

**ORDINANCE NO. 2014 - 014**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY , FLORIDA, ESTABLISHING THE POLK COUNTY SOLID WASTE MANAGEMENT FACILITY SITING AND OPERATION ORDINANCE; MAKING FINDINGS; PROVIDING A SHORT TITLE; PROVIDING DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR NONCONFORMING FACILITIES; SETTING FORTH JURISDICTION AND APPLICABILITY; PROVIDING FOR APPLICATION REQUIREMENTS; PROVIDING FOR STANDARDS; PROVIDING FOR APPROVAL PROCESS; PROVIDING FOR OPERATING LICENSE AND FEE; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Polk County, Florida is located in the center of the Florida peninsula, about equal distance from the east and west coast, and half way between the Georgia-Florida border and the Southern tip of the peninsula, with an estimated 7.5 million people residing within a 100 mile radius of Polk County; and

WHEREAS, Polk County is larger than the state of Rhode Island and approximately equal in size to the state of Delaware with a total of approximately 2,010 square miles which makes it the fourth largest county in Florida, exceeded only by Dade, Palm Beach, and Collier counties; and

WHEREAS, Polk County's contains 17 municipalities; including, Lakeland , Winter Haven; Auburndale, Bartow, Davenport, Dundee, Eagle Lake, Fort Meade, Frostproof, Haines City, Highland Park, Hillcrest Heights, Lake Alfred , Lake Hamilton , Lake Wales, Mulberry, and Polk City; and

WHEREAS, due to the unique characteristics of Polk County, the Board of County Commissioners recognized the need to consider the appropriate regulation of solid waste management facilities for new, modified or expanded solid waste management facilities in Polk County and enacted a moratorium in Ordinance No. 2013-006 to provide time to evaluate and, if necessary , modify its ordinances and regulations concerning the siting, modification , expansion , and operation of solid waste management facilities; and

WHEREAS, the Board of County Commissioners of Polk County, Florida engaged outside professionals to undertake a complete and thorough evaluation and study of the Comprehensive Plan, Land Development Regulations, and other regulations for solid waste management facilities and who have recommended new regulations contained in part in this Ordinance; and

WHEREAS, the Board of County Commissioners of Polk County, Florida finds and declares that this Ordinance is necessary to protect the health, safety and welfare of the residents of Polk County and advances significant and important public interests by providing additional regulatory review for newly proposed solid waste management facilities, and proposed modifications or expansions to existing solid waste management facilities, by providing for a local needs assessment and additional compatibility and impact analysis; and

WHEREAS, this Ordinance was adopted consistent with the requirements of section 125.66, Florida Statutes.

**Section 1. - Findings.**

The findings set forth above are true and correct and incorporated into this Ordinance by reference.

**Section 2. - Short Title.**

This article shall be known as the Polk County Solid Waste Management Facility Siting and Operation Ordinance.

**Section 3.- Definitions.**

For the purposes of this Ordinance, the following words and terms shall have the meaning ascribed thereto:

Board shall mean the Board of County Commissioners of Polk County, Florida.

Commercial waste shall mean all types of solid waste generated by commercial enterprises, including stores, offices, restaurants, warehouses, and other nonmanufacturing activities.

Compatibility shall mean a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Compatibility or impact analysis shall mean a study to determine the potential direct or indirect effects of a proposed facility on the surrounding area. Such study must be conducted by a person with appropriate qualifications and experience, which may include outside professionals. Such study shall be valid for a period of three years after its date of submittal unless extended by action of the Board upon a finding that applicable conditions remain unchanged.

Construction and demolition debris shall mean materials generally considered to be not water soluble and nonhazardous in nature, including, without limitation, steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project, and including rock, soils, tree remains, trees, and other vegetative matter which

normally results from land clearing or land development operations for a construction project, including such debris from construction of structures at a site remote from the construction or demolition project site.

Development order shall mean an order of the county approved by the Board, after due notice, and a public hearing setting forth the terms and conditions under which the solid waste management facility may be constructed and operated.

FDEP shall mean the Florida Department of Environmental Protection or its successor agency.

Haul route shall mean those roads upon which the material will be transported to or from the site.

Incinerator shall mean a facility, or any part thereof, designed or intended solely for the volume reduction of solid waste, hazardous waste, bio hazardous waste, or biological waste by incineration.

