



**Volusia County Health  
Department**

**Irrigation Contractor  
Packet**

**October 2007**

**Volusia County Health Department  
Irrigation Contractor Application Packet**

The application fee of \$25.00 must accompany this application. This fee is NOT refundable and non-transferable after the application has been entered into our records. All checks should be made payable to “Volusia County Health Department”.

Completed applications **MUST** be hand delivered to:

Volusia County Health Department  
Environmental Health Administration  
Irrigation Contractor Licensing Division  
121 W. Rich Avenue  
DeLand, FL 32720  
(386) 736-5579

Please read carefully the following requirements and qualifications to receive an Irrigation Contractor Competency Card from Volusia County Health Department.

*Testing:* The applicant shall submit to a written examination which shall be prepared, graded, and proctored by Thomson/Prometric [www.prometric.com](http://www.prometric.com), to test the qualifications of the applicant to perform the installation and repair of pumps, pumping equipment, and irrigation systems in Volusia County. In order to be eligible for certification, the applicant shall obtain a passing grade of 75% or higher on the required examination and a passing grade of 75% or higher on the two hour Business and Law examination.

*Application:* A completed application form for certificate of competency shall be submitted to the Volusia County Health Department on the Department’s approved form.

*Experience:* The applicant must demonstrate a minimum of two (2) years of experience in the installation and repair of pumps and irrigation systems gained through working with a licensed pump and irrigation contractor, well driller, or plumbing contractor.

*Insurance:* Proof of valid general liability and property damage insurance, and worker’s compensation or exemption must be submitted to this Department prior to issuance of the certificate of competency. A minimum of one hundred thousand (\$100,000.00) property damage coverage and twenty five thousand (\$25,000.00) general liability insurance coverage must be demonstrated. The “Certificate Holder” must state Volusia County Health Department.

*Reciprocity:* An initial certificate of competency as a pump and irrigation contractor shall be issued without further written examination to any person who successfully completed a written examination for pump and irrigation contractors prepared, proctored, and graded by a testing agency approved by the Department and who holds a current certificate of competency from a city or county which has an irrigation ordinance with jurisdiction and control over installation, extending, and maintaining irrigation systems, and all appurtenances thereto, similar to that of Volusia County Health Department certificate of competency. To secure such a certificate, the applicant shall submit to this Department, a photo copy of a current competency certificate, a copy of the specific application used to secure testing, and a certificate from the chief administrator’s office of the city or county issuing said certificate. A copy of liability and property damage insurance and worker’s compensation insurance must accompany the aforementioned items.

*Continuing Education Units:* Twelve continuing education credits must be completed biennially to maintain the validity of a certificate of competency. Continuing education courses must be approved by the Department to be eligible for credit.

*Duration of Certificates:* All certificates of competency issued provided herein, are biennial certificates and will expire on September 30 of odd numbered years. Certificates may be renewed for the ensuing two year term

without written examination through the September of an odd numbered year, upon proper and timely application to the Department. A photocopy of all insurances listed above must accompany the renewal application. Proof of Continuing Education Units must also accompany the renewal application.

*Completion:* Upon successful completion of the Thomson/Prometric Exam, and other required application information, the applicant will be issued a competency card to perform irrigation contracting work in Volusia County. A copy of the Well and Irrigation Ordinance will be issued to the applicant along with the competency card upon receipt of payment for license.



Volusia County Health Department Application for Irrigation Contractor Competency Card

Non-refundable application fee: \$25.00

PLEASE PRINT OR TYPE:

NAME \_\_\_\_\_

COMPANY (optional) \_\_\_\_\_

RESIDENCE \_\_\_\_\_  
Street name City State Zip

MAILING ADDRESS \_\_\_\_\_  
Street name City State Zip

RESIDENCE PHONE NO ( ) \_\_\_\_ - \_\_\_\_ D.O.B \_\_\_\_ / \_\_\_\_ / \_\_\_\_ S.S.# \_\_\_\_ - \_\_\_\_ - \_\_\_\_

CURRENT EMPLOYER \_\_\_\_\_

EMPLOYMENT PHONE NO ( ) \_\_\_\_ - \_\_\_\_ FAX#( ) \_\_\_\_ - \_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

If you have pursued any line of study or extension courses, state fully:

Year	Name of School	Course Name	Length of Study or Degree
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Do you now hold any current/unexpired Certificate of Competency from any city or county in Florida?  
No \_\_\_\_\_ Yes \_\_\_\_\_ (if yes, please list:)

Class	City or County	Date Acquired	Block Exam
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



**Volusia County Health Department Application for Irrigation Contractor Competency Card**

**Employment/Experience Record**

Begin with current or most recent (If self-employed, so state)

<b>From</b>	<b>To</b>	<b>Employer Name</b>	<b>Employer Address</b>	<b>Position</b>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

If additional space is needed, please use an additional sheet of paper.

**Applicants must submit notarized affidavit(s) from their current and/or former employers attesting to the required minimum two (2) years experience.**

Name three (3) or more recognized individuals practicing in the trade who know your qualifications.

