

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

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DRAFT 05-09-2014

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 24-5 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO DEFINITIONS; AMENDING SECTION 24-43 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO PROTECTION OF POTABLE WATER SUPPLY WELLS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 24-5 of the Code of Miami-Dade County is hereby amended to read as follows:

Sec. 24-5. Definitions.

In construing the provisions of this chapter, where the context will permit and no definition is provided herein, the definitions provided in Chapter 403, Florida Statutes, as may be amended from time to time, and in rules and regulations promulgated thereunder, as may be amended from time to time, shall apply. The following words and phrases when used in this chapter shall have the meanings ascribed to them in this section:

1990 Urban Development Boundary shall mean the line established by the Miami-Dade County Board of County Commissioners on July 8, 1983 by Ordinance 83-58 delineating the approved urban development boundary for Miami-Dade County, as amended by ordinance from time to time.

* * *

Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

42 >>De minimis quantity shall mean a volume of one quarter U.S. gallon (946.4
43 milliliters) or less stored in a closed container; or in the case of lubricating oils or
44 hydraulic fluids a volume of one U.S. gallon stored in a closed container or, the volume
45 inside a gear box, a hydraulic reservoir, or a crankcase. Items that individually meet the
46 volumetric requirements of de minimis quantity shall not be considered de minimis if the
47 aggregated volume of such items exceeds 5 gallons. <<

48
49 >>Onsite Sewage Treatment and Disposal System shall mean a system that contains a
50 standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a
51 graywater system tank; a laundry wastewater system tank; a septic tank; a grease
52 interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic
53 waste-composting toilet that is installed or proposed to be installed beyond the building
54 sewer on land of the owner or on other land to which the owner has the legal right to
55 install a system. The term includes any item placed within, or intended to be used as a
56 part of or in conjunction with, the system. <<

57
58 *Sewage loading* shall mean the ~~[[estimated average amount of waste water]]~~
59 >>total sewage flow<< generated by the actual or projected use>>s<< ~~[[of]]~~ >>on<< a
60 property as a function of the >>calculated using the flow rates in Section 24-43.1(5),
61 divided by<< the unsubmerged area of said property. Abutting easements and right-of-
62 way shall be included to the centerline thereof in calculating the unsubmerged area of the
63 property.

64
65
66 * * *

67
68 *Hazardous materials* shall mean any waste, product, substance, or
69 combination or breakdown product thereof which, because of its biological or
70 chemical characteristics, if introduced into a potable public water supply well,
71 will impair the potability of the water withdrawn by the potable public water
72 supply well or which will be harmful or potentially harmful to human, plant or
73 animal life or property or the conduct of business or which will increase the cost
74 of operation of public water supply treatment facilities or which will increase the
75 reliance by consumers of potable water from such potable public water supply
76 wells on the operation of public water supply treatment facilities to provide
77 potable water which is not harmful or potentially harmful to human, plant or
78 animal life or property or the conduct of business.

79
80 >>There shall be a rebuttable presumption that any waste, product, substance,
81 combination, or breakdown product containing any chemical listed as a
82 contaminant in Section 24-44(2)(f)(v) Table 1 and Table 2 , 24-43.3(2)(h) or
83 Chapter 62-550, FAC., Table 1, Table 2, Table 3, Table 4, Table 5 and Table 6, as
84 same may be amended from time to time, shall constitute a hazardous material if
85 the chemical is present in the waste, product, substance, combination, or
86 breakdown product at concentrations which exceed the groundwater cleanup
87 target level set forth in Section 24-44(2)(f)(v)1.<< ~~[[Within ninety (90) days~~
88 from the effective date of Ord. No. 83-96 and at least annually thereafter, the

89 ~~Director or the Director's designee shall submit to the Board of County~~
90 ~~Commissioners a list of wastes, products, substances or combination or~~
91 ~~breakdown products thereof which the Director or the Director's designee has~~
92 ~~determined to be hazardous materials as hereinabove defined. The Board of~~
93 ~~County Commissioners shall designate, by resolution, which of the wastes,~~
94 ~~products, substances or combination or breakdown products thereof so listed by~~
95 ~~the Director or the Director's designee shall be legally presumed to be hazardous~~
96 ~~materials as defined hereinabove. Such designation by the Board of County~~
97 ~~Commissioners shall create a rebuttable presumption that the wastes, products,~~
98 ~~substances or combination or breakdown products thereof so designated are~~
99 ~~hazardous materials as hereinabove defined. Such designations shall be deemed~~
100 ~~nonexclusive. Nondesignation by the Board of County Commissioners]] >>Non-~~
101 ~~inclusion of any chemical contained in any waste, product, substance,~~
102 ~~combination, or breakdown product, as a contaminant in Section 24-44(2)(f)(v)~~
103 ~~Table 1 and Table 2, Section 24-43.3(2)(h) or Chapter 62-550, FAC., Table 1,~~
104 ~~Table 2, Table 3, Table 4, Table 5 and Table 6, as same may be amended from~~
105 ~~time to time<< shall not create any presumption that the [[nondesignated]]~~
106 ~~waste[[s]], product[[s]], substance[[s]]>>_<< [[Ø]] combination>>_<< or~~
107 ~~breakdown product[[s thereof are not hazardous materials.]] >>containing the~~
108 ~~non-included chemical is not a hazardous material. To determine whether or not a~~
109 ~~chemical, not included as a contaminant in Section 24-44(2)(f)(v) Table 1 and~~
110 ~~Table 2, Section 24-43.3(2)(h) or Chapter 62-550, FAC., Table, 1, Table 2, Table~~
111 ~~3, Table 4, Table 5 and Table 6, as same may be amended from time to time, is a~~
112 ~~contaminant, the cleanup target level (s) for that chemical may be established~~
113 ~~using the procedures, equations and input parameters set forth in the DERM~~
114 ~~Technical Report: "Development of Clean-up Target Levels (CTLs) for Chapter~~
115 ~~24 of the Code of Miami-Dade County, Florida" (dated September, 2005).<<~~
116 ~~Nothing herein shall be construed to limit in any way the power of the Director or~~
117 ~~the Director's designee in the performance of his duties and responsibilities to~~
118 ~~determine that a waste, product, substance>>_<< [[Ø]] combination>>_<< or~~
119 ~~breakdown product thereof is a hazardous material as defined hereinabove.~~

120
121 * * *

122
123 Section 2. Section 24-43 of the Code of Miami-Dade County, Florida, is hereby
124 amended to read as follows.

125 **Sec. 24-43. Protection of public potable water supply wells.**

126 ~~[[The provisions of this section which impose upon land uses within the West~~
127 ~~Wellfield Interim protection area regulations which are more restrictive than those~~
128 ~~regulations applicable to the other public utility potable water supply wellfields in~~
129 ~~Miami Dade County shall be deemed interim in nature. Said more restrictive~~
130 ~~regulations shall be reviewed by such technical review task force(s) or~~
131 ~~committee(s) as provided by the Board of County Commissioners or its designee~~

132 upon recommendation of the Director. The Director shall submit to the Board of
133 County Commissioners progress reports, as necessary, pertaining to said review,
134 and recommendations necessary to protect the public health, safety and welfare
135 arising out of said review shall be presented to the Board of County
136 Commissioners. The Miami-Dade County Conflict of Interest and Code of Ethics
137 Ordinance (Section 2-11.1 of this Code) shall not be applicable to task forces or
138 committees provided for in this section.]]

139 (1) *Legislative intent.* The intent and purpose of this section is to safeguard
140 the public health, safety and welfare by providing scientifically established
141 standards for land uses within the cones of influence thereby protecting
142 public potable water supply wells from contamination.

143
144 (2) *Short title; applicability; construction.* This section shall be known as the
145 "Potable Water Supply Well Protection Ordinance." The provisions of this
146 section shall be effective in the incorporated and unincorporated areas of
147 Miami-Dade County and shall be liberally construed to effect the purposes
148 set forth herein.

149
150 (3) *Maps of cones of influence, the Northwest Wellfield protection area, the*
151 *West Wellfield [[Interim]] protection area, and the South Miami Heights*
152 *Wellfield Complex protection area.* The Director or the Director's
153 designee, shall maintain maps of cones of influence of ~~[[public]]~~ utility
154 potable water supply wells >> << ~~[[maps of the Northwest Wellfield~~
155 ~~protection area, map(s) of the West Wellfield Interim protection area, and~~
156 ~~the maps of the South Miami Heights Wellfield Complex wellfield~~
157 ~~protection area dated November, 2005. The cone of influence maps dated~~
158 ~~December 30, 1980, as may be amended from time to time, prepared by~~
159 ~~the Department,]] >> These maps << are incorporated herein by reference
160 hereto. Any changes, additions or deletions to said maps shall be approved
161 by the Board of County Commissioners by ordinance. ~~[[The cone of~~
162 ~~influence maps of the Northwest Wellfield dated December 30, 1980, as~~
163 ~~amended effective May 31, 1985, shall hereinafter be referred to as the~~
164 ~~Northwest Wellfield protection area map(s). The Northwest Wellfield~~
165 ~~protection area map(s) dated May 31, 1985, the West Wellfield Interim~~
166 ~~protection area map(s) dated February 28, 1989 and the map(s) of the~~
167 ~~South Miami Heights Wellfield Complex wellfield protection area dated~~
168 ~~November, 2005, as all of same may be amended from time to time,~~
169 ~~prepared by the Department, are incorporated herein by reference hereto.~~
170 ~~Any changes, additions or deletions to said Northwest Wellfield protection~~
171 ~~area map(s), West Wellfield Interim protection area map(s) or South~~
172 ~~Miami Heights Wellfield Complex wellfield protection area map(s) shall~~
173 ~~be approved by the Board of County Commissioners by ordinance]] The~~
174 Director, or the Director's designee, shall maintain the DERM Technical~~