Industrial waste shall mean solid waste generated by manufacturing or industrial processes that is not a hazardous waste. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products or byproducts; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing or foundries; organic chemicals ; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products ; textile manufacturing; transportation equipment; and water treatment.

Lake shall mean a natural body of standing water occupying a natural basin.

Landfills shall mean any solid waste land disposal area for which a permit, other than a general permit, is now or hereafter required by Chapter 403 , Florida Statutes or Chapter 62, Florida Administrative Code, and which receives solid waste for disposal in or upon land. The term does not include a land-spreading site, an injection well, or a surface impoundment.

Materials recovery facility shall mean a solid waste management facility that provides for the extraction from solid waste of recyclable materials, materials suitable for re-use, repurposing, use as a fuel or soil amendment, or any combination of such materials.

Minimum distance shall mean the proximity of uses shall be measured by drawing a straight line between the closest property line of the proposed solid waste management facility to the nearest point on the property line or boundary of the impacted use or designated area.

Modification or expansion shall mean any change to an existing solid waste management facility or its development order which would:

(1) Be considered a major modification pursuant to the Polk County Land Development Code;

(2) Increase a nonconformity;

(3) Reasonably be expected to lead to a substantially different environmental or compatibility impact;

(4) Require an amendment of a development order; or

(5) Expand the area of operation , vertically or horizontally , beyond that which was legally permitted by the county as of the effective date of this Ordinance.

Permit shall mean the written authority issued by Polk County authorizing the operation of a facility subject to the provisions of this ordinance.

Person shall mean individuals, firms, partnerships, corporations, associations, organizations , trusts, companies, governmental agencies, or any other legal entity.

Residential waste shall mean any solid waste, including garbage, and trash, derived from households, including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas.

Site shall mean any tract, lot or parcel of land or combination of tracts, lots, or parcels of land which are included in a proposal for a solid waste management facility.

Solid waste shall mean commercial waste , industrial waste, residential waste , construction and demolition debris, Class III waste as defined by the Florida Administrative Code or sludge that is not regulated under the federal Clean Water Act or Clean Air Act , as well as sludge from a waste treatment works , water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, special waste , or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from domestic, industrial, commercial, or governmental operations . This term does not include phosphogypsum.

Solid waste disposal facility shall mean any solid waste management facility which is the final resting place for solid waste, including landfills and incinerators that produce ash from the process of incinerating solid waste.

Solid waste management facility shall mean any solid waste disposal facility, solid waste transfer station, materials recovery facility, volume reduction facility, other facility, or combination thereof , the purpose of which is resource recovery or the disposal, recycling, processing, or storage of solid waste, but shall not include salvage yards and salvage facilities which process concrete into aggregate materials and/or stores

processed aggregate materials derived from concrete in other than a fully enclosed structure for both processing and storage .

Solid waste transfer station shall mean a facility where solid waste is unloaded from collection vehicles and is reloaded onto larger transport vehicles for shipment to other solid waste management facilities.

Solid waste management facility siting permit shall mean the site approval granted under this Ordinance.

Solid waste management facility operating permit shall mean operating approval granted under this Ordinance.

Surety shall mean a bond, irrevocable letter of credit, or any other form of surety acceptable to the county attorney and the Board.

Volume reduction facility shall mean a facility using incinerators, pulverizers, compactors, shredding , demanufacturing, and baling plants, and other plants that accept and process solid waste for recycling and disposal.

#### **Section 4. - Exemptions.**

The following activities are exempt from the requirements of this Ordinance:

(1) Open burning of land clearing debris as permitted by the Florida Department of Agriculture and Consumer Services' Division of Forestry, provided that all of the material to be burned originates on-site and burning is on a temporary basis;

(2) Prescribed fire undertaken as part of a land management plan for wildlife management practices, improvement of forage for range, and other , commonly accepted land management purposes;

(3) Crematoria as permitted by FDEP;

(4) The disposal of nonputrescible solid waste material for grade improvement done in conjunction with a building permit, and the storage of nonputrescible fill materials for future use;

(5) The processing, management and disposal of solid wastes generated as a result of a major storm, tornados or other natural or manmade disasters when undertaken by, under the supervision of, or at the direction of a local, state or federal agency; and

(6) Management of solid waste or by-products ancillary to agricultural operations and phosphate mining.