<b><u>Name</u></b>	<b><u>Address</u></b>	<b><u>Occupation</u></b>	<b><u>Phone no.</u></b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**I certify that the foregoing statements of experience and all statements therein are true and correct to the best of my knowledge and belief.**

\_\_\_\_\_  
Applicant's Signature

**State of** \_\_\_\_\_, **County of** \_\_\_\_\_  
Affirmed and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, by \_\_\_\_\_  
who is personally known to me or has produced \_\_\_\_\_ as identification.  
(Type of ID) \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Print, Type or Stamp Name of Notary

Notarial Seal

**This application will not be considered by the Volusia County Health Department unless it is completed in its entirety.**

## **IRRIGATION CONTRACTOR RECIPROCITY**

1. Complete the Contractor Registration/Listing Application (Attach Insurance Certificate for Liability and Workers' Comp (A comp exemption certificate can replace Certificate of Insurance for WC as stated in the application). Insurance Certificates must name **Volusia County Health Department** as the Certificate holder.
2. Have a letter of Reciprocity sent to Volusia County Health Department from the county where the exam was sponsored. Letter must show exam date and score for Irrigation Installation, and Business and Law exams (a minimum score of 75% is required on both exams). Continuing education units may be required and will be reviewed on an individual basis at the time of application.
3. A copy of the license holder's application used to take the exam must also accompany the letter of reciprocity.
4. Pay \$115.00 (\$90.00 comp card and \$25.00 Application fee) Note: The fee of \$90.00 is for a two year comp card.

*We accept cash, check, money order, Visa, MasterCard, American Express, and Discover.*

Contractor **MUST** appear in person to have a photo ill taken:

**Volusia County Health Department  
Environmental Health  
121 W. Rich Avenue  
DeLand, FL 32720**



**VOLUSIA COUNTY HEALTH DEPARTMENT  
IRRIGATION CONTRACTOR CEU COURSE APPROVAL**

**Please complete and return to:**  
Tracy Mortberg  
Volusia County Health Department  
121 W. Rich Ave.  
Deland, FL 32720  
Phone: (386) 736-5579  
Fax: (386) 736-5433  
Email: [Tracy\\_Mortberg@doh.state.fl.us](mailto:Tracy_Mortberg@doh.state.fl.us)

**Please note:** This form must be submitted to VCHD Engineering Division no less than 60 days prior to the date of the course, must be completed in its entirety for continuing education approval. If you have any questions, please contact Tracy Mortberg at the number above.

**Presentation Date:** \_\_\_\_\_ **Presentation Location:** \_\_\_\_\_

**Presentation Title:** \_\_\_\_\_ **Presentation Length:** \_\_\_\_\_

**Speaker Information:** *(if panel presentation, complete for each speaker)*

**Speaker #1**

Name: \_\_\_\_\_ Degree: \_\_\_\_\_  
Title: \_\_\_\_\_  
Agency/Institution: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
Education Credentials: **Attach a current curriculum vita (CV)**

**Speaker #2**

Name: \_\_\_\_\_ Degree: \_\_\_\_\_  
Title: \_\_\_\_\_  
Agency/Institution: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
Education Credentials: **Attach a current curriculum vita (CV)**

**Presentation Information**

- Brief presentation description: (Abstract)
  
- Teaching methods and learning activities:
  
- Learner Objectives: (At the conclusion of this presentation, participants will be able to ...)  
**Please provide at least three.**
  - 1.
  - 2.
  - 3.
  
- **Evaluation Mechanism - (i.e. written test? oral discussion?)**
  
- Content Outline – Please provide a **thorough outline** of your presentation

<b>Time</b>	<b>Subject Area</b>

- List of References materials to be used for above outlined course:

\_\_\_\_\_  
Primary presenter's signature

\_\_\_\_\_  
Date

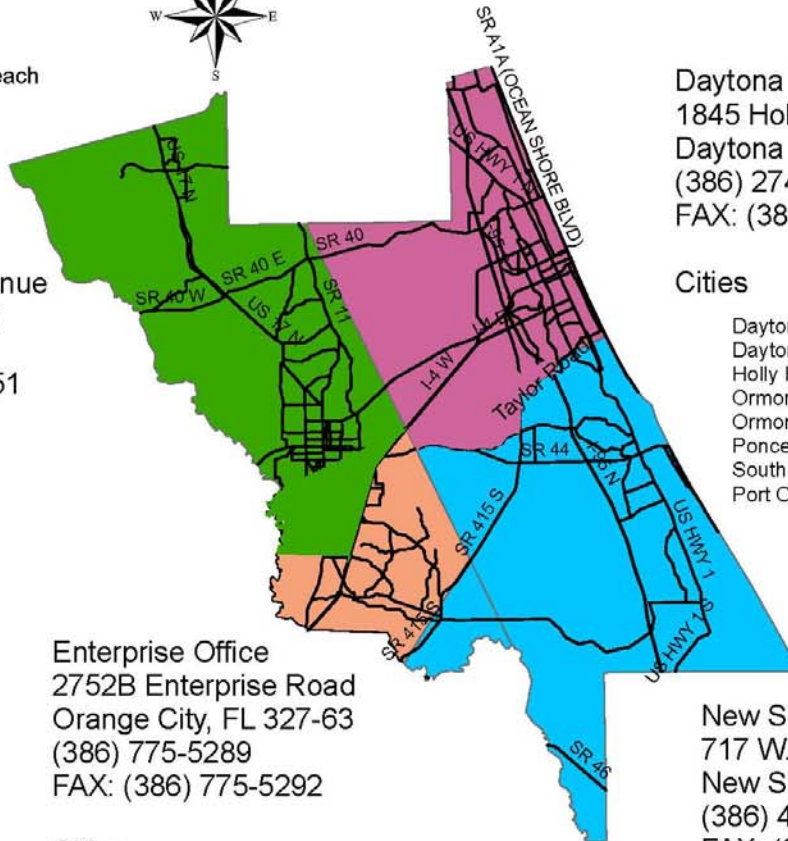
# Volusia County Health Department Environmental Health Sites - September 2005