175 Report: "Development of a Groundwater Model to Determine Wellfield
176 Protection Zones for the Miami-Dade County, Florida, South Miami
177 Heights Wellfield Complex". The wellfield protection zones of the South
178 Miami Heights Wellfield Complex have been established using the
179 procedures and input parameters set forth in the aforesaid Technical
180 Report dated, November, 2005. The aforesaid Technical Report dated,
181 November, 2005, a copy of which is attached hereto, is hereby
182 incorporated by reference, as same may be amended from time to time.
183 Any changes, additions or deletions to the aforesaid Technical Report
184 ~~[[dated November, 2005]]~~ shall be approved by the Board of County
185 Commissioners by ordinance. >>Additionally, the Director or the
186 Director's designee shall maintain the USGS Open File Report 2013-
187 1086: Estimation of Capture Zones and Drawdown at the Northwest and
188 West Well Fields, Miami-Dade County, Florida, Using an Unconstrained
189 Monte Carlo Analysis: Recent (2004) and Proposed Conditions. The
190 wellfield protection zones of the Northwest Wellfield protection area and
191 the West Wellfield protection areas are hereby amended by this ordinance
192 (Ordinance xxxxxx) in accordance with the attached maps. The herein
193 amended wellfield protection zones of the Northwest Wellfield and the
194 West Wellfield protection areas and herein amended maps of the
195 Northwest Wellfield protection area and the West Wellfield protection
196 area have been established using the procedures and input parameters set
197 forth in the aforesaid Report. The aforesaid Technical Report, a copy of
198 which is attached hereto, is hereby incorporated by reference.<<

199
200 (4) >>Onsite Sewage Treatment and Disposal Systems<<,~~[[Septic tanks]]~~ ,
201 *sanitary sewers, storm water disposal, liquid waste storage, disposal or*
202 *treatment and >>exceptions for<< violations of this chapter within*
203 *wellfield protection area. [[Notwithstanding any provisions of this Code,*
204 ~~]]>>N<<o County or municipal officer, agent, employee or board shall~~
205 ~~approve, grant or issue any building permit, certificate of use and~~
206 ~~occupancy [[(except for changes in ownership)], municipal occupational~~
207 ~~license [[(except for changes in ownership)], platting action (final plat,~~
208 ~~waiver of plat or equivalent municipal platting action) or zoning action~~
209 ~~(district boundary change, unusual use, use variance or equivalent~~
210 ~~municipal zoning action) for any land use >>or portion thereof,<< [[served~~
211 ~~or to be served by a septic tank, sanitary sewer, storm water disposal~~
212 ~~method, or liquid waste storage, disposal or treatment method, and]]~~
213 ~~which is within >>a wellfield protection area of any utility potable water~~
214 ~~supply well<< [[the Northwest Wellfield protection area, or, within the~~
215 ~~West Wellfield Interim protection area, or within the outer wellfield~~
216 ~~protection zone of South Miami Heights Wellfield Complex, or within the~~
217 ~~maximum day pumpage wellfield protection area of the Alexander Orr~~
218 ~~Wellfield, Snapper Creek Wellfield, Southwest Wellfield, Miami Spring~~
219 ~~Upper, Miami Springs Lower Wellfield, John E. Preston Wellfield, or~~
220 ~~Hialeah Wellfield, or within the basic wellfield protection area of any~~

221 ~~other public utility potable water supply well]]~~ until the County or
222 municipal officer, agent, employee or Board has obtained the prior written
223 approval of the Director or the Director's designee.
224

225 Furthermore, ~~[[notwithstanding any provisions of this Code,]]~~ no person
226 shall construct, utilize, operate, occupy or cause, allow, let, permit or
227 suffer to be constructed, utilized, operated or occupied any land use, >>or
228 portion thereof,<< ~~[[served or to be served by a septic tank, sanitary~~
229 ~~sewer, storm water disposal method, or liquid waste storage, disposal or~~
230 ~~treatment method, and]]~~ which is within >>a wellfield protection area of
231 any utility potable water supply well<< ~~[[the Northwest Wellfield~~
232 ~~protection area, or within, the West Wellfield Interim protection area, or~~
233 ~~within, the outer wellfield protection zone of South Miami Heights~~
234 ~~Wellfield Complex, or within, the maximum day pumpage wellfield~~
235 ~~protection area of the Alexander Orr Wellfield, Snapper Creek Wellfield,~~
236 ~~Southwest Wellfield, Miami Springs Lower Wellfield, John E. Preston~~
237 ~~Wellfield, or Hialeah Wellfield, or within, the basic wellfield protection~~
238 ~~area of any public utility potable water supply well]]~~ until the person has
239 obtained the prior written approval of the Director or the Director's
240 designee.
241

242 The Director or the Director's designee shall issue ~~[[the Director's or the~~
243 ~~Director's designee's]]~~ written approval only if the Director or the
244 Director's designee finds that all ~~[[septic tanks]],~~ >>onsite sewage
245 treatment and disposal systems<<, ~~[[septic tank drain fields]],~~ storm water
246 disposal methods and liquid waste storage, disposal or treatment methods
247 will be installed upon the property as far away as is reasonably possible
248 >>but not less than 100 feet away<< from all potable water supply wells,
249 and:

250 (a) >>Onsite Sewage Treatment and Disposal Systems<<~~[[Septic~~
251 ~~tanks]].~~ >>For any land use served or to be served by an<< ~~[[septic~~
252 ~~tank]]~~ >>onsite sewage treatment and disposal system << ~~[[That]]~~
253 the ~~[[septic tank]]~~ sewage loading[[s]] will not exceed the number
254 of gallons per day for each unsubmerged acre of land as set forth in
255 Tables A-1, A-2, A-3 and A-4. >>For uses ancillary to rock mining
256 necessary for extracting and processing subsurface material<<
257 within the Northwest Wellfield protection area or within that
258 portion of the West Wellfield ~~[[Interim]]~~ protection area which is
259 ~~[[west]]~~>>outside<< of the Urban Development Boundary of the
260 Comprehensive Development Master Plan as may be amended
261 from time to time, >>the sewage loading<< shall not exceed a
262 maximum ~~[[sewage loading]]~~ of seventy (70) gallons per day per
263 >>unsubmerged<< acre. >>For residential uses within the
264 Northwest Wellfield protection area or within that portion of the
265 West Wellfield protection area which is outside of the Urban
266 Development Boundary of the Comprehensive Development

267 Master Plan, the minimum acreage of unsubmerged land shall be 5
268 acres<< ~~[[is residential or is an ancillary rockmining use necessary~~
269 ~~for extracting and processing and processing subsurface material]]~~
270 ~~>>and<< except that>>];<< ~~[[neither the Director nor the Director's~~
271 ~~designee shall issue the Director's or the Director's designee's~~
272 ~~written approval,]]~~~~

273
274 (i) for ~~[[any]]~~ land use within the Northwest Wellfield
275 protection area ~~[[unless]]~~ the ~~[[septic tank]]~~ ~~>>onsite~~
276 ~~sewage treatment and disposal system~~<<was installed prior
277 to September 30, 1983, or

278
279 (ii) ~~>>for land use<<~~ within the West Wellfield ~~[[Interim]]~~
280 protection area ~~[[unless]]~~ the ~~[[septic tank]]~~ ~~>>onsite~~
281 ~~sewage treatment and disposal system~~<< was installed prior
282 to ~~>>August 6, 1989<<~~ ~~[[the effective date of this~~
283 ~~ordinance [Ordinance No. 89-80]]], or~~

284
285 (iii) ~~[[that the property served or to be served by septic tanks]]~~
286 ~~>>the land use<<~~ is residential, uses a public water supply,
287 has not been the subject of any zoning action (district
288 boundary change, unusual use, use variance, or equivalent
289 municipal zoning action) or any platting action (final plat,
290 waiver of plat, or equivalent municipal platting action) after
291 March 13, 1981, and is in compliance with Section 24-43.1,
292 or

293
294 (iv) ~~[[that]]~~ the owner of the property ~~[[served or to be served~~
295 ~~by septic tanks]]~~ is applying for the original certificate of
296 use and occupancy or original municipal occupational
297 license pursuant to a valid building permit obtained prior to
298 June 1, 1983, for property within the basic wellfield
299 protection area of any ~~[[public]]~~ utility potable water
300 supply well, or, in the case of property within the
301 Northwest Wellfield protection area obtained prior to
302 September 30, 1983, or, in the case of property within the
303 West Wellfield ~~[[Interim]]~~ protection area obtained prior to
304 the ~~>>August 6, 1989<<~~ ~~[[the effective date of this~~
305 ~~ordinance [Ordinance No. 89-80]]], or within~~ ~~[[the outer~~
306 ~~wellfield protection zone of]]~~the South Miami Heights
307 Wellfield Complex obtained prior to ~~>>September 22,~~
308 ~~2006<<~~ ~~[[the effective date of this ordinance,]]~~ or, in the
309 case of property not within the basic wellfield protection

310 area but within the maximum day pumpage wellfield
311 protection area of the Alexander Orr Wellfield, Snapper
312 Creek Wellfield and Southwest Wellfield, obtained prior to
313 February 1, 1985, or, in the case of property not within the
314 basic wellfield protection area but within the maximum day
315 pumpage wellfield protection area of the Miami Springs
316 Lower Wellfield, Miami Springs Upper Wellfield, John E.
317 Preston Wellfield and Hialeah Wellfield, obtained prior to
318 December 12, 1986, which permit has been valid and
319 continuously in full force and effective since its issuance,
320 or