(7) Salvage yards or salvage facilities which process concrete into aggregate materials and/or store processed aggregate materials derived from concrete in other than a fully enclosed structure for both processing and storage.

#### **Section 5. - Nonconforming Facilities.**

Solid waste management facilities with a valid level 3 or level 4 review approval issued under the Polk County Land Development Code as of the effective date of this Ordinance may continue to develop the project and operate in accordance with the approval in place as of the effective date of this Ordinance. Such facilities shall not be subject to the provisions of sections 7 through 11, below; provided, however, such facilities shall not be modified or expanded without receiving approvals for the facility modification or expansion required by the Polk County Comprehensive Plan, Land Development Code and this Ordinance thereby becoming subject to sections 7 through 11 below, except for the minimum distance requirements in Section 8(3), which shall not apply to the modification or expansion of an existing facility with a valid Level 3 or Level 4 Review approval as of the effective date of this ordinance.

#### **Section 6. - Jurisdiction and Applicability.**

Except as set forth in Section 4 and Section 5, the requirements of this Ordinance shall apply to new solid waste management facilities, and to modifications or expansions of existing solid waste management facilities. Prior to the development, modification, or expansion of a solid waste management facility hereunder, a solid waste facility siting permit must be obtained pursuant to the procedures and standards provided herein. The issuance of a solid waste facility siting permit by the county hereunder, does not relieve the applicant from, and is in addition to the requirements of any other applicable local, state, or federal rules, regulations, permits, or approvals.

#### **Section 7. - Application Requirements.**

All applications for new solid waste management facilities or modifications or expansions of existing facilities must contain the basic materials and information required for approval under the requirements of the Polk County Land Development Code, including without limitation the information required in Polk County Land Development Code Section 906D.2.

The application for the solid waste management facility siting permit shall be submitted simultaneous with any related Polk County Comprehensive Plan and Land development Regulation applications for the proposed development.

Written and oral representations made by the applicant in the application, during the course of the approval process, or otherwise, are binding and may be memorialized in the final conditions of approval by the Board. In addition thereto, the following information and analysis is required to be submitted as part of the application for a solid waste management facility siting permit:

(1) *Needs analysis.* An analysis of the local need in Polk County for the proposed solid waste management facility, or modification or expansion to an existing solid waste management facility. Such analysis shall include market surveys, letters of commitment and contracts, and other documentation establishing the quantity of solid waste generated and the need in Polk County for additional solid waste management facility capacity to dispose of such waste.

(2) *Land use compatibility analysis.* An analysis of the effect(s) which the proposed solid waste management facility will have on land uses and conditions in relative proximity to the proposed site. Such analysis shall specifically state whether the impacts of the proposed facility is likely to diminish the value of properties, or materially diminish the quality of life of the residents, within one-half mile of the proposed facility, or whether the proposed facility will preclude or diminish the uses of adjacent properties in existence at the time of application. The analysis shall also include the expected levels of odor, dust, gas emissions, air pollution, leachate, storm water runoff, vectors and vermin, and proposed mitigation and abatement plans thereof.

(3) *Traffic impact analysis.* This analysis shall include a traffic study and address the trip generation of the proposed facility; ingress, egress, and access control to the site; and will address the impact(s) of the proposed facility on the transportation system which will support the proposed facility, including anticipated increases in road maintenance requirements, impacts to the levels of service of affected roadways; and the estimated public cost of maintaining the area's transportation system.

(4) *Public facilities impact analysis.* An analysis of the impact(s) of the proposed facility on schools, parks, conservation areas, hospitals, potable water supplies, aquatic preserves, and other natural water bodies within 1 mile of the proposed site.

(5) *Environmental impact analysis.* The environmental analysis shall review the impact of the proposed facility on endangered or threatened species which occur on or utilize the subject property; air quality within one and five-tenths (1.5) miles from the site, noting direction of the prevailing wind; wildlife habitat and native vegetative communities on the site; surface and groundwater quality within one-half of a mile from the site (the analysis must include a graphic illustration of any Class I surface waters as defined by the FDEP which occur within three thousand (3,000) feet of the edge of the subject property); and noting any areas within the subject property which occur within the 100-year flood zone.