## LEGEND

### EH Offices

#### Location

- Daytona Beach
- New Smyrna Beach
- DeLand
- Enterprise



**DeLand Office**  
121 West Rich Avenue  
DeLand, FL 32720  
(386) 822-6250  
FAX: (386) 822-6251

#### Cities

- Seville
- Pierson
- Barberville
- DeLeon Springs
- DeLand
- Lake Helen
- Cassadaga
- Orange City

**Enterprise Office**  
2752B Enterprise Road  
Orange City, FL 327-63  
(386) 775-5289  
FAX: (386) 775-5292

#### Cities

- DeBary
- Deltona
- Enterprise
- Osteen - West of SR 415

**Daytona Beach Office**  
1845 Holsonback Drive  
Daytona Beach, FL 32117  
(386) 274-0694  
FAX: (386) 274-0698

#### Cities

- Daytona Beach
- Daytona Beach Shores
- Holly Hill
- Ormond Beach
- Ormond By The Sea
- Ponce Inlet
- South Daytona
- Port Orange - North of Dunlawton and Taylor Road

**New Smyrna Beach Office**  
717 W. Canal Street  
New Smyrna Beach, FL 32168  
(386) 424-2061  
FAX: (386) 424-2019

#### Cities

- Edgewater
- Lake Harney
- New Smyrna Beach
- Port Orange - South of Dunlawton and Taylor Road
- Oak Hill
- Osteen - East of SR 415

#### Additional Sites

**Environmental Health Administration**  
121 West Rich Avenue  
DeLand, FL 32720  
(386) 736-5579  
FAX: (386) 736-5433

**Environmental Health Lab**  
1250 Indian Lake Road  
Daytona Beach, FL 32124  
(386) 248-1781  
FAX: (386) 248-1785

#### Engineering

**1845 Holsonback Drive**  
Daytona Beach, FL 32117  
(386) 274-0714  
FAX: (386) 274-0713

**ORDINANCE NO. 2002-23**

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, **REPEALING** ARTICLE II, SECTIONS 74-31 THROUGH 74-48, TITLED “WELLS, PUMPING FACILITIES AND IRRIGATION SYSTEMS”, OF THE CODE OF ORDINANCES, VOLUSIA COUNTY, FLORIDA AND **CREATING** ARTICLE II, SECTIONS 74-31 THROUGH 74-48, TITLED “WELLS, PUMPING FACILITIES AND IRRIGATION SYSTEMS ORDINANCE; PROVIDING FOR AUTHORITY AND APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR INTENT; PROVIDING FOR EXEMPTIONS; PROVIDING FOR VARIANCES; PROVIDING FOR CERTIFICATION OF PUMP AND IRRIGATION CONTRACTORS; PROVIDING FOR WELL CONTRACTORS LICENSE; PROVIDING FOR IDENTIFYING VEHICLES, EQUIPMENT, AND ADVERTISING; PROVIDING FOR WELL, PUMP AND IRRIGATION SYSTEM PERMITS; PROVIDING FOR WELL CONSTRUCTION METHODS AND STANDARDS; PROVIDING FOR PIPE AND PUMP INSTALLATION REQUIREMENTS; PROVIDING FOR IRRIGATION SYSTEM INSTALLATION; PROVIDING FOR STANDARDS FOR INJECTION WELLS USED TO INTRODUCE WATER INTO AN AQUIFER AND CLOSED LOOP SYSTEM; PROVIDING FOR ADDITIONAL WELL REGULATIONS ON LANDS LYING EAST OF THE INTRACOASTAL WATERWAY AND ESTABLISHING BUFFER ZONES TO PROTECT CERTAIN PORTIONS OF THE COUNTY FROM SALTWATER INTRUSION; PROVIDING FOR INSPECTIONS; PROVIDING FOR VIOLATIONS AND PENALTIES; PROVIDING FOR FEES OR CHARGES; PROVIDING FOR APPEALS; AUTHORIZING INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the intent and policy of the County Council of Volusia County, Florida, to protect the residents of Volusia County, Florida, from disease; and

WHEREAS, it is the intent and policy of the County Council to protect Volusia County’s groundwater resources from contamination and misuse; and

WHEREAS, it is the intent of the County Council to deliver cost efficient and effective services to Volusia County residents; and

WHEREAS, the County Council has determined that the duties and responsibilities for certification of pump and irrigation contractors, and the regulation and inspection of wells and irrigation systems would be properly vested in the Volusia County Health Department; NOW THEREFORE,

**BE IT ORDAINED THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA:**

**SECTION I:** Article II, Sections 74-31 through 74-48, Titled “Wells, Pumping Facilities and Irrigation Systems”, of the Code of Ordinances, Volusia County, Florida, is hereby repealed in its entirety and replaced with

Article II, Sections 74-48, Titled “Wells, Pumping Facilities and Irrigation Systems Ordinance” as set forth herein:  
(UNDERLINING OMITTED WHERE NEW TEXT ADOPTED)

**Sec. 74-31. Authority and applicability.**

This article is enacted under the authority of the Charter of the County of Volusia, Florida, and F. S. Chapter 125, to provide for the following:

- (1) that all properties located adjacent to a potable central water supply must connect to said water supply in the absence of a moratorium prohibiting said connection under the following circumstances:
  - (a) to provide potable water to new construction and /or
  - (b) in the event that an existing potable well becomes unusable requiring the installation of a new well;
- (2) regulations for the location, construction, repair and abandonment of wells;
- (3) the installation of pumps, pumping equipment and irrigation systems;
- (4) and the certification of pump and irrigation contractors, in the interest of the public health, safety and welfare of the citizens and inhabitants of Volusia County.

