	315.18	.00
Monticello Carquest Inc.	08/03/2017	-	38148103	07/19/2017	VR 01080317-043	Cust#201 Blades	33.75	.00	
CHECK TO VENDOR==>VENDOR MONTCARQ Monticello Carquest Inc.							TOTALS	33.75	.00
TMFM-Monticello*	08/03/2017	-	07141701	07/14/2017	VR 01080317-052	#460386610 McCormick,John	128.00	.00	
CHECK TO VENDOR==>VENDOR MONTIFAM TMFM-Monticello*							TOTALS	128.00	.00
MyOfficeProducts	08/03/2017	-	29641171	07/20/2017	VR 01080317-049	#325674 Labels	39.36	.00	

VENDOR NAME	DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	DUE DATE	TY VOUCHER PE NUMBER	TRANSACTION DESCRIPTION	TRANS AMOUNT	DISC/WITH AMOUNT
						CHECK TO VENDOR==>VENDOR MYOFFICE MyOfficeProducts	TOTALS	39.36 .00
Grubbs Auto Parts, LLC	08/03/2017	-	221512	07/18/2017	VR 22080317-084 #1699	Toggle Switch	7.64	.00
						CHECK TO VENDOR==>VENDOR NAPAAUTO Grubbs Auto Parts, LLC	TOTALS	7.64 .00
Overdrive, Inc.	08/03/2017	-	00031597	07/04/2017	VR 01080317-048 #3870-0003	eBooks	83.99	.00
Overdrive, Inc.	08/03/2017	-	11312096	07/01/2017	VR 01080317-046 #3870-0003	eBooks	19.37	.00
Overdrive, Inc.	08/03/2017	-	12021757	07/01/2017	VR 01080317-047 #3870-0003	eBooks	3004.59	.00
Overdrive, Inc.	08/03/2017	-	13364531	04/11/2017	VR 01080317-045 #3870-0003	eBooks	1340.89	.00
						CHECK TO VENDOR==>VENDOR OVERDRIV Overdrive, Inc.	TOTALS	4448.84 .00
Kirk B. Reams	08/03/2017	-	07271701	07/27/2017	VR 01080317-099	Filing Fees 07/17	1503.50	.00
Kirk B. Reams	08/03/2017	-	08011701	08/01/2017	VR 01080317-003	Monthly Budget 08/17	25000.00	.00
						CHECK TO VENDOR==>VENDOR REAMSKIR Kirk B. Reams	TOTALS	26503.50 .00
Redwire	08/03/2017	-	124319	07/21/2017	VR 01080317-032 #W1M1414	Annex	59.00	.00
						CHECK TO VENDOR==>VENDOR REDWIRE Redwire	TOTALS	59.00 .00
Register's Mini Storage	08/03/2017	-	08011701	08/01/2017	VR 01080317-004	Units B 17,21-22	225.00	.00
						CHECK TO VENDOR==>VENDOR REGISTMI Register's Mini Storage	TOTALS	225.00 .00
DAVIS REVELL	08/03/2017	-	07171701	07/17/2017	VR 01080317-024	Data Access 07/12-08/11	30.00	.00
						CHECK TO VENDOR==>VENDOR REVELL DAVIS REVELL	TOTALS	30.00 .00
Ring Power Corporation*	08/03/2017	-	L3212266	07/10/2017	VR 22080317-085 #024323	Element,FilterAsy	173.93	.00
						CHECK TO VENDOR==>VENDOR RINGPOWC Ring Power Corporation*	TOTALS	173.93 .00
Royal Mini Storage, Inc.	08/03/2017	-	08011701	08/01/2017	VR 01080317-005	Unit #47	110.00	.00
						CHECK TO VENDOR==>VENDOR ROYALMIN Royal Mini Storage, Inc.	TOTALS	110.00 .00
James Skipworth	08/03/2017	-	07171701	07/17/2017	VR 01080317-042	Janitorial Svcs 07/17	420.00	.00
						CHECK TO VENDOR==>VENDOR SKIPWORJ James Skipworth	TOTALS	420.00 .00
Standard Insurance Co.	08/03/2017	-	07141701	07/14/2017	VR 01080317-006 #001436380003	JCBOCC	720.12	.00
						CHECK TO VENDOR==>VENDOR STANDINS Standard Insurance Co.	TOTALS	720.12 .00
Stewart Heating & Coolin	08/03/2017	-	17-20047	07/06/2017	VR 01080317-007	Library-Add 41bs of R22	485.00	.00