(6) *Facility operations plan.* This plan shall address the type of solid waste management facility proposed, its method of operation, and other pertinent information. The plan shall include detailed drawings and specifications for the facility. The narrative shall describe the method of operation of the facility; the construction schedule; hours of operation; haul routes to be utilized identifying the roads which will be used to haul the waste to the facility; qualifications of operators, including a statement relative to any state or federal employee certifications necessary; sources of materials to be disposed; limitations on types of waste that may be disposed; volume of waste to be received,

expressed in cubic yards per day or tons per day; special waste areas; method of management of byproducts of any proposed waste processing; and emissions controls, including gas, leachate, and surface run-off. Narratives submitted as part of landfill applications shall include the sequence of filling and areas to be landfilled.

(7) *Principal and accessory uses.* A detailed , binding description of the proposed principal use for the facility, as defined in the Polk County Land Development Code, and a detailed, binding description of all accessory uses to the principal use, as defined in the Polk County Land Development Code. Written and oral representations of the applicant to Polk County staff or the Board regarding identification of principal and accessory uses shall be binding on the applicant and incorporated into the permit by reference.

### **Section 8. - Standards.**

The following standards shall be applied to all solid waste management facilities subject to this Ordinance:

(1) *Buffering.* At a minimum, all such facilities shall provide a buffer zone consistent with the requirements of the Polk County Land Development Code. The applicant shall propose an appropriate buffer, landscape type and planting requirements as part of the application submitted to the Board for approval. Additional buffering may be recommended at any stage of the application review process, or by the Board if it deems necessary to meet the intent of this Ordinance; including, without limitation, an increased landscaped buffer zone, spatial separations, lakes , berms or a combination thereof as the Board shall determine.

(2) *Performance standards.* All such facilities shall comply with applicable performance standards specified in the Polk County Land Development Code.

(3) *Minimum distance requirements.* No new facility shall be constructed in closer proximity to specified land uses or designated areas than the minimum distances as follows:

- A. Within one-half mile of lands which are, at the time of initial application, in residential use at a density in excess of two (2) units per acre;
- B. Within one-half mile of any school or hospital;
- C. Within 200 feet of any body of water (except canals used to lower on-site water tables, borrow pits and other bodies of water contained completely within the site); and
- D. Within 1500 feet of any wellhead supplying a public water system of a public or private utility company.



(4) *Excluded areas.* No such facility shall be constructed in any Selected Area Plan (SAP) district identified in the Polk County Land Development Code, unless the SAP district identifies solid waste management facilities as a permitted or conditional use in the district.

(5) *Setbacks.* Placement of structures and operating areas shall at a minimum conform to applicable setbacks provided in the Polk County Land Development Code. Additional setbacks may be required by the Board if it deems necessary to meet the intent of this Ordinance.

(6) *Other standards.* All such facilities must be located within 5 miles of a full-service fire station. The provision of on-site fire/rescue capability acceptable to the county fire marshal may exempt a proposed facility from this requirement.

(7) *Financial Responsibility.* The owner and the operator, as a prerequisite to the operation of a solid waste management facility in Polk County, shall be bonded or insured to guarantee the financial responsibility of both the owner and operator for any liability which may be incurred in the operation of the facility and to provide that, upon closure, abandonment, or interruption of operation of the facility for any reason, all appropriate measures are taken to prevent or remediate damage to human health, safety, and welfare; the environment; and private and public property. To the extent that these financial responsibilities are addressed through the state and federal permitting requirements, the applicable portion of the financial responsibility requirement may be satisfied through the financial requirements of the state and federal programs; however, in granting approval to a facility pursuant to this Ordinance, the Board may require additional, reasonable bonding or environmental impairment insurance as deemed necessary to protect the public health, safety, and welfare.

Cash, surety bonds, environmental impairment insurance, or casualty insurance, or a combination thereof, acceptable to the Board, may be used to satisfy the financial responsibility requirement. Any bond or insurance obtained to satisfy this requirement shall be maintained in the amount established by the Board, with Polk County listed as an additional insured, and shall be maintained until the Board determines that the owner and operator have satisfactorily closed the facility, any contamination has been remediated to the point that FDEP requires no further action and until the Board authorizes cancellation, modification, or liquidation of the bond or insurance.

(8) Construction and commencement of operation of any facilities approved pursuant to this Ordinance shall be begin within 5 years, unless an alternative time period is approved by the Board, which in no case shall exceed 7 years from the date of approval.