This article vests the responsibility and authority for the regulation of wells and irrigation systems, and the certification of pump and irrigation contractors, to the Volusia County Health Department. This article shall apply and be enforced in both the unincorporated and incorporated areas of the County. Certification of pump and irrigation contractors operating within a municipality; and permits issued for irrigation systems permitted within an incorporated municipality, shall be in compliance with that municipality’s regulations, unless the municipality authorizes the Volusia County Health Department to administer and enforce the provisions of this article within the municipality.

**Sec. 74-32. Definitions**

The definitions set forth in the most current version of Chapter 40C-3, 64E-8, 62-531, and 62-532, Florida Administrative Code are adopted by reference and incorporated herein and shall apply to the provisions of this article. For the purpose of this article, the following words or phrases shall mean:

*Agricultural use* means the use of water for the commercial production of crops including ornamentals or the growing of farm products, including, but not limited to, vegetables, citrus, and other fruits, pasture, sod or animals.

*Backflow device* means a safety device used to prevent the backflow of water or a mixture of water and chemicals into the water supply.

*Board* means Volusia County Building Trades Board.

*Certified contractor* means a person who holds a currently valid certificate of competency for pump and irrigation installations from the Department.

*Closed loop system* means a series of pipes not open to any aquifer installed vertically in a borehole for the purpose of transmitting thermal energy.

*Council* means the County Council of the County of Volusia, Florida.

*County* means County of Volusia, a political subdivision of the State of Florida.

*Department* means the Volusia County Health Department, its agents or employees.

*District* means the St. Johns River Water Management District.

*Domestic use* means any use of water for individual personal needs or for household purposes such as drinking, bathing, heating, cooking or sanitation.

*Drawdown* means the lowering of the water level in a well and the water table or piezometric surface in or adjacent to the well, which results from the discharge of water from the well by pumping.

*Established ground surface* means the permanent elevation of the ground surface at the site of a well.

*Gang well* means a system where two or more water wells are coupled together with a common header or manifold.

*Irrigation system* means a device or combination of devices having a hose, pipe, or other conduit which connects directly to any source of ground or surface water, through which device or combination of devices, water, or a mixture of water and chemicals, is drawn and applied for residential, commercial or agricultural purposes.

*Irrigation system completion* means the termination of all irrigation installation activities. Continuous absence of the irrigation installer from the installation site for five or more days indicates that the system is deemed completed by the installer, unless proper notification, such as a telephone call, is made to the Department. *Person* means any natural person, individual, owner, operator, firm, association, organization, partnership, joint venture, business, trust, public or private corporation, company, political subdivision, public officer, or any other entity whatsoever, or combination thereof, of whatever kind.

*Potable water* means water suitable for human consumption and approved by the Volusia County Health Department (Florida Department of Health).

*Pump(s)* means water well pump.

*Pumps and pumping equipment* means any equipment or materials utilized or intended for use in withdrawing or obtaining groundwater from wells for any use, including, but not limited to, pumps, seals, tanks, fittings and controls.

*Repair* means any action which involves the physical alteration or replacement of any part of a well below the established ground surface, including the physical alteration and replacement of any portion of an irrigation system. Routine maintenance of sprinkler heads, fittings, or line breaks do not require permitting.

*Well(s)* means water well.

### **Sec. 74-33. Intent**

#### **The intent of this article is to:**

- (1) Require that all properties located adjacent to a potable central water supply must connect to said water supply in the absence of a moratorium prohibiting said connection under the following circumstances:
  - (a) to provide potable water to new construction and /or
  - (b) in the event that an existing potable well becomes unusable requiring the installation of a new well.
- (2) Protect, control and conserve the quality and availability of groundwater supplies in the County.
- (3) Prescribe minimum requirements governing the location, construction, repair or abandonment of water wells, pump installations and irrigation systems.
- (4) Provide certification of all pump and irrigation contractors.
- (5) Prohibit, where the best interest of the public would be served, the location, construction, repair or abandonment of water wells.
- (6) Protect the health, safety and welfare of the citizens of the County of Volusia.

### **Sec. 74-34. Exemptions**

The following are exempt from the provisions of this article:

- (1) Any well, pump or other equipment used temporarily for dewatering purposes, provided the well does not penetrate a confining unit.
- (2) The construction, repair or abandonment of a well with a casing diameter of six inches or greater; or a gang well in which the sum of the diameter of the individual casings is six inches or greater.
- (3) A well constructed solely for the purpose of a test hole.
- (4) Any well, pump or other equipment constructed or installed by any federal or state governmental agency, its agent, or authorized representatives.
- (5) Any jetted well used temporarily to obtain water for compaction on a construction site, provided the well does not penetrate a confining unit.
- (6) Any pump installed on or in a well, with a casing diameter of six inches or greater.
- (7) Any well located within a delineated area pursuant to 62-524, Florida Administrative Code, as amended.
- (8) Exemptions from this ordinance, may be issued by the Department or designee, as long as state rules are not compromised.