VENDOR NAME	DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	DUE DATE	TY VOUCHER PE NUMBER	TRANSACTION DESCRIPTION	TRANS AMOUNT	DISC/WITH AMOUNT
						CHECK TO VENDOR==>VENDOR STEWARTH Stewart Heating & Cooling	TOTALS	485.00 .00
Tri-County Electric Coop	08/03/2017	-	90050717	07/14/2017	VR 22080317-086	Act#72001059005	82.19	.00
						CHECK TO VENDOR==>VENDOR TRI-CO. Tri-County Electric Coop.	TOTALS	82.19 .00
UniFirst Corporation	08/03/2017	-	0141096	07/20/2017	VR 22080317-089	Cust#1237569	164.08	.00
UniFirst Corporation	08/03/2017	-	0141106	07/20/2017	VR 01080317-038	Cust#1311916	80.67	.00
UniFirst Corporation	08/03/2017	-	0141581	07/27/2017	VR 01080317-098	Cust#1311916	80.67	.00
						CHECK TO VENDOR==>VENDOR UNIFIRST UniFirst Corporation	TOTALS	325.42 .00
White's Fence Company	08/03/2017	-	20170225	06/24/2017	VR 01080317-025	#MON4532 Fencing	562.00	.00
						CHECK TO VENDOR==>VENDOR WHITESFE White's Fence Company	TOTALS	562.00 .00
						CASH ACCOUNT # 011010000	TOTALS	79309.83 .00
						BANK ACCOUNT # 0101001611	TOTALS	79309.83 .00
						FINAL REPORT TOTALS	79309.83	.00


ITEM 5

**ORDINANCE NO. 2017-080317-01
FLORIDA-FRIENDLY FERTILIZER
MODEL ORDINANCE**

LAW OFFICES
of
ARD, SHIRLEY & RUDOLPH, P. A.
Post Office Box 1874
207 West Park Avenue
Suite B
Tallahassee, Florida 32302-1874
Phone: 850-577-6500
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MEMORANDUM

TO: Jefferson County Board of County Commissioners

FROM: Scott Shirley, Land Use Counsel 

SUBJ: F.S. § 373.801(2016), et seq. and F.S. § 403.9335(2009), et seq.
Mandating that Certain Local Governments Adopt
Florida-Friendly Fertilizer Use on Urban Landscapes
Model Ordinance

DATE: July 12, 2017

This concerns the Florida Friendly Fertilizer Use on Urban Landscapes Model Ordinance (Model Ordinance), and provides a brief description of the ordinance and its purposes. State law now requires that Jefferson County, and numerous other local governments across the State of Florida, adopt the Model Ordinance. In 2008 the first Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes was completed as the result of a multidisciplinary effort led by the Florida Department of Environmental Protection (FDEP). The Model Ordinance was, and is, intended to create a local regulatory framework for reducing the impacts to surface waters of nutrients in fertilizer used primarily in urban areas. The Model Ordinance is intended to be adopted at the County and municipal governmental level providing a basis for local implementation and enforcement of best management practices for non-farming related fertilizer application and use.

The Model Ordinance seeks to regulate all potential users of fertilizer unless such user is specifically exempt. The Model Ordinance adopts a series of best management practices for fertilizer use and application establishing standards for: (i) timing of applications to avoid application of fertilizer before heavy rain events; (ii) establishing fertilizer free zones prohibiting application within ten (10) feet of waterbodies and wetlands; (iii) encouraging the establishment ten

(10) feet of low maintenance zones to buffer waterbodies and wetlands; (iv) adopting the application rates for fertilizer which are already in the FDEP rule applicable to golf courses, parks and athletic fields; (v) establishing application practices to properly limit fertilizer application to the areas intended to be fertilized and to clean up spills; and (vi) preventing grass clippings and other vegetative material from being introduced directly into stormwater features, ditches, water bodies and wetlands. The Model Ordinance expressly exempts bona fide farm operations as such are defined in the Florida Right to Farm Act F.S. § 823.14, livestock grazing operations even if not covered in the Right to Farm Act, and land used for scientific research. The Model Ordinance further requires certain minimum training for commercial and institutional applicators of fertilizer and encourages non-commercial applicators to employ additional identified best management practices. Finally, the Model Ordinance requires that commercial applicators have in their possession evidence of commercial fertilizer certification and requires businesses applying fertilizer to have an employee with proof of the proper training.

Initial implementation of the Model Ordinance came in 2009. That year the Florida Legislature adopted F.S. § 403.9335(2009), et seq., entitled the “Protection of Urban and Residential Environments Water Act.” F.S. § 403.9338(2) requires that each County with a water body or water segment that is listed as impaired due to elevated nutrient levels pursuant to F.S. § 403.067, shall, at a minimum, adopt the Model Ordinance. FDEP has determined pursuant to F.S. § 403.067 that the Wacissa Springs Group and Wacissa River are both water bodies that are impaired for nutrients due to elevated levels of nitrates. This was recently confirmed in the draft report entitled “Nutrient TMDL for Wacissa River and Springs (WBIDs 3424 and 3424Z) and Documentation in Support of Development of Site Specific Numeric Interpretation of the Narrative Nutrient Criterion,” issued November 2016. Technically, on this basis alone Jefferson County is required to adopt the Model Ordinance.

Additionally, more recent requirements for adoption and implementation of the Model Ordinance came in 2016. That year the Florida Legislature adopted the “Florida Springs and Aquifer Protection Act.” F.S. § 373.801(2016), et seq. F.S. § 373.807(2) requires that each local government in whose boundaries exists an Outstanding Florida Spring must adopt the Model Ordinance required by F.S. § 403.9338(2). Outstanding Florida Spring is defined as any historic first magnitude spring and certain other named springs. F.S. § 373.802(4). Based on the latest spring’s bulletin published by the Florida Geologic Survey, FDEP has determined that the Wacissa Springs Group is an Outstanding Florida Spring. This also requires that Jefferson County adopt the Model Ordinance. F.S. § 373.807(2).