(9) A solid waste management facility shall be approved only when the Board is satisfied that the proposed facility is appropriately sited and necessary as determined through review of the factors, standards, requirements, and analysis contained in this Ordinance.

(10) The Board may attach such reasonable conditions as it deems necessary to protect the public health, safety and welfare and further the purposes of this Ordinance, the Comprehensive Plan, and the Land Development Code.

#### **Section 9. - Approval Process.**

Applications for solid waste management facility siting permits shall be filed with the County's Planning and Development division and shall be accompanied by the applicable fee to be established by resolution of the Board. Application fees shall be based on the estimated cost of providing an effective review to assure compliance with this Ordinance. The Board may approve, approve with conditions, or deny any permit application filed pursuant to this Ordinance. The steps involved in the approval process are as follows:

(1) A pre-application meeting is optional, but recommended.

(2) Applicant submits an application for a solid waste management facility siting permit consistent with this Ordinance.

(3) The Land Development Director shall send a copy of the application to each member of the Development Review Committee and shall place the application on the agenda of the next committee meeting that allows for 15 working days for review. The application for a solid waste management facility siting permit shall be processed concurrently with any related Polk County Comprehensive Plan and Land Development Regulation applications for development approval filed by the applicant.

(4) Each committee member shall submit written comments as to the proposed development's compatibility with land uses and conditions in relative proximity to the proposal, the probable effect on the public facilities and services and whether the proposal is in compliance with the Comprehensive Plan, Land Development Code and this Ordinance. Development Review Committee members shall provide proposed written conditions of approval for the Board's consideration to memorialize representations made by the applicant, attempt to mitigate the impacts of development and address compatibility concerns. In the event the development area contained within the application for a solid waste management facility siting permit exceeds ten acres in size, the Land Development Director may engage third party professionals to assist the Land Development Director in reviewing the application for a solid waste management facility siting permit for consistency with the Comprehensive Plan, Land Development Code and this Ordinance. The fee for such review shall be the obligation of the applicant and the methodology for assessing the fee shall be established by resolution of the Board.

(5) The Land Development Director shall prepare a written report, propose conditions of approval, and provide a recommendation that the application be approved, approved with conditions, or denied for both the Planning Commission's public hearing and the Board's public hearing. The Land Development Director shall incorporate the

recommendations of the Development Review Committee, the third party professionals (if applicable) and the Planning Commission. The Land Development Director shall provide proposed written conditions of approval proposed by the Development Review Committee, the Planning Commission, and the third party professionals, for the Board's consideration to memorialize representations made by the applicant, attempt to address the impacts of development and address compatibility concerns.

(6) The Land Development Director shall schedule a public hearing before the Board on the application, and notice shall be provided as set forth the Polk County Land Development Code.

(7) The Board, in the review of the development application shall consider the following:

- A. Whether there is a local need in Polk County for a new solid waste management facility, or for the modification or expansion of an existing solid waste management facility;
- B. The written report of the Land Development Director containing the recommendations of the Development Review Committee, the third party professional (if applicable), and the recommendation of the Planning Commission;
- C. The evidence and testimony presented during the hearing;
- D. Whether the proposed development is consistent with all relevant requirements of the Comprehensive Plan, Land Development Code and this Ordinance;
- E. Whether the proposed use is compatible with land uses and conditions in relative proximity to the proposal and the general character of the area, including such factors as density, height, bulk, scale, scope, intensity, traffic, odor, setbacks, topography, and noise appearance;
- F. The factors listed in Section 907D.9 and 907D.10 of the Land Development Code; and
- G. Any other matter which the Board may deem appropriate and relevant to the specific development proposal.

(8) The Board may prescribe appropriate conditions of approval and safeguards in conformity with the intent and provisions of this Ordinance, including the following:

- A. Limit the manner and extent to which an activity is conducted to minimize such environmental effects as noise, vibration, air pollution, glare, and odor;
- B. Limit the height, size, or location of a building, drainage facility, storage area, disposal area or other improvements, fixtures , features (including signs) , or other on-site uses to attempt to minimize incompatibilities between a proposed development and land uses and conditions in relative proximity to the proposal;
- C. Designate the size, number and location of vehicle access points to minimize hazards for vehicular or bicycle/pedestrian traffic and to minimize congestion on public roads;
- D. Limit the location and intensity of outdoor lighting, including sign lighting, or require its shielding to protect adjacent or nearby properties and public roadways from glare;
- E. Require modified or increased berming, screening , separations , setbacks, or landscaping to lessen visual and sound impacts which may adversely affect adjacent or nearby property;
- F. Memorialize representations made by the applicant; and
- G. Specify other conditions in conformity with the intent and purpose of the Comprehensive Plan, Land Development Code and this Ordinance.