321
322 (v) the owner of the property is applying for a certificate of use
323 and occupancy or municipal occupational license for a land
324 use served or to be served by a ~~septic tank~~
325 onsite sewage treatment and disposal system installed
326 prior to March 13, 1981 for property within the basic
327 wellfield protection area of any public utility potable water
328 supply well, or, in the case of property within the
329 Northwest Wellfield protection area installed prior to
330 September 30, 1983, or, in the case of property within the
331 West Wellfield ~~Interim~~ protection area installed prior to
332 ~~the effective date of this ordinance [Ordinance No. 89-~~
333 ~~80]~~ August 6, 1989, or within ~~the outer wellfield~~
334 ~~protection zone of~~ the South Miami Heights Wellfield
335 Complex obtained prior to September 22, 2006 ~~the~~
336 ~~effective date of this ordinance~~ or, in the case of property
337 not within the basic wellfield protection area but within the
338 maximum day pumpage wellfield protection area of the
339 Alexander Orr Wellfield, Snapper Creek Wellfield, and
340 Southwest Wellfield, installed prior to February 1, 1985, or,
341 in the case of property not within the basic wellfield
342 protection area but within the maximum day pumpage
343 wellfield protection area of the Miami Springs Lower
344 Wellfield, Miami Springs Upper Wellfield, John E. Preston
345 Wellfield and Hialeah Wellfield, installed prior to
346 December 12, 1986, which uses a public water supply and
347 which is in compliance with Section 24-43.1

348
349 ~~[(i) Notwithstanding the provisions of Section 24-~~
350 ~~43(4)(a), there shall be required within the~~
351 ~~Northwest Wellfield protection area, within the~~
352 ~~West Wellfield Interim protection area, the outer~~
353 ~~wellfield protection zone of within the South Miami~~
354 ~~Heights Wellfield Complex, and within the~~

355 ~~maximum day wellfield protection area of all public~~
356 ~~utility potable water supply wells a minimum~~
357 ~~separation of equivalent to ten (10) days travel time~~
358 ~~shall be required between any potable water supply~~
359 ~~well (other than a public utility potable water~~
360 ~~supply well) and any septic tank or septic tank~~
361 ~~drainfield]]~~

362

363 (b) Sanitary sewers. >>For any land use served or to be served by
364 sanitary sewer which is seeking a building permit for new
365 construction, enlargement, or alteration that increases gross square
366 footage,<< [[That]] the sewage loading into sanitary sewers will
367 not exceed the number of gallons per day for each unsubmerged
368 acre of land as set forth in Table B-1, or that the property [[served
369 ~~or to be served by sanitary sewers]] is residential, uses a public~~
370 ~~water supply, has not been the subject of any zoning action (district~~
371 ~~boundary change, unusual use, use variance, or equivalent~~
372 ~~municipal zoning action) or any platting action (final plat, waiver~~
373 ~~of plat, or equivalent municipal platting action) after March 13,~~
374 ~~1981>>.<<[[, and is in compliance with Section 24 42.4, or that~~
375 ~~the owner of the property served or to be served by sanitary sewers~~
376 ~~is applying for the original certificate of use and occupancy or~~
377 ~~original municipal occupational license pursuant to a valid building~~
378 ~~permit obtained prior to June 1, 1983, for property within the basic~~
379 ~~wellfield protection area of any public utility potable water supply~~
380 ~~well, or, in the case of property within the Northwest Wellfield~~
381 ~~protection area, obtained prior to September 30, 1983, for property~~
382 ~~within the Northwest Wellfield protection area, or, in the case of~~
383 ~~property within the West Wellfield Interim protection area,~~
384 ~~obtained prior to the effective date of this ordinance, or for~~
385 ~~property within the outer wellfield protection zone of the South~~
386 ~~Miami Heights Wellfield Complex obtained prior to the effective~~
387 ~~date of this ordinance, or, in the case of property not within the~~
388 ~~basic wellfield protection area, but within the maximum day~~
389 ~~pumpage wellfield protection area of the Alexander Orr Wellfield,~~
390 ~~Snapper Creek Wellfield and Southwest Wellfield, obtained prior~~
391 ~~to February 1, 1985, or, in the case of property not within the basic~~
392 ~~wellfield protection area but within the maximum day pumpage~~
393 ~~wellfield protection area of the Miami Springs Lower Wellfield,~~
394 ~~Miami Springs Upper Wellfield, John E. Preston Wellfield and~~
395 ~~Hialeah Wellfield, installed prior to December 12, 1986, which~~
396 ~~permit has been valid and continuously in full force and effect~~
397 ~~since its issuance.]]~~

398 (i) ~~[[Notwithstanding the provisions of Section 24 43(4)(b),]]~~
399 ~~[[a]]>>A<<ll sanitary sewers>>,or portion thereof,<<~~

400 installed within ~~[[the Northwest Wellfield protection area,~~
401 ~~or within the West Wellfield Interim protection area, or~~
402 ~~within the outer wellfield protection zone of South Miami~~
403 ~~Heights Wellfield Complex, or within the maximum day~~
404 ~~pumpage wellfield protection area of the Alexander Orr~~
405 ~~Wellfield, Snapper Creek Wellfield, Southwest Wellfield,~~
406 ~~Miami Springs Lower Wellfield, Miami Springs Upper~~
407 ~~Wellfield, John E. Preston Wellfield, or Hialeah Wellfield,~~
408 ~~or within the basic]] >>a<< wellfield protection area of any~~
409 ~~[[public]] utility potable water supply well, after June 13,~~
410 1986, shall comply with the following standards:

411 >>(i)<< *Residential land use*—No gravity sanitary sewer shall have
412 an exfiltration rate greater than fifty (50) gallons per inch
413 pipe diameter per mile per day. >>The duration of all tests
414 shall be a minimum of two (2) hours with a minimum of
415 two (2) feet of positive head above the crown of the pipes
416 being tested. Any observed leaks or defective joints or
417 pipes shall be repaired or replaced prior to the sewer being
418 placed into service even when the total leakage is below
419 that allowed.<< Sewer lateral lines located in the public
420 right-of-way shall be a minimum of six (6) inches in
421 diameter.

422 >>(ii)<< *Nonresidential land use*—No gravity sanitary sewer shall
423 have an exfiltration rate greater than twenty (20) gallons
424 per inch pipe diameter per mile per day. >>The duration of
425 all tests shall be a minimum of two (2) hours with a
426 minimum of two (2) feet of positive head above the crown
427 of the pipes being tested. Any observed leaks or defective
428 joints or pipes shall be repaired or replaced prior to the
429 sewer being placed into service even when the total leakage
430 is below that allowed.<< Any observed leaks or defective
431 joints or pipes shall be repaired or replaced prior to the
432 sewer being placed into service even when the total leakage
433 is below that allowed.<<Sewer lateral lines located in the
434 public right-of-way shall be a minimum of six (6) inches in
435 diameter.

436 >>(iii)<< *Sanitary sewer force mains*—All sanitary sewer force
437 mains ~~[[installed within the Northwest Wellfield protection~~
438 ~~area, or within the West Wellfield Interim protection area,~~
439 ~~or within the outer wellfield protection zone of South~~
440 ~~Miami Heights Wellfield Complex, or within the maximum~~
441 ~~day pumpage wellfield protection area of the Alexander Orr~~
442 ~~Wellfield, Snapper Creek Wellfield, Southwest Wellfield,~~
443 ~~Miami Springs Lower Wellfield, Miami Springs Upper~~
444 ~~Wellfield, John E. Preston Wellfield, or Hialeah Wellfield,~~

445 ~~or within the basic wellfield protection area of any public~~
446 ~~utility potable water supply well,]]~~ shall be constructed of
447 either ductile iron or reinforced concrete pressure sewer
448 pipe. No such ductile iron sanitary sewer force main
449 shall~~[[;]]~~ exfiltrate at a rate greater than the allowable
450 leakage rate specified in American Water Works
451 Association Standard C600-82 at a test pressure of one
452 hundred (100) pounds per square inch. >>The duration of
453 all tests shall be a minimum of two (2) hours. Any
454 observed leaks or defective joints or pipes shall be repaired
455 or replaced prior to the sewer being placed into service
456 even when the total leakage is below that allowed.<< No
457 such reinforced concrete pressure sanitary sewer force main
458 shall exfiltrate at a rate greater than one-half (1/2) the
459 allowable leakage rate specified for ductile iron pipe in
460 American Water Works Association Standard C600-82 at a
461 test pressure of one hundred (100) pounds per square inch.
462 >>The duration of all tests shall be a minimum of two (2)
463 hours. Any observed leaks or defective joints or pipes shall
464 be repaired or replaced prior to the sewer being placed into
465 service even when the total leakage is below that
466 allowed.<<

467 ~~[[ii) Notwithstanding the provision of Section 24-43(4)(b), all~~
468 ~~gravity sanitary sewers with invert elevations above the~~
469 ~~average surrounding water table elevation and all sanitary~~
470 ~~sewer force mains shall be tested to ensure compliance with~~
471 ~~the aforementioned exfiltration rate standards.]]~~

472
473 >>(iv)<< A registered professional engineer shall provide written
474 certification of the exfiltration rate for all manhole/gravity
475 sewer pipe systems installed, in equivalent gallons per inch
476 pipe diameter per mile of pipe per day (twenty-four (24)
477 hours), and the exfiltration rate for all sanitary sewer force
478 mains in gallons per hour per one thousand (1,000) feet of
479 sanitary sewer force main installed. >>The written
480 certification shall include test and inspection results and
481 repair logs and shall be submitted to the Department for
482 review and approval within thirty (30) days after
483 completion of the particular test, inspections and repairs<<

484
485 >>(v)<< Existing gravity sanitary sewers with pipe diameters of
486 eight (8) inches or more shall be visually inspected by
487 >>closed circuit<<television every five (5) years by the
488 responsible utility or >>non-utility<<[[~~property owner~~]] to
489 ensure both structural and pipe joint integrity. Existing

490 manholes shall be visually inspected for both structural and
491 incoming pipe connection integrity every five (5) years.

492
493 >>A report documenting the c<<[[€]]ertified test and
494 inspection results and repair logs shall be submitted to the
495 Department >>for review and approval<< within thirty (30)
496 days after completion of the particular test, inspection <<s
497 and.>> [[ø]] repair<< s but no later than twelve months
498 from the end date of the five year cycle<<.