On March 7, 2017, FDEP sent a letter to the County Coordinator formally notifying the County that, pursuant to F.S. § 373.807(2), the County is required to adopt the Model Ordinance. On April 6, 2017, the Board of County Commissioners agreed that the Planning Commission should review the Model Ordinance prior to the Board taking action. To carry out this direction, this office prepared an ordinance document by which Jefferson County could proceed to adopt the terms of the Model Ordinance. The proposed County ordinance is formatted to appear in the Code of Ordinances in Chapter 14, Environment and Natural Resources.

The Jefferson County Planning Commission conducted a noticed public hearing on the proposed County ordinance on May 25, 2017. As stated in the draft minutes for that meeting, which were recently circulated, the Planning Commission determined that the ordinance was consistent with the County Comprehensive Plan, but was unable to otherwise make a recommendation regarding the ordinance due to not having enough information. These questions follow, together with responses and additional information.

1. *Who, and how, would an individual and/or department monitor and/or enforce any of the aspects outlined in the Ordinance?*

Response: It is expected that the Code Enforcement Department will be primarily responsible for monitoring and enforcement, with the caveat that the current complaint driven system will continue. As is the case now, Code Enforcement personnel will continue to consult and coordinate with Building and Planning staff as part of following up on complaints of code violations.

Business licenses are issued by the Building and Planning Department. Confirmation of proof of employee training for businesses that apply fertilizer as part of their normal business operations will be accomplished as part of the business licensing process.

It is recommended that the primary method of implementation be to develop a public information brochure that explains the best management practices in a very simplified bullet format. The brochure could be made available in a number of public places. Voluntary compliance through available and accurate public information can be a very effective form of implementation and enforcement.

2. *What are the qualifications required for an individual and/or department to enforce the Ordinance?*

Response: The best management practices are very straight forward and will not require special qualifications on the part of code enforcement staff.

3. *Are there any penalties to the County if the County adopts the ordinance - but said Ordinance is not actively enforced by Jefferson County?*

Response: Significant enforcement mechanisms are included in both F.S. Chapters 373 and 403. However, it seems unlikely that the State will seek to take issue with the County's discretionary allocation of limited local resources for purposes of enforcement. So long as the County implements the ordinance with a public information brochure, responds to code enforcement complaints and confirms training as part of business licensing, enforcement activity by the State is very unlikely.

4. *Are there penalties to an offender for violations of the Ordinance, and if so, what are they and who executes the penalties? (e.g. monetary fines? incarceration? Code Enforcement Officer? Sheriff?)*

The proposed County ordinance provides for enforcement through the code enforcement mechanisms in Jefferson County Code of Ordinances Chapter 21. This includes formal code enforcement proceeding with a Special Magistrate or issuance of a civil citation. Both could possibly involve monetary fines. The draft ordinance does not propose to use incarceration as a method of enforcement.

5. *Is the Ordinance appropriate for Jefferson County as a rural, actively farmed, and primarily agricultural community?*

Response: The Ordinance is mandatory under State law and applies to all local governments with Outstanding Florida (historic first magnitude) Springs. Many of the State's first magnitude springs are located in rural areas.

6. *When the state considers passage of a new statute, one aspect of the evaluation of new state statutes is how does this affect individual homeowners on properties not classified as agricultural, particularly when caring for their lawns, flower gardens, small crop gardens, etc., and/or what are the possibilities of those individuals potentially being adversely affected financially in the future such as:
 - a. *Can this ordinance be a "foot in the door" for another tax?*
 - b. *Can this ordinance be a "foot in the door" for another license?**

Response: This comment appears to be primarily rhetorical. However, the proposed County ordinance does not seek to impose another tax. Concerning licenses, commercial fertilizer applicators are already required to obtain a certification from the Florida Department of Agriculture and Consumer Services. Businesses applying fertilizer as part of regular business operations will be required to have one employee with training certification.

7. *At least one provision seemed to be virtually impossible to enforce in this or any other county:*

Sec. 14-29. Management of Grass Clippings and Vegetative Matter.

In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.

This raised the question, "How can any county (or any homeowners' association providing maintenance of private roads) efficiently maintain existing roads without undue time and expense when mowing rights of way and easements that virtually all have some form of ditch, swale, or other stormwater conveyance?"

Response: The grass clippings that are cut from grass actually growing in the ditch can remain where they are. The prohibition in Sec. 14-29 only prevents the intentional introduction and concentration of grass clippings and vegetative material in stormwater conveyances or ditches as a means of permanent disposal of such materials. It has long been recognized that disposal of lawn clippings to stormwater systems adversely affects the quality of receiving surface waters. Many local governments in the state already have prohibitions of disposal of lawn clippings and vegetative material in stormwater systems.

8. *Is there any penalty to the County if the Board does not adopt the ordinance by the State or Federal governments? If so, what types of penalties could/would probably be enforced?*

Response: There is no specific penalty expressly specified in either of the two pieces of State legislation that mandate adoption of this Ordinance. However, both F.S. Chapters 373 and 403 have significant and effective enforcement mechanisms. Both substantial fines and injunctive relief is authorized, as well as attorney's fees and costs. It is unknown what actions the State might actually undertake to enforce adoption of the Ordinance by the County.