### **Sec. 74-35. Variances**

When an undue hardship results from compliance with the requirements of this article, the property owner may request a variance from the Department. Said application must be submitted on Department approval forms, accompanied by a non-refundable fee.

**Sec. 74-36. Certification of pump and irrigation contractors**

- (1) *Certification required.* No person shall install or repair a pump and/or irrigation system; or shall offer to perform the installation or repair of said system, unless the person holds a valid certificate of competency From the Department as a pump and irrigation contractor. Such certificate of competency shall only be issued to a natural person or a person representing a business corporation, association, partnership, company or trust.
- (2) *Exemptions:*
  - (a) Licensed Florida Water Well contractors and Florida State Certified Plumbing Contractors, are exempt from the requirement of obtaining a certificate of competency from the Department for the installation or repair of pumps or pumping equipment, and the installation or repair of irrigation systems.
  - (b) Florida State Registered Plumbing Contractors are exempt from the requirement of obtaining a certificate of competency from the Department for the installation or repair of pumps or pumping equipment, and the installation or repair of irrigation systems, if said contractor holds a valid, certificate of competency in Volusia County, for plumbing contracting.
  - (c) A property owner who personally performs construction, maintenance, or repairs on a pump or irrigation system which serves his or her owner-occupied, single-family residence, is exempt from the certification requirements, but is still subject to the permit requirements as set forth in this article.
- (3) *Certificate of competency:*
  - (a) *Application Forms:* A complete application for certificate of competency shall be submitted to the Volusia County Health Department on the Department's approved form.
  - (b) *Application Fees:* The application must be accompanied by the required fee(s) as established by resolution of the County Council. Application fees are non-refundable and non transferable.
  - (c) *General Liability and Property Damage Insurance and Worker's Compensation:* Proof of valid general liability and property damage insurance, and worker's compensation or exemption, must be submitted to the Department prior to issuance of the certificate of competency, and prior to each renewal. A minimum of one hundred thousand (\$100,000) property damage coverage and twenty five thousand (\$25,000) general liability insurance coverage, must be demonstrated.
  - (d) The applicant must demonstrate a minimum of two (2) years of experience in the installation and repair of pumps and irrigation systems gained through working with a licensed pump and irrigation contractor, well driller, or plumbing contractor.
  - (e) The applicant shall submit to a written examination which shall be prepared, graded and proctored by Experior, Gainesville, Florida, or any other testing agency recognized by the Department, to test the qualifications of the applicant to perform the installation and repair of pumps, pumping equipment and irrigation systems in the County.
  - (f) In order to be eligible for certification, the applicant shall obtain a passing grade of 75% or higher on the required examination and passing grade of 75% or higher on the two hour Business and Law examination.
- (4) *Duration of certificates.* All certificates of competency issued as provided herein, are biennial certificates and will expire on September 30 of odd-numbered years. Certificates may be renewed for the ensuing year without written examination through the month of September of an odd numbered year, upon proper and timely application to the Department.
- (5) *Inactive Status.* Upon payment of an inactive status fee, a contractor may work while in an inactive status, under the supervision of an active status contractor, in accordance with the requirements of F. S. Chapter 489, as amended. The return to active status from inactive status without testing, requires proof of maintained continuing education units in accordance with Section 74.36(8) of this article.
- (6) *Reciprocity.* An initial certificate of competency as a pump and irrigation contractor shall be issued without further written examination to any person,
  - (a) who successfully completed a written examination for pump and irrigation contractors prepared, proctored and graded by a testing agency approved by the Department and;

(b) who holds a current certificate of competency from a city or county which has an irrigation ordinance with jurisdiction and control over installation, extending, and maintaining irrigation systems, and all appurtenances thereto, similar to that of Volusia County certificates of competency. To secure such a certificate, the applicant shall submit to the Department, a photostatic copy of a current competency certificate, a copy of the specific application used to secure testing, and a certificate from the chief administrator's office of the city or county issuing said certificate.

- (7) *Certificate of competency number.* The certificate of competency number of each pump and irrigation contractor shall remain the same, from year to year.
- (8) *Continuing education units.* Twelve continuing education credits must be completed biennially to maintain the validity of a certificate of competency. Continuing education courses must be approved by the Department to be eligible for credit.
- (9) *Grounds for refusal, suspension or revocation of certificate of competency.* The Department may refuse to issue or renew, or may suspend or revoke, a certificate of competency for any one or more of the following:
- (a) Material misstatement in the application for certificate of competency.
  - (b) Failure to have or maintain the qualifications required by this article.
  - (c) Willful disregard or violation of this article, or any rule or regulation promulgated by the Council pursuant to this article.
  - (d) Willful aiding or abetting another person in the violation of this article, or any rule or regulation promulgated by the Council pursuant to this article.
  - (e) Gross incompetency in the performance of work required of a pump and irrigation contractor.
  - (f) Allowing the use of a certificate of competency for the purpose of violating this article.
  - (g) Failure to pay the required certification and/or permit fees.
  - (h) Failure to complete the required continuing education units on a biennial basis.
  - (i) Failure to submit proof of general liability and property damage insurance, or workman's compensation coverage or exemption.
  - (j) Failure to abide by permit conditions.
- (10) *Refusal, suspension or revocation of certificate of competency for irrigation contractors:*
- (a) In case of refusal, suspension or revocation of a certificate of competency, the person concerned shall be notified of said action by the Department by:
    - 1. personal notice, or by certified mail, return receipt requested;
    - 2. notice by the Sheriff's office, or;
    - 3. publishing notice on two (2) days in a newspaper of general circulation in the County.
  - (b) In case of the above-described action, the person concerned may file written notice of appeal to the Board, through the Department, within thirty (30) days from receipt of notification. The Department shall, upon receipt of said notice, schedule a hearing during the next regularly scheduled meeting of the Board. The Board may sustain, reject or modify the refusal, suspension or revocation.
- (11) *Fines.* Any person who installs or repairs a pump and/or irrigation system; or offers to perform said work without a valid Certificate of Competency from the Department shall be fined \$250.00 for the first offense, and \$500.00 for each subsequent offense. Fines will be deposited in the Volusia County Health Department Trust Fund.