499 (c) *Storm water disposal methods.* >>For any land use required to
500 install or modify a storm water disposal method<< [[That]] the
501 storm water disposal methods utilized or to be utilized will be
502 limited as set forth in Table C-1.

503 Furthermore, land uses adjacent to the Snapper Creek extension
504 canal and secondary canals directly connected to the Snapper
505 Creek extension canal shall provide an earth berm, or alternative
506 structure as approved by the Director or the Director's designee,
507 which shall be constructed upon the perimeter of all canals to
508 prevent overland storm water runoff from entering the canal. The
509 berm shall be constructed adjacent to the canal top of slope on the
510 landward side. Said berm shall extend one (1) foot above the canal
511 bank elevation. The landward slope of the berm shall have a
512 gradient not steeper than one (1) foot vertical to four (4) feet
513 horizontal. The canalward slope shall not be steeper than the canal
514 slope. The construction of berming and backsloping shall be
515 subject to the approval of the Director or the Director's designee.

516
517 (d) *Liquid waste storage, disposal or treatment methods other than*
518 *>>onsite sewage treatment and disposal systems<< [[septic tanks*
519 *utilized for the disposal, discharge, storage or treatment of*
520 *domestic sewage]]]; sanitary sewer [[lift]]>>pump<< stations; and*
521 *public sanitary sewers. [[That]] [[H]]>>L<<iquid waste storage,*
522 *disposal or treatment methods (other than [[septic tanks]] >>onsite*
523 *sewage treatment and disposal systems<< [[utilized for the*
524 *disposal, discharge, storage or treatment of domestic sewage]]];*
525 *sanitary sewer [[lift]]>>pump<< stations; and public sanitary*
526 *sewers); shall be prohibited>>:<< [[within the Northwest Wellfield*
527 *protection area, the West Wellfield Interim protection area, the*
528 *outer wellfield protection zone of the South Miami Heights*
529 *Wellfield Complex, the average day pumpage wellfield protection*
530 *areas of the Alexander Orr Wellfield, Snapper Creek Wellfield,*
531 *Southwest Wellfield, Miami Springs Lower Wellfield, Miami*
532 *Springs Upper Wellfield, John E. Preston Wellfield, and Hialeah*
533 *Wellfield, and the basic wellfield protection area of any public*
534 *utility potable water supply well]]*

- 535
- 536 (i) ~~[[unless, in the case of property]]~~ within the Northwest
537 Wellfield protection area, ~~>>unless<<~~ said liquid waste
538 storage, disposal or treatment method was installed prior to
539 September 30, 1983, or,
- 540
- 541 (ii) ~~[[unless, in the case of property]]~~ within the West Wellfield
542 ~~[[Interim]]~~ protection area, ~~>>unless<<~~ said liquid waste
543 storage, disposal or treatment method was installed prior to
544 ~~[[the effective date of this ordinance [Ordinance No. 89-~~
545 ~~80]] >>August 6, 1989<<~~, or,
- 546
- 547 (iii) within ~~[[the outer wellfield protection zone of]]~~ the South
548 Miami Heights Wellfield Complex, ~~>>unless<<~~ said liquid
549 waste storage, disposal or treatment method was installed
550 prior to ~~>>September 22, 2006<<~~ ~~[[the effective date of~~
551 ~~this ordinance]]~~ or,
- 552
- 553 (iv) ~~[[unless, in the case of property]]~~ within the average day
554 pumpage but not within the basic wellfield protection area
555 wellfield protection areas of the Alexander Orr Wellfield,
556 Snapper Creek Wellfield, Southwest Wellfield, ~~>>unless<<~~
557 said liquid waste storage, disposal or treatment method was
558 installed prior to February 1, 1985 ~~>>or prior to<<~~ June 13,
559 1986 ~~>>for properties within the basic<<~~ wellfield
560 protection area, or,
- 561
- 562 (v) ~~[[unless, in the case of property]]~~ ~~>>within the average day~~
563 ~~pumpage but<<~~ not within the basic wellfield protection
564 area ~~[[but within the average day pumpage]]~~ of the Miami
565 Springs Lower Wellfield, Miami Springs Upper Wellfield,
566 John E. Preston Wellfield, and Hialeah Wellfield, unless
567 said liquid waste, storage, disposal or treatment method
568 was installed prior to December 12, 1986 or ~~>> or prior to~~
569 ~~<< June 13, 1986 >> for properties within the basic <<~~
570 ~~wellfield protection area, >>or <<~~
- 571
- 572 (vi) ~~[[unless, in the case of property]]~~ within the basic wellfield
573 protection area of any ~~>>other<<~~ ~~[[public]]~~ utility potable
574 water supply well, ~~>>unless<<~~ said liquid waste storage,
575 disposal or treatment method was installed prior to June 13,
576 1986

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(e) >>Exceptions for<< violations of this chapter. That the septic tank, sanitary sewer, storm water disposal method or liquid waste storage, disposal or treatment method ~~[[utilized or to be utilized]]~~ will serve an existing land use >>or any portion thereof,<< within ~~[[the Northwest Wellfield protection area or within the West Wellfield Interim protection area or within the the outer wellfield protection zone of the South Miami Heights Wellfield Complex, or within the maximum day pumpage wellfield protection area of the Alexander Orr Wellfield, Snapper Creek Wellfield, Southwest Wellfield, Miami Springs Lower Wellfield, Miami Springs Upper Wellfield, John E. Preston Wellfield, and Hialeah Wellfield, or within the basic]]~~ >>a<< wellfield protection area of any ~~[[public]]~~ utility potable water supply well, ~~[[and]]~~ which is required by the Director or the Director's designee to correct violation(s) of this chapter. ~~[[Notwithstanding the foregoing,]]~~ ~~[[t]]~~>>T<<he Director or the Director's designee shall not issue ~~[[the Director's or the Director's designee's]]~~ written approval unless the Director or the Director's designee determines that the land use will comply with all the provisions of this chapter and that the ~~[[following]]~~ water pollution prevention and abatement measures and practices >>set forth in Sections 24-43(5)(c)(i), (ii) and (iii)<< shall be provided~~[[÷]]~~>> . <<

~~[[i)]~~ ~~Monitoring and detection of water pollution caused by hazardous materials.~~

~~(ii) Secondary containment of water pollution caused by hazardous materials, and~~

~~(iii) Inventory control and record keeping of hazardous materials, and~~

~~(iv) Storm water management of water pollution caused by hazardous materials, and~~

~~(v) Protection and security of facilities utilized for the generation, storage, usage, handling, disposal, or discharge of hazardous materials.]~~

(5) Prohibition of hazardous materials within wellfield protection areas. ~~[[Notwithstanding any provisions of this Code, no]]~~ >>No<< County or municipal officer, agent, employee or Board shall approve, grant or issue any building permit, certificate of use and occupancy ~~[[except for changes in ownership]]~~, municipal occupational license ~~[[except for changes in ownership]]~~, platting action (final plat, waiver of plat or equivalent municipal platting action) or zoning action (district boundary

620 change, unusual use, use variance or equivalent municipal zoning action)
621 for any nonresidential land use, other than a bona fide agricultural land
622 use, a bona fide rockmining use (lake excavation), a public sewer facilities
623 use, or a public water supply facilities use within ~~[[the Northwest~~
624 ~~Wellfield protection area, or within the West Wellfield Interim protection~~
625 ~~area, or within the outer wellfield protection zone of the South Miami~~
626 ~~Heights Wellfield Complex, or within the maximum day pumpage~~
627 ~~wellfield protection area of the Alexander Orr Wellfield, Snapper Creek~~
628 ~~Wellfield, Southwest Wellfield, Miami Springs Lower Wellfield, John E.~~
629 ~~Preston Wellfield, or Hialeah Wellfield, or within the basic]] >>a<<~~
630 wellfield protection area of any ~~[[public]]~~ utility potable water supply
631 well, without obtaining the prior written approval of the Director or the
632 Director's designee. ~~[[The Director or the Director's designee shall issue~~
633 ~~the Director's or the Director's designee's written approval only if the~~
634 ~~Director or the Director's designee determines that the nonresidential land~~
635 ~~use is in compliance with Section 24 43(5)(a), 24 43(5)(b) or 24~~
636 ~~43(5)(c).]]~~

637
638 ~~[[Furthermore, notwithstanding any provision of this Code, no]] >>No<<~~
639 person shall construct, utilize, operate, occupy or cause, allow, let, permit
640 or suffer to be constructed, utilized, operated or occupied any
641 nonresidential land use, other than a bona fide agricultural land use, a
642 public sewer facilities use, or a public water supply facilities use, within
643 ~~[[the Northwest Wellfield protection area, or within the West Wellfield~~
644 ~~Interim protection area, or within the outer wellfield protection zone of the~~
645 ~~South Miami Heights Wellfield Complex, or within the maximum day~~
646 ~~pumpage wellfield protection area of the Alexander Orr Wellfield,~~
647 ~~Snapper Creek Wellfield, Southwest Wellfield, Miami Springs Lower~~
648 ~~Wellfield, Miami Springs Upper Wellfield, John E. Preston Wellfield, or~~
649 ~~Hialeah Wellfield, or within the basic]] >>a<<~~ wellfield protection area of
650 any ~~[[public]]~~ utility potable water supply well, ~~[[and]]~~ which uses,
651 generates, handles, disposes of, discharges or stores hazardous materials,
652 until the person has obtained the prior written approval of the Director or
653 the Director's designee.