9. *Since the third and forth "Whereas" on page 1 of the Ordinance declares the existence of excessive nutrients in the waters of the Wacissa River and Wacissa Springs Group in the County, a strong comment regarding the study's/studies' finding nutrients impairing the Wacissa River and Springs questioned the true source of the "impairments" in the Wacissa area.*

Response: The "Whereas" in question has been removed. However, the impairment by elevated levels of nitrate in the Wacissa River and Wacissa Springs Group is well documented. See, draft report entitled "Nutrient TMDL for Wacissa River and Springs (WBIDs 3424 and 3424Z) and Documentation in Support of Development of Site Specific Numeric Interpretation of the Narrative Nutrient Criterion," issued November 2016. An electronic copy of this draft report has been provided to the County Commissioners and can be provided to others on request.

s:\ss\1-101.1 jefferson county general\florida friendly fertilizer\memorandum to boccc fff model ordinance.doc

JEFFERSON COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2017-080317-01

AN ORDINANCE OF JEFFERSON COUNTY, FLORIDA, ADOPTING THE MODEL ORDINANCE FOR FLORIDA-FRIENDLY USE OF FERTILIZER ON URBAN LANDSCAPES; PROVIDING FINDINGS; PROVIDING PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR TIMING OF FERTILIZER APPLICATION; PROVIDING FOR FERTILIZER FREE ZONES; PROVIDING FOR LOW MAINTENANCE ZONES; PROVIDING FOR FERTILIZER CONTENT AND APPLICATION RATES; PROVIDING APPLICATION PRACTICES; PROVIDING FOR MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER; PROVIDING EXEMPTIONS; ESTABLISHING TRAINING REQUIREMENTS; PROVIDING FOR LICENSURE OF COMMERCIAL APPLICATORS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR COPY ON FILE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Florida, as follows:

SECTION 1: FINDINGS

WHEREAS, the Florida Legislature has adopted F.S. § 403.9335(2009), et seq., entitled the “Protection of Urban and Residential Environments Water Act,” and

WHEREAS, F.S. § 403.9338(2) requires that each County with a water body or water segment that is listed as impaired due to elevated nutrient levels pursuant to F.S. § 403.067, shall, at a minimum, adopt the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes (“Model Ordinance”) developed by the Florida Department of Environmental Protection, and

WHEREAS, the Florida Department of Environmental Protection has determined pursuant to F.S. § 403.067 that the Wacissa Springs Group and Wacissa River are both water bodies that are impaired for nutrients due to elevated levels of nitrates, and

WHEREAS, the Florida Legislature has also adopted the “Florida Springs and Aquifer Protection Act” F.S. § 373.801(2016), et seq., which finds that springs are a unique part of Florida’s scenic beauty and provides special protection for designated Outstanding Florida Springs, and

WHEREAS, F.S. § 373.807(2) requires that each local government in whose boundaries exists an Outstanding Florida Spring must adopt above mentioned the Model Ordinance required by F.S. § 403.9338(2), and

WHEREAS, the State of Florida Department of Environmental Protection has determined that the Wacissa Springs Group is an Outstanding Florida Spring (historic first magnitude spring, See, F.S. § 373.802(4)), and that, on this basis, Jefferson County is required by F.S. § 373.807(2) to adopt the Model Ordinance, and

WHEREAS, the Wacissa Springs Group and Wacissa River are natural resource assets critical to the environmental, recreational, cultural and economic well-being of Jefferson County residents and the health of the public, and

WHEREAS, the Jefferson County Board of County Commissioners has determined that adoption of this ordinance, which includes applicable provisions of the Model Ordinance, is in the best interest of protecting of the public health, safety and welfare.

NOTE: *Language in Sections 2 and 3 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and * * * represents sections of the Code of Ordinances that have been skipped and remain unchanged.*

SECTION 2. CODE OF ORDINANCES CHAPTER 14, ENVIRONMENT AND NATURAL RESOURCES, SEC. 14-1 AMENDED

The Jefferson County Board of County Commissioners hereby amends Code of Ordinances Chapter 14, Environment and Natural Resources, Sec. 14-1 as follows:

Chapter 14 - ENVIRONMENT AND NATURAL RESOURCES

ARTICLE I. - IN GENERAL

Sec. 14-1. - Storage or disposal of hazardous nuclear waste.

- (a) It is hereby declared to be the public policy of this county, in order to safeguard the life, health, property and public welfare of its citizens, that it shall be unlawful to store or dispose of hazardous nuclear waste. This is a matter affecting the public interest.
- (b) It shall be unlawful for any person to store or dispose of any hazardous nuclear waste within the boundaries of the county.

Secs. 14-2—14-20. - Reserved.

SECTION 3. CODE OF ORDINANCES CHAPTER 14, ENVIRONMENT AND NATURAL RESOURCES, ARTICLE II, FLORIDA-FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES, SECS. 14-21 – 14-33, ADOPTED

The Jefferson County Board of County Commissioners hereby adopts Code of Ordinances Chapter 14, Environmental and Natural Resources, Article II, Florida-Friendly Fertilizer Use on Urban Landscapes, Secs. 14-21 – 14-33 as follows:

ARTICLE II. – FLORIDA-FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES

Sec. 14-21. Purpose and Intent.