**Sec. 74-37. Well contractors license.**

- (1) No person shall construct, repair or abandon, or offer to construct, repair or abandon, a well in the County unless such person holds a valid State of Florida Water Well Contractor's License as set forth in F. S. § 373.323, as amended.
- (2) Any person installing a water well without said license shall be fined \$250.00 for the first offense; \$500.00 for each subsequent offense. Fines will be deposited in the Volusia County Health Department Trust Fund.
- (3) All wells must be constructed or repaired in accordance with the standards set forth in Section 74-40 of this article. Well completion report shall be submitted in accordance with Section 74-40(4) of this article.

- (4) Revocation, suspension, and enforcement actions on water well contractor's licenses will be in accordance with F.S. § 373.323 (7), as amended, and Chapters 40C-3.037, 40C-3.038, and 62-531, Florida Administrative Code, as amended.

**Sec. 74-38. Identifying vehicles, equipment, and advertising.**

- (1) *Vehicles and equipment.* All vehicles and equipment used by well or certified pump and irrigation contractors during well, pump and/or irrigation system installations, shall be marked with the Department's Certificate of Competency number or the State of Florida Water Well Contractor's license number for the contractor responsible for installation. The identification number shall be displayed on both sides of each vehicle, in numerals of not less than two inches in height and one inch in width; and in colors contrasting with the vehicle.
- (2) *Advertising.* The Department's Certificate of Competency number or the Florida Water Well contractor's license number of the contractor responsible for the installation operation shall appear on all advertising.
- (3) *Fine.* Failure to display the aforementioned numbers as specified above, shall result in a fine of \$250.00 for each occurrence.

**Sec. 74-39. Well, Pump and Irrigation System Permits**

- (1) All properties located adjacent to a potable central water supply must connect to said water supply in the absence of a moratorium prohibiting said connection under the following circumstances:
  - (a) to provide potable water to new construction and /or
  - (b) in the event that an existing potable well becomes unusable requiring the installation of a new well.
- (2) *Permit required.* Except as exempted by Section 74-34 of this article, a valid Volusia County Health Department permit shall be obtained prior to commencement of construction, repair, modification or abandonment of any well or conversion of a test hole to a water well, or the installation of a pump or the installation of an irrigation system.
- (3) *Permit application requirements:*
  - (a) The written application for well construction, repair, modification or abandonment permit or installation of a pump and/or irrigation permit shall include, but is not limited to:
    1. Name, address, and telephone number of the property owner.
    2. Written authorization from the owner designating the authorized agent, if any.
    3. Name, telephone number, license number, and signature of a currently licensed water well contractor, plumbing contractor, certified contractor, or owner-contractor, as applicable.
    4. A site plan, including the description of well, pump, or irrigation system location, including tax parcel number, address, and specific directions to job site.
    5. In the case of a well, description of the proposed well construction, including diameter, purpose, type of casing material and method of construction.
    6. In the case of pump and/or an irrigation system, the description of the pump and/or irrigation system installation, including pump size, type, and intake settings.
- (4) *Issuance of permit.* Upon receipt of the application and appropriate permit fee, the Department shall review the application and, if in compliance with this article, it shall approve for issuance of a permit. Said permit may contain terms and conditions which may be prescribed by the Department. In the case of a well permit, the Department's conditions shall be based upon known hydrologic and geologic conditions. Such well construction conditions may include, but are not limited to, total depth of well, depth of well casing, well diameter, depth of pump intake setting, pump size and type, and actual location of the well on the property.
- (5) *Notice of permit application rejection.* The Department shall notify an applicant if the application for permit is not in compliance with this article. Such notice shall state the grounds for rejection. An application for a refund or partial refund may be made upon showing good cause.
- (6) *Late permit fees.* Except for emergency authorization as provided in Section 74-39(6), an additional fee equal to double the permit fee, not to exceed \$150.00, shall accompany any late permit application. In the

event that a late permit fee is not paid within thirty (30) days after notification, future permits will not be issued until all fees are paid.