654
655 ~~[[Pursuant to the foregoing, the]] >>The<<~~ Director or the Director's
656 designee shall issue ~~[[his]]~~ written approval only if ~~>>:;<<~~ ~~[[the Director or~~
657 ~~the Director's designee determines that all:]]~~

658
659 >>(a) All<< potential sources of pollution will be installed upon the
660 property as far away as is reasonably possible >>and not less than
661 100 feet away<< from all potable water supply wells; >>and,<<

662
663 >>(b)<< ~~[[h]]>>H<<azardous materials will not be used, generated,
664 handled, disposed of, discharged or stored on that portion of the
665 property within the Northwest Wellfield protection area, ~~[[or~~~~

666 ~~within the West Wellfield Interim protection area]]~~ or within the
667 basic wellfield protection area of any >>other<< ~~[[public]]~~ utility
668 potable water supply well; >>except that, de minimis quantities of
669 hazardous materials (not including hazardous waste) and
670 lubricating oils and hydraulic fluids necessary to the operation of
671 stationary equipment integral to the operation of a building, shall
672 be allowed outside the thirty (30) day travel time of any utility
673 water supply well, provided that the use, handling, or storage of
674 said de minimis quantities occur inside a building and provided
675 that said lubricating oils and hydraulic fluids are contained within
676 the closed sealed reservoirs of the stationary equipment.

677
678 Fuels, lubricants and other materials necessary to the operation of
679 cars, trucks and other vehicles, that are routinely used and
680 authorized to operate on public streets, when contained within such
681 vehicle solely for the operation of such vehicle.

682
683 The use, handling or storage of factory prepackaged products
684 intended primarily for domestic use or consumption determined by
685 the Director or the Director's designee to be hazardous materials
686 shall not be prohibited; provided, however, that the requirements
687 of Sections 24-43(5)(b)(i), (ii), (iii), and (iv) are fulfilled.

688
689 Prepackaged products utilized solely on site for the care and
690 upkeep of the property, personal hygiene products, and office
691 supplies shall not be prohibited provided however, that the
692 requirements of Sections 24-43(5)(b)(i),and (iii) are fulfilled.

693
694 (i) The use, handling or storage of factory prepackaged products
695 shall only occur within a building.

696
697 (ii) The nonresidential land use is an office building use (or
698 equivalent municipal land use) or a business district use (or
699 equivalent municipal land use) engaged exclusively in
700 retail sales of factory prepackaged products intended
701 primarily for domestic use or consumption, and

702
703 (iii) The nonresidential land use is served or is to be served by
704 public water and public sanitary sewers, and

705
706 (iv) Said building is located more than thirty (30) days' travel
707 time from any public utility potable water supply well;
708 and,<<

709
710 >>(c)<< ~~[[h]]>>H<<azardous wastes will not be used, generated, handled,~~
711 ~~disposed of, discharged or stored on that portion of the property~~
712 ~~within [[the outer wellfield protection zone of]] >>the Northwest~~
713 ~~Wellfield protection area, or within West Wellfield protection area,~~
714 ~~or within<< the South Miami Heights Wellfield Complex, or~~
715 ~~within the average day pumpage wellfield protection area >>or~~
716 ~~within the basic wellfield protection area<< of [[the Alexander Orr~~
717 ~~Wellfield, Snapper Creek Wellfield, Southwest Wellfield, Miami~~
718 ~~Springs Lower Wellfield, Miami Springs Upper Wellfield, John E.~~
719 ~~Preston Wellfield, or Hialeah Wellfield.]] >>any other utility~~
720 ~~potable water supply well, except that small quantity generators of~~
721 ~~hazardous waste shall not be prohibited within that portion of the~~
722 ~~West Wellfield protection area which is outside the basic wellfield~~
723 ~~protection area but within the Urban Development Boundary of the~~
724 ~~Comprehensive Development Master Plan, or outside the basic~~
725 ~~wellfield protection area of any other utility potable water supply~~
726 ~~well when the water pollution prevention and abatement measures~~
727 ~~and practices set forth in Sections 24-43(5)(c)(i), (ii) and (iii) have~~
728 ~~been provided. Small quantity generators of hazardous waste shall~~
729 ~~not be allowed within the Northwest Wellfield protection area.<<~~

730
731 ~~[[Notwithstanding the foregoing,]] [[f]]>>F<<uels and lubricants~~
732 ~~required for rockmining operations (lake excavations, concrete~~
733 ~~batch plants, rock crushing and aggregate plants) within the~~
734 ~~Northwest Wellfield protection area or >>within the basic~~
735 ~~protection area of<< the West Wellfield [[Interim]] protection~~
736 ~~area; electrical transformers serving nonresidential land uses;~~
737 ~~[[small quantity generators of hazardous wastes as defined in this~~
738 ~~chapter, within the outer wellfield protection zone of the South~~
739 ~~Miami Heights Wellfield Complex or within the average day~~
740 ~~pumpage wellfield protection area but not within the basic~~
741 ~~wellfield protection area of the Alexander Orr Wellfield, Snapper~~
742 ~~Creek Wellfield, Southwest Wellfield, Miami Springs Lower~~
743 ~~Wellfield, Miami Springs Upper Wellfield, John E. Preston~~
744 ~~Wellfield, Hialeah Wellfield, and the South Miami Heights~~
745 ~~Wellfield Complex;]] and, existing land uses required by the~~
746 ~~Director or the Director's designee to correct violations of this~~
747 ~~chapter; shall not be prohibited when the water pollution~~
748 ~~prevention and abatement measures and practices set forth in~~
749 ~~Sections 24-43(5)[[(a)]]>>(c)<<(i), (ii), >>and<< (iii) [[(iv) and~~
750 ~~(v)]]~~ will be provided and the Director or the Director's designee
751 has approved same.
752

753 >>The water pollution prevention and abatement measures
754 required in Section 24-43(4)(e) and Section 24-43(5)(c) above
755 shall be:

- 756
- 757 (i) A monitoring program for the detection of pollution caused
758 or which may be caused by hazardous materials,
- 759
- 760 (ii) Secondary containment for the storage of fifty-five (55)
761 U.S. gallons or more of hazardous materials,
- 762
- 763 (iii) Inventory control and record keeping of hazardous
764 materials,
- 765
- 766 1. Storm water management controls to prevent the
767 introduction of hazardous materials into the storm
768 water collection and discharge system,
- 769
- 770 2. Protection and security of facilities utilized for the
771 generation, storage, usage, handling, disposal, or
772 discharge of hazardous materials,

773 The aforesaid pollution prevention and abatement measures and
774 practices shall be subject to the approval of the Director or
775 Director's designee; and,<<

776 ~~[[Notwithstanding the foregoing, the use, handling or storage of~~
777 ~~factory prepackaged products intended primarily for domestic use~~
778 ~~or consumption determined by the Director or the Director's~~
779 ~~designee to be hazardous materials shall not be prohibited;~~
780 ~~provided, however, that the requirements of Sections 24-~~
781 ~~43(5)(b)(i), (ii), (iii), and (iv) are fulfilled.]]~~

782

783 ~~[[~~(a)~~]] >>(d)<<~~ The owner of the property has submitted to the Director or the
784 Director's designee a covenant running with the land executed by
785 the owner of the property in favor of Miami-Dade County. >>The
786 aforesaid covenant shall be in a form prescribed by the Director
787 and shall incorporate the requirements and prohibitions of Section
788 24-43(5)(a), (b) and (c)<< [[which provides that hazardous
789 materials shall not be used, generated, handled, disposed of,
790 discharged or stored on that portion of the property located within
791 the Northwest Wellfield protection area or within the West
792 Wellfield Interim protection area or within the basic wellfield
793 protection area of any public utility potable water supply well; and
794 that hazardous wastes shall not be used, generated, handled,
795 disposed of, discharged or stored on that portion of the property
796 within the average day pumpage wellfield protection area but not

797 ~~within the basic wellfield protection area of the Alexander Orr~~
798 ~~Wellfield, Snapper Creek Wellfield, Southwest Wellfield, Miami~~
799 ~~Springs Lower Wellfield, Miami Springs Upper Wellfield, John E.~~
800 ~~Preston Wellfield, or Hialeah Wellfield, or within the outer~~
801 ~~wellfield protection zone of the South Miami Heights Wellfield~~
802 ~~Complex. Furthermore, the aforesaid covenant shall provide that~~
803 ~~fuels and lubricants required for rockmining operations (lake~~
804 ~~excavations, concrete batch plants, rock crushing and aggregate~~
805 ~~plants) within the Northwest Wellfield protection area or within~~
806 ~~the West Wellfield Interim protection area; electrical transformers~~
807 ~~servicing nonresidential land uses; small quantity generators of~~
808 ~~hazardous wastes as defined in this chapter, within the outer~~
809 ~~wellfield protection zone of the South Miami Heights Wellfield~~
810 ~~Complex or within the average day pumpage wellfield protection~~
811 ~~area but not within the basic wellfield protection area of the~~
812 ~~Alexander Orr Wellfield, Snapper Creek Wellfield, Southwest~~
813 ~~Wellfield, Miami Springs Lower Wellfield, Miami Springs Upper~~
814 ~~Wellfield, John E. Preston Wellfield, and Hialeah Wellfield and~~
815 ~~existing land uses required by the Director or the Director's~~
816 ~~designee to correct violations of this chapter; shall not be~~
817 ~~prohibited when the following water pollution prevention and~~
818 ~~abatement measures and practices will be provided:~~

- 819
820 ~~(i) Monitoring and detection of water pollution caused by~~
821 ~~hazardous materials, and~~
822 ~~(ii) Secondary containment of water pollution caused by~~
823 ~~hazardous materials, and~~
824 ~~(iii) Inventory control and record keeping of hazardous~~
825 ~~materials, and~~
826 ~~(iv) Storm water management of water pollution caused by~~
827 ~~hazardous materials, and~~
828 ~~(v) Protection and security of facilities utilized for the~~
829 ~~generation, storage, usage, handling, disposal, or discharge~~
830 ~~of hazardous materials.~~

831 ~~Said water pollution prevention and abatement measures and~~
832 ~~practices shall be subject to the approval of the Director or~~
833 ~~the Director's designee.~~