This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of Commercial and Institutional Fertilizer Applicators; establishes training and licensing requirements; establishes a Prohibited Application Period; specifies allowable fertilizer application rates and methods, fertilizer-free zones, low maintenance zones, and exemptions. The Ordinance requires the use of Best Management Practices which provide specific management guidelines to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers.

Sec. 14-22. Definitions.

For this Article, the following terms shall have the meanings set forth in this section unless the context clearly indicates otherwise.

Administrator means the County Coordinator, or designee, authorized to administer and enforce the provisions of this Article.

Application or Apply means the actual physical deposit of fertilizer to turf or landscape plants.

Applicator means any Person who applies fertilizer on turf and/or landscape plants within unincorporated Jefferson County.

Board means the Board of County Commissioners of Jefferson County, Florida.

Best Management Practices means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.

Code Enforcement Officer, Official, or Inspector means any designated employee or agent of Jefferson County whose duty it is to enforce codes and ordinances enacted by the Jefferson County Board of County Commissioners.

Commercial Fertilizer Applicator, except as provided in F.S. § 482.1562(9), means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicator.

Fertilize, Fertilizing or Fertilization means the act of applying fertilizer to turf, specialized turf, or landscape plants.

Fertilizer means any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

Guaranteed Analysis means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.

Institutional Applicator means any person, other than a private, non-commercial or a Commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional Applicators shall include, but shall not be limited to, owners, managers or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium and/or common ownership.

Landscape Plant means any native or exotic tree, shrub, or groundcover (excluding turf).

Low Maintenance Zone means an area a minimum of ten (10) feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.

Person means any natural person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and/or any group of people acting as an organized entity.

Prohibited Application Period means the time period during which a Flood Watch or Warning, or a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of Jefferson County, issued by the National Weather Service, or if heavy rain¹ is likely.

Approved Best Management Practices Training Program means a training program approved per F.S. § 403.9338, that includes the most current version of the Florida Department of Environmental Protection's "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008," as revised.

¹ World Meteorological Organization definition of heavy rain: Rainfall greater than or equal to 50mm (2 inches) in a 24 hour period. <http://severe.worldweather.org/rain/>, and forecast keyword "likely", http://www.wrh.noaa.gov/sew/MediaGuide/TermsOutlooks_Watches_Warnings.pdf.

Saturated Soil means a soil in which the voids are filled with water. For the purposes of this ordinance, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

Slow Release, Controlled Release, Timed Release, Slowly Available, or Water Insoluble Nitrogen means nitrogen in a form which delays its availability for plant uptake and use after application, or which extends its availability to the plant longer than a rapid or quick release product.

Turf, Sod, or Lawn means a piece of grass-covered soil held together by the roots of the grass.

Urban Landscape means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or horticultural plants. For the purposes of this section, agriculture has the same meaning as in F.S. § 570.02.

Sec. 14-23. Applicability.

This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer within the unincorporated area of Jefferson County, unless such applicator is specifically exempted by the Sec. _____ from the regulatory provisions of this Ordinance. This Ordinance shall be prospective only, and shall not impair any contracts existing as of June 15, 2017.

Sec. 14-24. Timing of Fertilizer Application.

No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period, or to saturated soils.

Sec. 14-25. Fertilizer Free Zones.

Fertilizer shall not be applied within ten (10) feet of any pond, stream, watercourse, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340, F.A.C.) or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator, with a visible and sharply defined edge, is used, in which case a minimum of 3 feet shall be maintained. Newly planted turf and/or landscape plants may be fertilized in this Zone only for a sixty (60) day period beginning 30 days after planting if needed to allow the plants to become well established. Caution shall be used to prevent direct deposition of nutrients into the water.

Sec. 14-26. Low Maintenance Zones.

A voluntary ten (10) foot low maintenance zone is strongly recommended, but not mandated, from any pond, stream, water course, lake, wetland or from the top of a seawall. A

swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff. No mowed or cut vegetative material may be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the over-spray of aquatic weed products in this zone.

Sec. 14-27. Fertilizer Content and Application Rates.

(a) Fertilizers applied to turf within Jefferson County shall be applied in accordance with requirements and directions provided by Rule 5E-1.003, F.A.C.

(b) Fertilizer containing nitrogen shall not be applied before seeding or sodding a site, and shall not be applied for the first 30 days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevention Plan for that site.

(c) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in (a) above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.

Sec. 14-28. Application Rates.

(a) Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands.

(b) Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces.

(c) Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.

(d) Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.

(e) In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

Sec. 14-29. Management of Grass Clippings and Vegetative Matter.

In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.

Sec. 14-30. Exemptions.

The provisions set forth above in this Ordinance shall not apply to:

(a) Bona fide farm operations as defined in the Florida Right to Farm Act, F.S. § 823.14;

(b) Other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;

(c) Any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

Sec. 14-31. Training.

(a) All commercial and institutional applicators of fertilizer within the unincorporated area of Jefferson County, shall abide by and successfully complete the six-hour training program in the “Florida Friendly Best Management Practices for Protection of Water Resources by the Green Industries” offered by the Florida Department of Environmental Protection through the University of Florida Extension “Florida-Friendly Landscaping TM” program, or an approved equivalent.