- (7) *Instant authorization.* Permission to commence construction or modification of a well or the installation of a pump may be applied for by telephone, fax, or e-mail when emergency conditions exist which would justify such a request. The permitting authority may grant an emergency permit to prevent an imminent and substantial danger to the public health, safety, or welfare. Proper application for permit shall be submitted no later than five working days following instant authorization. The permitting authority will not issue routine permits absent prior review of a completed application.
- (8) *Authority granted by permit.* A valid permit shall constitute approval to commence authorized work.
  - (a) A valid permit must be properly displayed at the job site prior to commencement of work.
  - (b) A permit is valid for a period of one hundred eighty (180) days from date of issuance. The duration of a permit may be extended at the Department's discretion for a reasonable period, not to exceed an additional one hundred eighty (180) days.
  - (c) Any change to permit conditions require the issuance of a new permit.
- (9) *Suspension or revocation of permit.* A permit may be suspended or revoked by the Department if any well construction, repair, modification or abandonment or pump or irrigation system installation is found in violation of the permit, Florida law, Florida Administrative Code, this article, or any applicable municipal ordinance. The Department may issue a stop work order under such conditions. Suspension or revocation may be based upon any of the following:
  - (a) Material misstatement or misrepresentation in the application for a permit;
  - (b) Failure to comply with the conditions set forth in the permit;
  - (c) Willful disregard or violation of this article or any rule or regulation promulgated by the Council;
  - (d) Willfully aiding and abetting another person in the violation of this article or any rule or regulation promulgated by the Council;
  - (e) Failure to pay the required permit fee;
  - (f) Construction or installation of a well, pump or irrigation system which would have a deleterious effect on the quality of ground water supplies in the County.

**ORDINANCE 2004-05**

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA BY AMENDING CHAPTER 50, ARTICLE III, "MINIMUM STANDARDS FOR ENVIRONMENTAL PROTECTION;" BY AMENDING SECTION 50-71, "DEFINITIONS;" AND BY CREATING A NEW DIVISION 10, "WATER WISE LANDSCAPE IRRIGATION," SECTIONS 50-370 THROUGH 50-390; BY PROVIDING FOR PURPOSE AND INTENT; BY PROVIDING FOR AUTHORITY AND APPLICABILITY; BY PROVIDING FOR EXEMPTIONS; BY PROVIDING FOR REQUIREMENTS FOR EFFICIENT IRRIGATION; BY PROVIDING FOR IRRIGATION SYSTEM DESIGN GUIDELINES; BY PROVIDING FOR MUNICIPAL ENFORCEMENT; BY PROVIDING FOR PERMITTING AND FEES; BY PROVIDING FOR PENALTY; BY PROVIDING FOR APPEALS; BY PROVIDING FOR SEVERABILITY; BY PROVIDING FOR INCLUSION IN CODE AND SCRIVENERS ERRORS; BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, §§125.568, 166.048, and 373.185, Florida Statutes, provide that local governments should consider the adoption of water-efficient landscape standards; and

WHEREAS, §§125.568(3), 166.048(3), and 373.185(3) provide that a deed restriction or covenant entered after October 1, 2001, or local government ordinance may not prohibit any property owner from implementing Xeriscape or Florida-friendly landscape on his or her land; and

WHEREAS, the Florida Watershed Restoration Act of 1999 and the National Pollutant Discharge Elimination System (NPDES) municipal stormwater permitting program require local governments to reduce pollutant loads discharged from stormwater management systems to better protect and restore surface and ground waters; and

WHEREAS, §50-316, Code of Ordinances of the County of Volusia sets minimum standards for environmental protection that require rain sensor devices and establish general restrictions on water use for conservation purposes; and

WHEREAS, the County of Volusia recognizes the need for further protection of water as a natural resource through water wise irrigation practices and the application of Florida Friendly landscape practices; and

WHEREAS, water wise irrigation and Florida Friendly landscapes promote water conservation by efficient watering methods that generally result in a long-term reduction of irrigation, fertilizer, pesticide requirements, costs, energy, and maintenance; and

WHEREAS, water wise irrigation practices are designed to save significant amounts of water to preserve local water supplies.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF VOLUSIA, FLORIDA, as follows:

SECTION I: Chapter 50, of the Code of Ordinances of the County of Volusia, Article III, “Minimum Standards for Environmental Protection,” Section 50-71, “Definitions,” is amended by adding the following definitions:

*As-Built Sketch* means a drawing or diagram of an irrigation system as it exists at the time of irrigation system completion prepared by or at the direction of the person installing the system. This drawing must be in substantially the same form and contain the information as the sample sketch on file with the Volusia County Health Department.

*Best Management Practices (BMPs) for water wise landscape irrigation* means a practice or combination of practices, based on research, field-testing, and expert review, and including economic and technological considerations, determined to be the most effective, practicable, on-location means for improving water quality, conserving water supplies and protecting natural resources.

*Director* means Director of the Environmental Management Division of the 34 County of Volusia, or authorized designee.

*Distribution Equipment* means water emitters on irrigation systems including but not limited to sprinklers, rotors, spray heads and microirrigation devices.

*Expansion of Irrigation System* means any addition to an irrigation system beyond the extent of the original, permitted installation.

*Filter* means a device in an irrigation system that separates sediment or other foreign matter.

*Florida Friendly* means practices, materials, or actions that enhance the preservation of Florida’s natural resources and protection of the environment.

*Florida Friendly Landscape* means a landscape that incorporates the BMPs and philosophies promoted by programs such as Florida Yards and Neighborhoods/Environmental Landscape Management. The programs promote quality landscapes that conserve water, utilize water wise principles, protect the environment, are adaptable to local conditions, and are drought tolerant.