834 ~~Furthermore, the aforesaid covenant shall provide that use,~~
835 ~~handling or storage of factory pre packaged products~~
836 ~~intended primarily for domestic use or consumption,~~
837 ~~determined by the Director or the Director's designee to be~~
838 ~~hazardous materials shall not be prohibited, provided,~~
839 ~~however, that:~~

- 840 ~~(vi) The use, handling or storage of said factory prepackaged~~
841 ~~products occurs only within a building, and~~

- 842 (vii) ~~The nonresidential land use is an office building use (or~~
843 ~~equivalent municipal land use) or a business district use (or~~
844 ~~equivalent municipal land use) engaged exclusively in~~
845 ~~retail sales of factory prepackaged products intended~~
846 ~~primarily for domestic use or consumption, and~~
847 (viii) ~~The nonresidential land use is served or is to be served by~~
848 ~~public water and public sanitary sewers, and~~
849 (ix) ~~Said building is located more than thirty (30) days' travel~~
850 ~~time from any public utility potable water supply well.~~

851 ~~[[Said covenants shall be in a form(s) prescribed by the~~
852 ~~Director and approved by the Board of County~~
853 ~~Commissioners.]]~~ The covenants shall be recorded in the
854 public records of Miami-Dade County, Florida, by the
855 Department at the expense of the owner of the property, or

856 ~~[[(b)]]>>(e)<<~~ If the Director or the Director's designee determines that the owner
857 of the property is applying for the original certificate of use and
858 occupancy or original municipal occupational license pursuant to a
859 valid building permit obtained prior to June 1, 1983, for property
860 within the basic wellfield protection area of any ~~[[public]]~~ utility
861 potable water supply well, or, in the case of property within the
862 Northwest Wellfield protection area, obtained prior to September
863 30, 1983, or, in the case of the West Wellfield ~~[[Interim]]~~
864 protection boundary, obtained prior to ~~[[the effective date of this~~
865 ~~Ordinance [Ordinance No. 89-80]]]~~ >>August 6, 1989<<, or within
866 the outer wellfield protection zone of the South Miami Heights
867 Wellfield Complex obtained prior to~~[[the effective date of this~~
868 ~~ordinance,]]~~ >>September 22, 2006,<< or, in the case of property
869 within the average day pumpage wellfield protection area, but not
870 within the basic wellfield protection area of the Alexander Orr
871 Wellfield, Snapper Creek Wellfield or Southwest Wellfield,
872 obtained prior to February 1, 1985 or, in the case of property not
873 within the basic wellfield protection area but within the maximum
874 day pumpage wellfield protection area of the Miami Springs
875 Lower Wellfield, Miami Springs Upper Wellfield, John E. Preston
876 Wellfield or Hialeah Wellfield, obtained prior to December 12,
877 1986 and which permit has been valid and continuously in full
878 force and effect since its issuance, or

879 ~~[[(e)]]>>(f)<<~~ If the Director or the Director's designee determines:

- 880 (i) That the application for a building permit,
881 certificate of use and occupancy ~~[[(except for~~
882 ~~changes in ownership)]]~~, municipal occupational
883 license ~~[[(except for~~
884 ~~changes in ownership)]]~~, platting action (final plat, waiver of plat or

885 equivalent municipal platting action) or zoning
886 action (district boundary change, unusual use, use
887 variance or equivalent municipal zoning action) is
888 for the replacement, modification or limited
889 expansion of an existing facility, provided in no
890 case shall such replacement, modification or limited
891 expansion cause, permit, let, suffer or allow the use,
892 generation, handling, disposal, discharge or storage
893 of hazardous materials on the property to be
894 increased by more than fifty (50) percent over the
895 use, generation, handling, disposal, discharge or
896 storage of hazardous materials which existed on the
897 property on September 30, 1983, for properties
898 within the Northwest Wellfield protection area, or
899 which existed on the property on ~~[[the effective date
900 of this ordinance [Ord. No. 89-80]]]~~ >>August 6,
901 1989<<, for properties within the West Wellfield
902 ~~[[Interim]]~~ protection area, or which existed on
903 March 13, 1981 for properties within the basic
904 wellfield protection area of any >>other<<
905 ~~[[public]]~~ utility potable water supply well, and

906 (ii) That the proposed replacement, modification or
907 limited expansion of the existing facility will
908 substantially reduce the existing risk of pollution
909 from the hazardous materials to the closest
910 ~~[[public]]~~ utility potable water supply well. In
911 determining whether there will be a substantial
912 reduction of the existing risk of pollution as
913 aforesaid, the Director or the Director's designee
914 shall consider the following factors and shall render
915 written findings ~~[[as to]]~~ >>of<< the Director's or
916 the Director's designee's assessment of each:

- 917 1. Whether the proposed replacement,
918 modification or limited expansion of the
919 facility will provide adequate and increased
920 monitoring ~~[[and detection of]]~~ >>for
921 detecting<< pollution which may be or
922 which has been caused by the hazardous
923 materials on the property.
- 924 2. Whether the proposed replacement,
925 modification or limited expansion of the
926 facility will provide adequate ~~[[and
927 increased]]~~ secondary containment ~~[[the
928 storage of pollution which may be or which~~

- 929 ~~has been caused by]] >>for<< the hazardous~~
930 ~~materials >>stored<< on the property~~
931 3. Whether the proposed replacement,
932 modification or limited expansion will
933 provide adequate ~~[[and increased]]~~ inventory
934 control and record keeping of hazardous
935 materials on the property.
936 4. Whether the proposed replacement,
937 modification or limited expansion will
938 provide adequate ~~[[and increased]]~~ storm
939 water management >>controls to prevent the
940 introduction of hazardous materials into the
941 storm water collection and discharge
942 system.<<[[of pollution which may be or
943 which has been caused by the hazardous
944 materials on the property]].
945 5. Whether the proposed replacement,
946 modification or limited expansion will
947 provide adequate ~~[[and increased]]~~
948 protection and security of the facilities
949 utilized for the generation, storage, usage,
950 handling, disposal, or discharge of
951 hazardous materials on the property.
952

953 The Director or the Director's designee shall
954 determine that there will be a substantial reduction
955 of the existing risk of pollution from the hazardous
956 materials to the closest public utility potable water
957 supply well only if the Director or the Director's
958 designee makes affirmative findings as to all of the
959 aforesaid factors, and

- 960 (iii) That the owner of the property has submitted to the
961 Director or the Director's designee a covenant
962 running with the land executed by the owner of the
963 property in favor of Miami-Dade County which
964 provides that the hazardous materials to be used,
965 generated, handled, disposed of, discharged or
966 stored on the property after the proposed
967 replacement, modification or limited expansion is
968 approved by the Director or the Director's designee,
969 pursuant to this section, shall not be more hazardous
970 than the hazardous materials used, generated,
971 handled, disposed of, discharged or stored on the
972 property at the time of the aforesaid approval and
973 which furthermore shall require written notice by

974 the owner of the property to the Department of any
975 change in the kind of hazardous materials on the
976 property after the aforesaid approval. Said
977 covenants shall be in a form(s) prescribed by the
978 Director ~~[[and approved by the Board of County~~
979 ~~Commissioners]]~~. The covenants shall be recorded
980 in the public records of Miami-Dade County,
981 Florida, by the Department at the expense of the
982 owner of the property.

983 * * *

- 984
- 985
- 986 (10) *Land uses within the Northwest Wellfield protection area* ~~[[and West~~
987 ~~Wellfield Interim protection area. Notwithstanding any provision of this~~
988 ~~Code, no]]~~ >>No<< County >>or municipal<< officer, agent, employee or
989 board shall approve, grant or issue any building permit, certificate of use
990 and occupancy, >>municipal occupational license<< ~~[[except for changes~~
991 ~~in ownership]]~~, platting action (final plat, waiver of plat, >>or equivalent
992 municipal platting action<<) or zoning action (district boundary change,
993 unusual use, use variance, new use, similar use >>, or equivalent
994 municipal zoning action<<) for any land use within the Northwest
995 Wellfield protection area ~~[[, or within the West Wellfield Interim~~
996 ~~protection area]]~~, without obtaining the prior written approval of the
997 Director or the Director's designee. ~~[[Furthermore, notwithstanding any~~
998 ~~provision of this Code, no]]~~>>No<< person shall construct, utilize,
999 operate, occupy or cause, allow, let, permit or suffer to be constructed,
1000 utilized, operated or occupied any land use within the Northwest Wellfield
1001 protection area ~~[[or within the West Wellfield Interim protection area]]~~
1002 without obtaining the prior written approval of the Director or the
1003 Director's designee.