(b) Private, non-commercial applicators are encouraged to follow the recommendations of the University of Florida IFAS Florida Yards and Neighborhoods program when applying fertilizers.

Sec. 14-32. Licensing of Commercial Applicators.

All commercial applicators of fertilizer within the unincorporated area of Jefferson County, shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per Rule 5E-14.117(18) F.A.C. All businesses applying fertilizer to turf and/or landscape plants (including but not limited to residential lawns, golf courses, commercial properties, and multi-family and condominium properties) must ensure that at least one employee has a “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries” training certificate prior to the business owner obtaining a Local Business Tax Certificate. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the County Planning Department at the time a business license is applied for.

Sec. 14-33. Enforcement.

Any person who violates this Ordinance shall be subject to code enforcement proceedings and penalties as provided in Jefferson County Code of Ordinances Chapter 21. Funds generated by penalties imposed under this section shall be used for the County administration

and enforcement of F.S. § 403.9337 and the corresponding sections of this Ordinance, and to further water conservation and nonpoint pollution prevention activities.

SECTION 4: SEVERABILITY

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and affect.

SECTION 5: CONFLICT

All ordinances, parts of ordinances, or resolutions in conflict herewith are, to the extent of such of conflict, hereby repealed.

SECTION 6: COPY ON FILE

A certified copy of this enacting Ordinance shall be filed with the Clerk of the Circuit Court.

SECTION 7: EFFECTIVE DATE

This Ordinance shall be filed with the Office of the Secretary of the State of Florida and shall immediately take effect upon receipt of official acknowledgment from the Department of State that the same has been filed.

PASSED AND DULY ADOPTED by a majority vote of the Board of County Commissioners of Jefferson County this ____ day of ____, 2017.

BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA

Gene Hall, Chair

ATTESTED BY:

Kirk Reams, Clerk of the Circuit Court

APPROVED as to FORM:

Scott Shirley, County Land Use Attorney

This Ordinance was submitted to the Secretary of State, State of Florida on the _____
day of _____, 2017.

MODEL ORDINANCE FOR FLORIDA-FRIENDLY USE OF
FERTILIZER ON URBAN LANDSCAPES
(FEBRUARY 2015)

1. FINDINGS

As a result of impairment to (MUNICIPALITY / COUNTY)'S surface waters caused by excessive nutrients, or, as a result of increasing levels of nitrogen in the surface and/or ground water within the aquifers or springs within the boundaries of (municipality/county), the governing body of (municipality / county) has determined that the use of fertilizers on lands within (municipality / county) creates a risk to contributing to adverse effects on surface and/or ground water. Accordingly, the governing board of (municipality/county) finds that management measures [Guidance: optional "additional management measures than are otherwise"] contained in the most recent edition of the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008," may be required by this ordinance.

2. PURPOSE AND INTENT

This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of Commercial and Institutional Fertilizer Applicators; establishes training and licensing requirements; establishes a Prohibited Application Period; specifies allowable fertilizer application rates and methods, fertilizer-free zones, low maintenance zones, and exemptions. The Ordinance requires the use of Best Management Practices which provide specific management guidelines to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers. These secondary and cumulative effects have been observed in and on (MUNICIPALITY / COUNTY)'s natural and constructed stormwater conveyances, rivers, creeks, canals, springs, lakes, estuaries and other water bodies. [Guidance: as appropriate] Collectively, these water bodies are an asset critical to the environmental, recreational, cultural and economic well-being of (MUNICIPALITY / COUNTY) residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances.

Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, will help improve and maintain water and habitat quality.

3. DEFINITIONS

For this Article, the following terms shall have the meanings set forth in this section unless the context clearly indicates otherwise.

“Administrator” means the (MUNICIPALITY / COUNTY) Administrator, or an administrative official of (MUNICIPALITY / COUNTY) government designated by the City/County Administrator to administer and enforce the provisions of this Article.

“Application” or “Apply” means the actual physical deposit of fertilizer to turf or landscape plants.

“Applicator” means any Person who applies fertilizer on turf and/or landscape plants in (MUNICIPALITY / COUNTY).

“Board or Governing Board” means the Board of City/County Commissioners of (MUNICIPALITY / COUNTY), Florida.

“Best Management Practices” means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.

“Code Enforcement Officer, Official, or Inspector” means any designated employee or agent of (MUNICIPALITY / COUNTY) whose duty it is to enforce codes and ordinances enacted by (MUNICIPALITY / COUNTY).

“Commercial Fertilizer Applicator”, except as provided in 482.1562(9) F.S., means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicator.

“Fertilize,” “Fertilizing” or “Fertilization” means the act of applying fertilizer to turf, specialized turf, or landscape plants.

“Fertilizer” means any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

“Guaranteed Analysis” means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.

“Institutional Applicator” means any person, other than a private, non-commercial or a Commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional Applicators shall include, but shall not be limited to, owners, managers or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium and/or common ownership.

“Landscape Plant” means any native or exotic tree, shrub, or groundcover (excluding turf).

“Low Maintenance Zone” means an area a minimum of ten (10) feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.

