

Introduced by Council Member Salem and amended by the Rules Committee:

ORDINANCE 2025-523-E

AN ORDINANCE REGARDING INDUSTRIAL PRETREATMENT REGULATIONS; AMENDING SECTIONS 750.101 (CIVIL PENALTIES) AND 750.102 (PENALTIES), CHAPTER 750 (WATER AND SEWER CODE), *ORDINANCE CODE*, TO INCLUDE A VIOLATION OF THE JEA INDUSTRIAL PRETREATMENT REGULATIONS IN THE LIST OF PENALTIES AND INCLUDE JEA AS AUTHORITY TO ENFORCE THE JEA INDUSTRIAL PRETREATMENT REGULATIONS; CREATING A NEW SECTION 750.103 (JEA INDUSTRIAL PRETREATMENT REGULATIONS), CHAPTER 750 (WATER AND SEWER CODE), *ORDINANCE CODE*, TO ADOPT THE JEA INDUSTRIAL PRETREATMENT REGULATIONS; APPROVING JEA INDUSTRIAL PRETREATMENT REGULATIONS; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING EFFECTIVE DATE OF JEA INDUSTRIAL PRETREATMENT REGULATIONS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Amending Sections 750.101 (Civil penalties) and 750.102 (Penalties), Chapter 750 (Water and Sewer Code), Ordinance Code. Sections 750.101 (Civil penalties) and 750.102 (Penalties), Chapter 750 (Water and Sewer Code), *Ordinance Code*, are hereby amended to read as follows:

CHAPTER 750 - WATER AND SEWER CODE

Sec. 750.101. - Civil penalties.

In addition to or in lieu of the penalties that may be imposed

under Section 750.102, a civil penalty of not to exceed \$12,500 may be assessed against a person who violates a provision of this Subpart, by which he is required to do or to refrain from doing anything, including:

- (a) Violation of an effluent standard or limitation;
- (b) Violation of the terms or conditions of a wastewater discharge permit;
- (c) Failure or refusal to complete a filing or report requirement;
- (d) Failure or refusal to perform or properly report a required monitoring;
- (e) Violating or failing or refusing to observe and comply with a final decision by the Director;
- (f) Violation of the JEA Pretreatment Regulations.

In addition to any other enforcement mechanisms set forth in the Ordinance Code, civil~~Civil~~ penalties shall be assessed by JEA consistent with the procedures developed and implemented under the JEA Industrial Pretreatment Regulations~~the Director, based upon findings certified by the Chief, Treatment Division, giving due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the violator and the history of previous violations. Civil penalties assessed and owed under this Section shall be paid to the Tax Collector for deposit into the General Fund-General Services District as miscellaneous receipts and may be recovered in a civil action in the name of the City.~~

Sec. 750.102. - Penalties.

A person who violates a provision of this Subpart, by which he is required to do or to refrain from doing anything, including:

- (a) Violation of an effluent standard or limitation;
- (b) Violation of the terms or conditions of a wastewater

discharge permit;

(c) Failure or refusal to complete a filing or report requirement;

(d) Failure or refusal to perform or properly report a required monitoring;

(e) Violating or failing or refusing to observe and comply with a final decision by the Director;

(f) Violation of the JEA Pretreatment Regulations;

Shall be guilty of a class D offense. Each separate violation shall constitute a separate offense and each day upon which a violation continues shall be deemed to be a separate offense.

Section 2. Creating a new Section 750.103 (JEA Industrial Pretreatment Regulations), Chapter 750 (Water and Sewer Code), Ordinance Code. A new Section 750.103 (JEA Industrial Pretreatment Regulations), Chapter 750 (Water and Sewer Code), *Ordinance Code*, is hereby created to read as follows:

CHAPTER 750 - WATER AND SEWER CODE

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Sec. 750.103. - JEA Industrial Pretreatment Regulations adopted.

The Industrial Pretreatment regulations set forth in the "JEA Industrial Pretreatment Regulations" adopted pursuant to Ordinance 2025-523-E, is herein adopted by reference, which shall have the force and effect of law.

Section 3. Approval of JEA Industrial Pretreatment Regulations. The Council hereby approves the JEA Industrial Pretreatment Regulations attached hereto as **Exhibit 1** and incorporated herein by this reference.

Section 4. Codification Instructions. The Codifier and the Office of General Counsel are authorized to make all chapter and division "tables of contents" consistent with the changes set forth herein. Such editorial changes and any other changes necessary to

1 make the *Ordinance Code* consistent with the intent of this legislation
2 are approved and directed herein, and changes to the *Ordinance Code*
3 shall be made forthwith and when inconsistencies are discovered.

4 **Section 5. Effective Date of JEA Industrial Pretreatment**
5 **Regulations.** The JEA Industrial Pretreatment Regulations shall
6 become effective upon FDEP's formal review and final approval in
7 accordance with Rule 62-625.540, F.A.C., pursuant to the procedures
8 established in Rule 62-625.510, F.A.C.

9 **Section 6. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

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15 /s/Mary E. Staffopoulos

16 Office of General Counsel

17 Legislation Prepared By: Dylan Reingold

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