1004

1005 The Director or the Director's designee shall issue his written approval
1006 only if:

- 1007
- 1008 (a) ~~[[The Director or the Director's designee determines that the~~
1009 ~~property is within the Northwest Wellfield protection area or~~
1010 ~~within the West Wellfield Interim protection area and the]]~~
1011 >>The<< existing land use(s) for the property or the land use(s)
1012 requested for the property ~~[[is]]~~ >>does not use, generate, handle,
1013 dispose, discharge or store hazardous materials or hazardous waste.
1014 The exceptions provided in Section 24-43(5)(b) shall apply, and<<
1015 ~~[[one (1) or more of the land uses set forth in Table E-1 and the~~
1016 ~~land use(s) and is not a land use found exclusively in the following~~
1017 ~~Miami Dade County zoning classifications or that the zoning~~

- 1018 ~~classification requested is not one (1) or more of the following~~
1019 ~~Miami Dade County zoning classifications:~~
1020 ~~(i) — BU 3 (excluding those land uses permitted by BU 1, BU-~~
1021 ~~1A or BU 2),~~
- 1022 ~~(ii) — IU 1,~~
- 1023 ~~(iii) — IU 2,~~
- 1024 ~~(iv) — IU 3,~~
- 1025 ~~(v) — IU C, or]]~~
- 1026
- 1027
- 1028 ~~[[(b) — The Director or the Director's designee determines that the land~~
1029 ~~use is not listed in Table E 1, the land use(s) is not set forth as a~~
1030 ~~permitted use, special exception, unusual use or conditional use in~~
1031 ~~Chapter 33 of this Code, the land use(s) is not a land use(s) found~~
1032 ~~exclusively in the zoning classifications listed in Sections 24-~~
1033 ~~43(10)(a)(i), (ii), (iii), (iv), (v), above the land use(s) is comparable~~
1034 ~~to a land use(s) set forth in Table E 1, and the land use(s) will not~~
1035 ~~have an adverse environmental impact on groundwater quality in~~
1036 ~~the North Wellfield protection area and within the West Wellfield~~
1037 ~~protection area. Notwithstanding the foregoing, the Director or the~~
1038 ~~Director's designee shall not determine that the land use is~~
1039 ~~comparable to land use(s) set forth in Table E 1 if the land use is~~
1040 ~~permitted in one (1) or more of the following Miami Dade County~~
1041 ~~zoning classifications and if the land use is not permitted in one (1)~~
1042 ~~or more Miami Dade County zoning classifications which are less~~
1043 ~~restrictive than the following BU 3; IU 1; IU 2; IU 3; and IU C.~~
- 1044 ~~(i) — In determining whether a land use is comparable to one (1)~~
1045 ~~or more land use(s) set forth in Table E 1 the Director or~~
1046 ~~the Director's designee shall consider the following factors:~~
- 1047 ~~1. — The materials used, handled and stored, and the~~
1048 ~~products and wastes produced;~~
- 1049 ~~2. — The activities, processes and methods which are~~
1050 ~~employed and utilized;~~
- 1051 ~~3. — The machinery and other facilities utilized and~~
1052 ~~maintenance requirements of said machinery and~~
1053 ~~facilities;~~
- 1054 ~~4. — Uses commonly attendant to or associated with the~~
1055 ~~primary use.~~

1056 (ii) ~~In determining whether a land use does not or will not have~~
1057 ~~an adverse environmental impact on the groundwater~~
1058 ~~quality the Director or the Director's designee shall~~
1059 ~~consider the following factors:~~

1060 1. ~~The land use will not be detrimental to the public~~
1061 ~~health, welfare and safety and will not create a~~
1062 ~~nuisance and will not materially increase the level~~
1063 ~~of water pollution within the Northwest Wellfield~~
1064 ~~protection area or within the West Wellfield Interim~~
1065 ~~protection area;~~

1066 2. ~~The use, generation, handling, disposal of,~~
1067 ~~discharge or storage of hazardous materials will not~~
1068 ~~occur within the Northwest Wellfield protection~~
1069 ~~area or within the West Wellfield Interim protection~~
1070 ~~area;~~

1071 3 ~~The only liquid waste (excluding stormwater) which~~
1072 ~~will be generated, disposed of, discharged, or stored~~
1073 ~~within the Northwest Wellfield protection area or~~
1074 ~~within the West Wellfield Interim protection area~~
1075 ~~shall be domestic sewage discharged to a public~~
1076 ~~sanitary sewer or septic tank;~~

1077 4 ~~Stormwater runoff shall be retained on the property~~
1078 ~~and disposed of through infiltration drainage~~
1079 ~~systems supplemented with seepage drainage~~
1080 ~~systems, or]]~~

1081 >>(b) The existing land use(s) for the property or the land use(s)
1082 requested for the property is a land use which discharges domestic
1083 sewage to public sanitary sewers or onsite sewage treatment and
1084 disposal systems as permitted pursuant to Section 24-43(4)(a); and
1085

1086 (c) The existing land use(s) for the property or the land use(s)
1087 requested for the property is a land use which retains and disposes
1088 of stormwater runoff on the property in accordance with Section
1089 24-43(4)(c);or<<
1090

1091 >>(d)<< ~~The [[Director or the Director's designee, determines that: The~~
1092 ~~property is within the Northwest Wellfield protection area or~~
1093 ~~within the West Wellfield Interim protection area; the]] owner of~~
1094 ~~the property is applying for the original certificate of use and~~
1095 ~~occupancy or original municipal occupational license pursuant to a~~
1096 ~~valid building permit obtained prior to December 12, 1986, [[in the~~
1097

1098 ~~case of the Northwest Wellfield protection area, or August 6, 1989,~~
1099 ~~in the case of the West Wellfield Interim protection area,]]~~ which
1100 permit has been valid and continuously in full force and effect
1101 since its issuance; the property is served or will be served by a
1102 public water main and public sanitary sewer no later than the date
1103 that the original certificate of use and occupancy or original
1104 municipal occupational license is issued; and the property is in
1105 compliance with Sections 24-43(4), (5) and (6) of this Code and
1106 was in compliance with Sections 24-43(4), (5) and (6) of this Code
1107 no later than the date of issuance of the aforesaid valid building
1108 permit.

1109
1110
1111 >>(e) In determining whether or not the existing land use(s) for the
1112 property or the land use(s) requested for the property is a land use
1113 which meet the criteria of this Section the Director or the
1114 Director's designee shall consider the following:

1115 (i) The materials used, handled and stored, and the products
1116 and wastes produced, and

1117 (ii) The activities, processes and methods which are employed
1118 and utilized, and

1119 (iii) The machinery and other facilities utilized and maintenance
1120 requirements of said machinery and facilities, and

1121 (iv) Uses commonly attendant to or associated with the primary
1122 use,

1123 (v) Whether or not the land use is in a category compatible or
1124 equivalent to the land use categories provided below which
1125 are not expected to use, generate, handle, dispose,
1126 discharge or store hazardous materials or hazardous waste
1127 provided that any emergency electric power to these land
1128 uses is by liquid petroleum gas, natural gas, only:

1129 Agricultural use

1130 Communication tower, transmitting station

1131 Dry manufacturing

1132 Distribution centers (no hazardous materials)

1133 Educational institutions (no hazardous materials)

- 1134 Film and television production (no film developing)
- 1135 Financial institutions
- 1136 Food establishments
- 1137 Garment manufacturing (no dyes)
- 1138 Libraries and museums (no hazardous materials)
- 1139 Limestone quarrying, rock crushing and aggregate plants
1140 ancillary to section in connection with limestone quarrying
1141 (no on-site fuel storage except that the use of fuels and
1142 lubricants and LP and natural gas storage are permitted)
- 1143 Parks
- 1144 Parking facilities (no fueling, no repairs)
- 1145 Professional and semiprofessional offices (no medical
1146 laboratories or clinics)
- 1147 Recreational facilities
- 1148 Residential facilities (not providing health care)
- 1149 Retail sales (no hazardous materials)
- 1150 Storage and sale of factory pre packaged items
- 1151 Storage warehouses (no hazardous materials)
- 1152 Utilities: Public and private water production, treatment
1153 and distribution facilities; and sewage collection,
1154 distribution and transmission facilities
- 1155 Worship centers<<
- 1156
- 1157
- 1158

~~[[TABLE E-1~~

~~*Allowable Land Uses Within the Northwest Wellfield Protection
Area and Within the West Wellfield Interim Protection Area*~~

1162 *Land Use*

1163 *Abstract title*

- 1164 ~~Accounts, bookkeeping~~
- 1165 ~~Actuaries~~
- 1166 ~~Advertising office only; no printing~~
- 1167 ~~Agricultural use~~
- 1168 ~~Alcoholic beverage district, sales~~
- 1169 ~~Amusement, game room~~
- 1170 ~~Animals, birds, and tropical fish, retail only~~
- 1171 ~~Antique shops~~
- 1172 ~~Apparel sales, rentals~~
- 1173 ~~Apartment house~~
- 1174 ~~Appliance and fixture sales (no service)~~
- 1175 ~~Appraisers (no merchandise)~~
- 1176 ~~Archery range~~
- 1177 ~~Art gallery~~
- 1178 ~~Art goods and bric-a-brac shops~~
- 1179 ~~Artist studios~~
- 1180 ~~Auction sales (no hazardous materials)~~
- 1181 ~~Auditoriums~~
- 1182 ~~Bait and tackle shop~~
- 1183 ~~Bakeries, retail~~
- 1184 ~~Bakeries, wholesale~~
- 1185 ~~Banks~~
- 1186 ~~Barbecue restaurants, stands, pits (wood for cooking) drive in~~
- 1187 ~~theaters~~
- 1188 ~~Barbershop~~

- 1189 Bars
- 1190 Baseball field
- 1191 Bath and massage parlors
- 1192 Bathing beaches
- 1193 Bicycle sales (no service)
- 1194 Billiard parlor/pool hall
- 1195 Bindery (books, publications, etc.)
- 1196 Bingo
- 1197 Boat piers, docks
- 1198 Book store (new and used)
- 1199 Bottled gas storage (liquefied petroleum gas and natural gas only)
- 1200 Bowling alleys
- 1201 Box lunches—Wholesale and retail with delivery trucks (no truck
1202 maintenance)
- 1203 Broadcasting studios (radio and TV, including transmitting station
1204 and tower, incidental electrical generation by LP or natural gas
1205 only)
- 1206 Business machines sales (typewriters, calculators, etc.) (no service)
- 1207 Camps
- 1208 Card club/public
- 1209 Card shops
- 1210 Carpet sales
- 1211 Caterers
- 1212 Churches
- 1213 Cigar making and sales
- 1214 Cigarette vending

- 1215 Clubs (private)
- 1216 Coin laundries (no dry cleaning machines)
- 1217 Coin shop
- 1218 Cold storage warehouses and pre-cooling plants
- 1219 Colleges (no hazardous materials)
- 1220 Computer service
- 1221 Concrete, cement, clay products Storage and sales (no vehicle
- 1222 maintenance; no on-site fuel storage)
- 1223 Confectionery (and ice cream stores)
- 1224 Conservatories
- 1225 Convent
- 1226 Convention halls
- 1227 Costuming shops
- 1228 Curio stores
- 1229 Dance halls, schools, academies
- 1230 Day camp
- 1231 Day care, nursery
- 1232 Department store
- 1233 Dependent children (home for)
- 1234 Drive shop
- 1235 Docks, piers Boat
- 1236 Dog obedience training, training tracks, schools
- 1237 Dormitories
- 1238 Drapery stores, drapery making
- 1239 Dressed poultry and sea food stores