(9) The Board shall render a final decision to approve, approve with conditions, or deny the development application.

#### **Section 10. - Operating License and Fee.**

(1) In addition to any other fee, license, or permit, the Board shall require an annual operating license to assure compliance with this Ordinance and the solid waste management facility siting permit. An annual operating license fee based on the estimated cost of providing an effective inspection program shall be established by subsequent resolution of the Board. No facility subject to this Ordinance shall operate without a current operating license. The fee hereunder will be due and payable on or before January 1st of each year. The license fee shall be accompanied by a certification from an appropriate professional (PE or PG) that the facility is currently operating in accordance with all applicable federal , state, and local laws, rules, regulations, and permits.

(2) No license issued under this section shall be transferable without the approval of the Board. The Board shall not unreasonably withhold approval but may

impose other or different financial responsibility requirements. A transfer not authorized by the Board shall constitute grounds for revocation of an operating license.

**Section 11. - Enforcement and Penalties.**

(1) The Polk County Building and Codes shall, no less than once per year, inspect all facilities subject to this Ordinance within unincorporated Polk County for compliance with the provisions contained herein. Such inspections will, at a minimum, verify that required landscape buffers are being maintained, and that all materials found at the subject facility are allowed under the conditions of the permits and approvals issued for the facility. Inspections pursuant to this Ordinance shall be conducted without prior notice to the facilities' operators during regular business hours.

(2) Representatives of the Polk County Building and Codes Division or Sheriff's Department shall, upon identification, be admitted to the premises during regular business hours to conduct inspections and shall be given full and immediate access to the premises and all records required by this Ordinance. Failure to admit a county official onto a facility shall constitute a violation of these regulations.

(3) If, at any time during the operational life of the facility, it is determined that the facility is being operated in violation of the conditions of the permits, licenses or approvals which pose an immediate threat to the health, safety or welfare of the general public or surrounding properties, the Building & Codes division may issue a stop work order which shall remain in force and effect until the facility is brought into compliance with such conditions and damage to surrounding properties, if any, is remedied. For purposes of enforcement , each violation shall be considered a separate offense.

**SECTION 12. SEVERABILITY.** It is declared to be the intent of the Board that if any section, subsection, sentence, clause or provision of this Ordinance be held invalid by a court of competent jurisdiction, it shall in no way affect the validity of the remaining portions of this Ordinance.




**SECTION 13. EFFECTIVE DATE.**

This Ordinance shall be effective upon filing with the Florida Department of State. Immediately upon passage, the Clerk is directed to so file this Ordinance.

**PASSED AND DULY ADOPTED** this 18<sup>th</sup> day of March, 2014.

BOARD OF COUNTY COMMISSIONERS  
OF POLK COUNTY, FLORIDA

By: \_\_\_\_\_

  
R. TODD DANTZLER, Chairman

ATTEST:

  
Stacy M. Butterfield, Ex Officio  
Clerk to the Board

APPROVED AS TO FORM AND LEGALITY:

  
Michael Craig, Esq.  
County Attorney

STATE OF FLORIDA     )  
                                  )  
COUNTY OF POLK        )

I Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No.14-014 adopted by the Board on March 18<sup>th</sup>, 2014.

WITNESS my hand and official seal on this 20<sup>th</sup> day of March, 2014.

STACY M. BUTTERFIELD, CLERK

By: Alison Prevatt  
Alison Prevatt  
Deputy Clerk





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

March 20, 2014

Ms. Alison Prevatt  
Deputy Clerk  
Finance and Accounting  
Post Office Box 988  
Bartow, Florida 33831-0988

Dear Ms. Prevatt:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Polk County Ordinance No. 2014-014, which was filed in this office on March 20, 2014.

Sincerely,

Liz Cloud  
Program Administrator

LC/elr