

ORDINANCE NO. 2017-35

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO SURFACE WATER MANAGEMENT SYSTEMS; AMENDING SECTION 27-194 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), PROVIDING EXEMPTION FROM SURFACE WATER MANAGEMENT LICENSING REQUIREMENTS FOR CERTAIN MOBILITY PROJECTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 27-194 of the Broward County Code of Ordinances is hereby amended as follows:

Sec. 27-194. Exemptions.

The following activities are exempt from licensing under this Article with the following conditions:

...

(c) *Surface water management:*

...

(5) *Exemption for certain activities:* Persons constructing, altering, operating, or maintaining surface water management systems for land uses and activities on sites listed below are exempt from licensing provisions contained in this Section. This exemption applies only to the extent

the surface water management activity is conducted in full conformance with the provisions of this Article:

...

- j. Projects undertaken by the Florida Department of Transportation for Metropolitan Planning Organization sponsored mobility projects for bike lanes and sidewalks.

Section 2. SEVERABILITY.

If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

Section 3. INCLUSION IN CODE.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Broward County Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

1 Section 4. EFFECTIVE DATE.

2 This Ordinance shall become effective as provided by law.

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5 ENACTED December 5, 2017

6 FILED WITH THE DEPARTMENT OF STATE December 6, 2017

7 EFFECTIVE December 6, 2017

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9 Approved as to form and legal sufficiency:
10 Andrew J. Meyers, County Attorney

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12 By /s/ Damaris Y. Henlon 10/20/17
13 Damaris Y. Henlon (date)
14 Assistant County Attorney

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22 DYH/gmb
23 10/20/17
24 Ch27 Domestic Wastewater ExemptionsOrd.doc
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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
 underscored type are additions.