- 1240 ~~Drive through banks and restaurants~~
- 1241 ~~Drug store~~
- 1242 ~~Dry cleaning (no cleaning on premises)~~
- 1243 ~~Dynamite storage~~
- 1244 ~~Electric substations~~
- 1245 ~~Electrolysis office (removal of hair by electrolytic process)~~
- 1246 ~~Employment agencies~~
- 1247 ~~Entrance gates~~
- 1248 ~~Escort service~~
- 1249 ~~Farms~~
- 1250 ~~Fire station (no hazardous materials)~~
- 1251 ~~Fishing camps~~
- 1252 ~~Fish houses, market, smoking~~
- 1253 ~~Fish, tropical, aquariums (retail sales only)~~
- 1254 ~~Flea market~~
- 1255 ~~Florist shops~~
- 1256 ~~Flower importers~~
- 1257 ~~Food distribution (no on-site vehicle maintenance)~~
- 1258 ~~Food sales~~
- 1259 ~~Foster home~~
- 1260 ~~Fraternities~~
- 1261 ~~Fruit packing, fruit stores, fruit stands~~
- 1262 ~~Furniture sales, rental and storage (no restoration, no~~
- 1263 ~~manufacturing)~~
- 1264 ~~Furriers (sales and storage)~~

- 1265 ~~Garment manufacturing (no dyeing)~~
- 1266 ~~Gas (natural gas, LP gas including distribution system and bottling~~
- 1267 ~~plant)~~
- 1268 ~~Gift stores~~
- 1269 ~~Glass blowing~~
- 1270 ~~Golf course, clubhouse~~
- 1271 ~~Golf driving range~~
- 1272 ~~Grocery store~~
- 1273 ~~Gun shop~~
- 1274 ~~Haberdashery~~
- 1275 ~~Hall for hire~~
- 1276 ~~Handball court~~
- 1277 ~~Health spa~~
- 1278 ~~Homes for dependent children~~
- 1279 ~~Hotels, motels~~
- 1280 ~~Houses of worship~~
- 1281 ~~Ice cream stores~~
- 1282 ~~Ice manufacturing, distributing (emergency electrical generation~~
- 1283 ~~by LP or natural gas only)~~
- 1284 ~~Import-export office~~
- 1285 ~~Insurance office~~
- 1286 ~~Interior decorators office, showroom~~
- 1287 ~~Jai-alai~~
- 1288 ~~Jewelry sales (no manufacturing)~~
- 1289 ~~Judo and karate instructions~~
- 1290 ~~Key shop~~

- 1291 ~~Kindergartens, day care~~
- 1292 ~~Lake excavation~~
- 1293 ~~Laundries (all types, no dry cleaning)~~
- 1294 ~~Leather goods stores (retail)~~
- 1295 ~~Libraries (public)~~
- 1296 ~~Limestone quarrying, rock crushing and aggregate plants ancillary~~
1297 ~~to section in connection with limestone quarrying (no on-site fuel~~
1298 ~~storage except that the use of fuels and lubricants and LP and~~
1299 ~~natural gas storage are permitted)~~
- 1300 ~~Liquefied petroleum (LP) gas~~
- 1301 ~~Liquor package stores~~
- 1302 ~~Livery stable~~
- 1303 ~~Lodges (private)~~
- 1304 ~~Lounges~~
- 1305 ~~Luggage sales~~
- 1306 ~~Lunches (packaging, catering)~~
- 1307 ~~Mail order office~~
- 1308 ~~Massage parlor~~
- 1309 ~~Meat market~~
- 1310 ~~Men's store~~
- 1311 ~~Messenger office~~
- 1312 ~~Milk store (drive in)~~
- 1313 ~~Miniature golf course~~
- 1314 ~~Mission~~
- 1315 ~~Mobile homes~~
- 1316 ~~Mobile homes, sales (no manufacturing or repair; and no motor~~
1317 ~~homes or recreational vehicles)~~

- 1318 Monastery
- 1319 Motel
- 1320 Modeling (agencies, schools)
- 1321 Motion picture studio (no film developing)
- 1322 Motion picture theatre, indoor and outdoor
- 1323 Motion pictures and equipment, sales and rental (no equipment
1324 servicing, no film developing)
- 1325 Moving and storage company (no on-site vehicle maintenance)
- 1326 Municipal recreation building
- 1327 Museums, public
- 1328 Music stores, teaching
- 1329 Newsstand
- 1330 Night club
- 1331 Notions sales
- 1332 Office building
- 1333 Office, professional
- 1334 Open air theaters
- 1335 Optical stores
- 1336 Package stores
- 1337 Palmistry
- 1338 Paneling (wall/retail sales)
- 1339 Paper salvage
- 1340 Park or playground, public or private
- 1341 Parking lot, parking garage (no auto pound, no tow yard, no on-site
1342 vehicle repair)
- 1343 Passenger stations (railroad, bus)

- 1344 ~~Pawn shops (swap shops)~~
- 1345 ~~Pet shops, retail sales only (in air conditioned building)~~
- 1346 ~~Pharmaceuticals (retail)~~
- 1347 ~~Photographic studio (no developing, no printing)~~
- 1348 ~~Pillow renovating~~
- 1349 ~~Plant sales (no propagation)~~
- 1350 ~~Plaster products~~
- 1351 ~~Plasterers, storage area~~
- 1352 ~~Police station~~
- 1353 ~~Pool rooms~~
- 1354 ~~Post office~~
- 1355 ~~Pottery (retail sales only/no manufacturing)~~
- 1356 ~~Private clubs~~
- 1357 ~~Produce or fruit market~~
- 1358 ~~Professional and semiprofessional offices (no medical laboratory~~
- 1359 ~~or clinic)~~
- 1360 ~~Public art galleries, museums~~
- 1361 ~~Racquet ball clubs~~
- 1362 ~~Radio, broadcasting station, studio, transmitting station/tower~~
- 1363 ~~(emergency electrical power by LP or natural gas only)~~
- 1364 ~~Railroad and bus passenger stations (no freight terminal, no vehicle~~
- 1365 ~~maintenance)~~
- 1366 ~~Real estate office~~
- 1367 ~~Recording studios~~
- 1368 ~~Recreational facilities~~
- 1369 ~~Rentals (household equipment, appliances, tools, hardware, etc.)~~
- 1370 ~~(no hazardous materials)~~

- 1371 Residential uses
- 1372 Restaurants, including outdoor patios and service
- 1373 Retirement villages
- 1374 Rifle, pistol range
- 1375 Rock and sand yards
- 1376 Rock yards (crushing)
- 1377 Saloons and bars
- 1378 Savings and loan associations
- 1379 Schools (no hazardous materials)
- 1380 Seafood stores
- 1381 Secondhand stores (inside only)
- 1382 Shoe store (no manufacturing)
- 1383 Shooting gallery
- 1384 Shooting range, trap and skeet
- 1385 Shopping center (no hazardous materials)
- 1386 Showrooms, salesrooms (no hazardous materials)
- 1387 Skating rink
- 1388 Sororities
- 1389 Souvenir stores
- 1390 Sporting goods store
- 1391 Stationery stores
- 1392 Storage warehouse (no hazardous materials)
- 1393 Swap shops
- 1394 Swimming pools
- 1395 Synagogues

- 1396 Tailor shops
- 1397 Tattoo parlor
- 1398 ~~Telegraph stations (emergency electrical power by LP or natural~~
- 1399 ~~gas only)~~
- 1400 Telephone answering service
- 1401 Telephone exchange
- 1402 ~~Television (broadcasting studio)~~
- 1403 Tennis courts
- 1404 Textile sales
- 1405 Theaters
- 1406 ~~Tile sales (no manufacturing)~~
- 1407 ~~Tourist attractions (no hazardous materials)~~
- 1408 Trading post
- 1409 Trailer park
- 1410 Travel agency
- 1411 Upholstery shop
- 1412 ~~Utilities: Public and private water production, treatment and~~
- 1413 ~~distribution facilities; and sewage except that wastewater treatment~~
- 1414 ~~plants are not permitted (emergency electrical power by LP or~~
- 1415 ~~natural gas only)~~
- 1416 Vegetable stands
- 1417 Wall paper, paneling (retail sales)
- 1418 ~~Warehouses (storage of food, fodder, apparel, and other~~
- 1419 ~~nonhazardous materials)~~
- 1420 Watchman's quarters
- 1421 Water tanks or towers
- 1422 ~~Water treatment plants (emergency electrical power by LP or~~
- 1423 ~~natural gas only)~~

1424 ~~Wearing apparel stores (sales, rentals)~~

1425 ~~Wholesale salesrooms and attendant storage rooms (no hazardous~~
1426 ~~materials)]]~~

1427 * * *

1428

1429

1430 Section 3. If any section, subsection, sentence, clause or provision of this ordinance
1431 is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

1432 Section 4. It is the intention of the Board of County Commissioners, and it is hereby
1433 ordained that the provisions of this ordinance, including any sunset provision, shall become and
1434 be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may
1435 be renumbered or relettered to accomplish such intention, and the word "ordinance" may be
1436 changed to "section," "article," or other appropriate word.

1437 Section 5. This ordinance shall become effective ten (10) days after the date of
1438 enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an
1439 override by this Board.

1440 Section 6. This ordinance shall stand repealed * year(s) from its effective date.

1441

1442

1443

1444 PASSED AND ADOPTED:

1445

1446 Approved by County Attorney as

1447 to form and legal sufficiency: _____

1448

1449 Prepared by: _____

1450

1451 Assistant County Attorney's Names

1452

1453

1454

1455

1456