

Introduced by Council Member Salem:

ORDINANCE 2025-523

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

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

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

15 Civil penalties shall be assessed by the Director, based upon
16 findings certified by the Chief, Treatment Division, giving due
17 consideration to the appropriateness of the penalty with respect to
18 the gravity of the violation, the good faith of the violator and the
19 history of previous violations. Civil penalties shall also be assessed
20 by JEA consistent with the procedures developed and implemented under
21 the JEA Industrial Pretreatment Regulations. Except for the civil
22 penalties assessed by JEA, Civil ~~Civil~~ penalties assessed and owed
23 under this Section shall be paid to the Tax Collector for deposit
24 into the General Fund-General Services District as miscellaneous
25 receipts and may be recovered in a civil action in the name of the
26 City.

27 **Sec. 750.102. - Penalties.**

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

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

- 1 discharge permit;
- 2 (c) Failure or refusal to complete a filing or report
- 3 requirement;
- 4 (d) Failure or refusal to perform or properly report a required
- 5 monitoring;
- 6 (e) Violating or failing or refusing to observe and comply with
- 7 a final decision by the Director;
- 8 (f) Violation of the JEA Pretreatment Regulations;

9 Shall be guilty of a class D offense. Each separate violation

10 shall constitute a separate offense and each day upon which a

11 violation continues shall be deemed to be a separate offense.

12 **Section 2. Creating a new Section 750.103 (JEA Industrial**

13 **Pretreatment Regulations), Chapter 750 (Water and Sewer Code),**

14 **Ordinance Code.** A new Section 750.103 (JEA Industrial Pretreatment

15 Regulations), Chapter 750 (Water and Sewer Code), *Ordinance Code*, is

16 hereby created to read as follows:

17 **Sec. 750.103. - JEA Industrial Pretreatment Regulations adopted.**

18 The Industrial Pretreatment regulations set forth in the "JEA

19 Industrial Pretreatment Regulations" adopted pursuant to Ordinance

20 2025-____-E, is herein adopted by reference, which shall have the

21 force and effect of law.

22 **Section 3. Approval of JEA Industrial Pretreatment**

23 **Regulations.** The Council hereby approves the JEA Industrial

24 Pretreatment Regulations attached hereto as **Exhibit 1** and

25 incorporated herein by this reference.

26 **Section 4. Codification Instructions.** The Codifier and the

27 Office of General Counsel are authorized to make all chapter and

28 division "tables of contents" consistent with the changes set forth

29 herein. Such editorial changes and any other changes necessary to

30 make the *Ordinance Code* consistent with the intent of this legislation

31 are approved and directed herein, and changes to the *Ordinance Code*

1 shall be made forthwith and when inconsistencies are discovered.

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

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

10
11 Form Approved:

12
13 /s/ Dylan Reingold

14 Office of General Counsel

15 Legislation Prepared By: Dylan Reingold

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