“Person” means any natural person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and/or any group of people acting as an organized entity.

“Prohibited Application Period” means the time period during which a Flood Watch or Warning, or a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of (CITY/COUNTY), issued by the National Weather Service, or if heavy rain¹ is likely.

¹ World Meteorological Organization definition of heavy rain: Rainfall greater than or equal to 50mm (2 inches) in a 24 hour period. <http://severe.worldweather.org/rain/>, and forecast keyword “likely”, http://www.wrh.noaa.gov/sew/MediaGuide/TermsOutlooks_Watches_Warnings.pdf.

“(MUNICIPALITY / COUNTY) Approved Best Management Practices Training Program” means a training program approved per 403.9338 F.S., or any more stringent requirements set forth in this Article that includes the most current version of the Florida Department of Environmental Protection’s “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, 2008,” as revised, and approved by the (MUNICIPALITY / COUNTY) Administrator.

"Saturated soil" means a soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this ordinance, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.
[Guidance: Some have questioned the enforceability of practical field definitions which should be considered before adoption.]

“Slow Release,” “Controlled Release,” “Timed Release,” “Slowly Available,” or “Water Insoluble Nitrogen” means nitrogen in a form which delays its availability for plant uptake and use after application, or which extends its availability to the plant longer than a reference rapid or quick release product.

“Turf,” “Sod,” or “Lawn” means a piece of grass-covered soil held together by the roots of the grass.

"Urban landscape" means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or horticultural plants. For the purposes of this section, agriculture has the same meaning as in s. 570.02.

APPLICABILITY

This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer within the area of (MUNICIPALITY / COUNTY), unless such applicator is specifically exempted by the terms of this Ordinance from the regulatory provisions of this Ordinance. This Ordinance shall be prospective only, and shall not impair any existing contracts.

[Guidance: In 403.9336, the Legislature further finds that local conditions, including variations in the types and quality of water bodies, site-specific soils and geology, and urban or rural densities and characteristics, may necessitate the implementation of additional or more stringent fertilizer management practices at the local government level. Local government may adopt additional or more stringent provisions to the model ordinance as provided in 403.9337(2). However, the local government should consider the disadvantages of confusing jurisdictional differences and should clearly demonstrate they meet the required criteria: (2) Each county and municipal government located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to s. 403.067, shall, at a minimum, adopt the department's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes. A local government may adopt additional or more stringent standards than the model ordinance if the following criteria are met:

- (a) The local government has demonstrated, as part of a comprehensive program to address nonpoint sources of nutrient pollution which is science based, and economically and technically feasible, that additional or more stringent standards than the model ordinance are necessary in order to adequately address urban fertilizer contributions to nonpoint source nutrient loading to a water body.
- (b) The local government documents that it has considered all relevant scientific information, including input from the department, the institute, the Department of Agriculture and Consumer Services, and the University of Florida Institute of Food and Agricultural Sciences, if provided, on the need for additional or more stringent provisions to address fertilizer use as a contributor to water quality degradation. All documentation must become part of the public record before adoption of the additional or more stringent criteria.]

[Guidance: Florida Statutes 125.568(3), 166.048(3), 373.185(3), 720.3075(4), and others provide that a local ordinance, deed restriction or covenant may not prohibit or be enforced so as to prohibit any property owner from implementing Florida-friendly landscaping on his or her land or create any requirement or limitation in conflict with any provision of part II of this chapter {373} or a water shortage order, other order, consumptive use permit, or rule adopted or issued pursuant to Chapter 373 part II.]

[Guidance: Florida Statutes 482.156 and 482.1562. Neither the Limited Commercial Landscape Maintenance Certification Program nor the Limited Certification for Urban Landscape Commercial Fertilizer Application allows landscape maintenance workers to make any kind of pesticide applications (including weed control and/or weed and feed products) to any turf areas.]

[Guidance: Florida Statutes 482.242, and 487.051 (2), F.S. Regulation of pest control businesses and applicators, and of pesticide use, is preempted to the Florida Department of Agriculture and Consumer Services (FDACS and suspected pesticide misuse should be reported to FDACS.

5. TIMING OF FERTILIZER APPLICATION

No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period, or to saturated soils.

[Guidance: One of the most controversial issues associated with recent fertilizer ordinances enacted by local governments is the definition of the Prohibited Application Period. Some ordinances have prohibited the application of fertilizer, even slow release formulations, during the summer rainy season, typically June 1 to September 30. The reasoning is that rain occurs frequently, saturating the soil, leading to more runoff. Saturated soils are prone to runoff or leaching with little or no additional water, and pose a higher than normal risk until soil moisture capacity is restored. Fertilizer management is largely about keeping the nitrogen and/or phosphorus in the root zone where it can be used by plants. Periods of heavy rainfall contribute to leaching, which is washing nutrients out of the root zone, and to runoff, especially in areas with compacted or bare soils and significant slope. Vegetative ground cover is important to minimizing erosion, filtering particulates, and incorporating or promoting the biological transformation of potential pollutants. Many variables influence the relationship between fertilizer rates, vegetation health and nutrient enrichment of surface and ground waters. Accordingly, sound science and carefully reasoned judgment are recommended in determining how to define the Prohibited Application Period.]

6. FERTILIZER FREE ZONES

Fertilizer shall not be applied within ten (10) feet of any pond, stream, watercourse, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340, Florida Administrative Code) or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator with a visible and sharply defined edge, is used, in which case a minimum of 3 feet shall be maintained. If more stringent (MUNICIPALITY / COUNTY) Code regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. Newly planted turf and/or landscape plants may be fertilized in this Zone only for a sixty (60) day period beginning 30 days after planting if need to allow the plants to become well established . Caution shall be used to prevent direct deposition

of nutrients into the water. [Guidance: This zone is a setback to prevent the applicator from inadvertently depositing fertilizer in the water while performing the application. It is not designed as a treatment buffer, and is to be adhered to as a fundamental environmental safety aspect of the applicator's job, regardless of the owner's desires. Some communities have existing residential setbacks of as little as 10 feet from water or seawall. Low maintenance zones, vegetated filter strips, and riparian buffers are strongly encouraged, but such activities are rightly a part of land use planning. Local governments are encouraged to implement these low-impact development practices where feasible.]

7. LOW MAINTENANCE ZONES

A voluntary ten (10) foot low maintenance zone is strongly recommended, but not mandated, from any pond, stream, water course, lake, wetland or from the top of a seawall. A swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff. If more stringent (MUNICIPALITY / COUNTY) Code regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. No mowed or cut vegetative material may be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the over-spray of aquatic weed products in this zone. [Guidance: Care must be taken to ensure erosion of the surface soil does not occur. Excessive erosion may be a greater pollution hazard than occasional proper applications of fertilizer.]

8. FERTILIZER CONTENT AND APPLICATION RATES

[Guidance: RULE 5E-1.003, F.A.C contains the following provisions for golf courses, parks and athletic fields. As such, no additional specific requirements are included for these types of urban turf. The appropriate Best Management Practices listed below must be followed on such sites for nutrient management activities: These include not to exceed rates recommended in the document titled SL191 "*Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Based on Mehlich I Extractant*", and to comply with the recommendations in "*BMP's for the Enhancement of Environmental Quality on Florida Golf Courses*", published by the Florida Department of Environmental Protection, dated 2012.

Note that this does not exempt applicators at these sites from the required basic Green Industry BMP training.

(a) Fertilizers applied to turf within (MUNICIPALITY / COUNTY) shall be applied in accordance with requirements and directions provided by Rule 5E-1.003, Florida Administrative Code.

(b) Fertilizer containing nitrogen shall not be applied before seeding or sodding a site, and shall not be applied for the first 30 days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevention Plan for that site.

(c) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in (a) above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test. [Guidance: Soil and tissue tests for phosphorus are normally done by UF/IFAS or another accredited laboratory. IFAS recommendations are available from the County Extension service or http://solutionsforyourlife.ufl.edu/lawn_and_garden/]

9. APPLICATION PRACTICES

(a) Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands.

(b) Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces.

(c) Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.

(d) Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.

(e) In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

10. MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER

In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.

11. EXEMPTIONS

The provisions set forth above in this Ordinance shall not apply to:

- (a) bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14 Florida Statutes;
- (b) other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;
- (c) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture. [Guidance: Limited waivers for special cases such as botanical gardens, etc. should not be considered as less stringent for the purposes of the model as a minimum requirement.]

12. TRAINING

- (a) All commercial and institutional applicators of fertilizer within the (un)incorporated area of (MUNICIPALITY / COUNTY), shall abide by and successfully complete the six-hour training program in the “Florida Friendly Best Management Practices for Protection of Water Resources by the Green Industries” offered by the Florida Department of Environmental Protection through the University of Florida Extension “Florida-Friendly Landscaping TM” program, or an approved equivalent.

(b) Private, non-commercial applicators are encouraged to follow the recommendations of the University of Florida IFAS Florida Yards and Neighborhoods program when applying fertilizers.

[Guidance: A local government may establish a certification/education program for the institutional or private application of fertilizers indicating the completion of an education program for special local requirements not covered in the above programs. It is up to the local government to set a continuing education or renewal provision for these applicators. Persons with statewide FDACS commercial fertilizer certification cannot be required to submit to additional local testing after obtaining the FDACS certificate.]

13. LICENSING OF COMMERCIAL APPLICATORS

All commercial applicators of fertilizer within the (un)incorporated area of (MUNICIPALITY / COUNTY), shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per 5E-14.117(18) F.A.C. All businesses applying fertilizer to turf and/or landscape plants (including but not limited to residential lawns, golf courses, commercial properties, and multi -family and condominium properties) must ensure that at least one employee has a “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries” training certificate prior to the business owner obtaining a Local Business Tax Certificate. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the (Municipality/ County) Tax Collector’s Office. [Guidance: This is an example of an administrative enforcement mechanism. It may be modified to use other local mechanisms as appropriate].

14. ENFORCEMENT

[Guidance: Local governments should consider making penalties consistent with their other fines and penalties.]

Funds generated by penalties imposed under this section shall be used by (Municipality/County) for the administration and enforcement of section 403.9337, Florida Statutes, and the corresponding sections of this ordinance,

and to further water conservation and nonpoint pollution prevention activities.