*Ground Cover* means low growing plants, other than turfgrass, used to cover the soil and form a continuous, low mass of foliage.

*Hardscape* means areas such as patios, decks, driveways, paths and sidewalks that do not require irrigation.

*High Volume Irrigation Area* means a portion of landscaped area of any property that utilizes rotors, pop-up sprays, or sprinkler heads that irrigate more than five gallons per minute (per outlet).

Irrigation Contractor means a licensed Volusia County Health Department Certified Pump and Irrigation Contractor, a licensed Florida Water Well Contractor, a Florida State Registered Plumbing Contractor, or a Florida State Certified Plumbing Contractor.

Irrigation System means a device or combination of devices having a hose, pipe, or other conduit connected directly to any source of ground or surface water, through which water, or a mixture of water and chemicals, is drawn and applied for residential, commercial or agricultural purposes.

Irrigation Zone means a grouping of rotors, sprinkler heads, pop-up sprays, microirrigation emitters, or other irrigation equipment operated simultaneously by the control of one valve.

Landscape means any combination of living plants (such as turfgrass, ground cover, shrubs, vines, hedges, or trees) and non-living landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).

Landscaped Area means any parcel, excluding the building footprint, driveways, sidewalks, hardscapes such as decks and patios, and non-porous areas. Water features are included in the calculation of the landscaped area. This area includes Xeriscape as defined in § 373.185(1)(b) F.S.

Low Volume Irrigation Area means a portion of landscaped area of any property that uses exclusively microirrigation.

Medium Volume Irrigation Area means a portion of landscaped area of any property that utilizes pop-up sprays or sprinkler heads that irrigate at a rate of one-half to five gallons per minute (per outlet).

Microirrigation means the application of small quantities of water directly on or below the soil surface, usually as discrete drops or tiny streams through emitters placed along the water delivery pipes (laterals.) Microirrigation encompasses a number of methods or concepts including drip, subsurface, bubbler, low volume, or low flow irrigation, all of which emit less than 2 gallons of water per hour (gph) per outlet.

Mulch means non-living, organic or synthetic materials customarily used in landscape design to retard erosion and retain moisture.

Native Vegetation means an area which contains fifty percent (50%) or more plant species with a geographic distribution indigenous to all, or part, of the State of Florida, as identified in Wunderlin, R. P. 1998. Guide to the Vascular Plants of Florida. University Press of Florida, Gainesville. For the purposes herein, native vegetation does not include areas converted for agricultural use.

New Irrigation System Installation means an irrigation system permitted after the effective date of this ordinance.

Owner/Contractor means a person who installs an irrigation system on his or her own primary residence.

Permitting Authority means the Volusia County Health Department (VCHD) or the municipal designee.

Pop-up Sprays means spray heads, usually hidden in the landscape, that pop-up due to water pressure when activated and provide a continuous spray pattern throughout a given arc of operation.

Portable Sprinklers means any type of water sprinkler attached to the end of a hose including, but not limited to impact sprinklers, oscillating-arm sprinklers, and stationary fan sprinklers.

Pressure Regulating Head means a device that maintains a constant flow and pressure for increased efficiency of irrigation systems.

Rain Sensor Device means an operational, electrical or mechanical component placed in the circuitry of an irrigation system that is designed to override a sprinkler controller when precipitation has reached a pre-set quantity.

Runoff means water from rainfall, irrigation, or other sources that is not absorbed by the soil or landscape and flows from the area, often contaminated with pesticides, fertilizers, and other pollutants.

Substantial Irrigation System Modification means any modification to existing irrigation systems such that fifty percent (50%) or more of the irrigation system is impacted, replaced or altered.

Turfgrass means a mat layer of monocotyledonous plants such as Bahia, Bermuda, Centipede, Paspalum, St. Augustine and Zoysia.

Valve means a device used to control the flow of water in an irrigation system.

Water Wise Irrigation means irrigation design, installation, and maintenance that incorporates water efficient strategies and components, such as pressure regulating heads, rain sensor devices, and BMPs.

Water Wise Principles means appropriate planning and design, proper choice of plants, soil analysis that may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance as set forth in §373.185 F. S.

**SECTION II:** Chapter 50, of the Code of Ordinances of the County of Volusia, Article III, “Minimum Standards for Environmental Protection,” is amended by adding a new Division 10, “Water Wise Landscape Irrigation,” which contains new Sections 50-370 through 50-390 as set forth herein.

**Sec. 50-370. Purpose and Intent**

- (a) The purpose and intent of this division is to promote water wise practices by establishing standards for the development, installation, and maintenance of landscape irrigation systems without inhibiting creative landscape design, construction and management.
- (b) The water wise irrigation standards set forth herein are designed to conserve local water supplies and minimize adverse effects on Florida’s natural systems.
- (c) The quality of Florida’s surface and ground water is adversely affected by irrigation runoff and leachate. Improper landscape irrigation design, construction, and management contributes to nonpoint source pollution that affects ground and surface water quality.
- (d) This division establishes water wise landscape irrigation standards and encourages the use of Florida Friendly landscaping practices. Water wise landscape irrigation standards promote efficient water use, minimize polluted runoff, and utilize water conservation components and equipment. The Florida Friendly landscape concept is based on the principles of the Florida Yards and Neighborhoods (FYN) and Environmental Landscape Management (ELM) programs operated by the University of Florida Cooperative Extension Service, the Xeriscape programs of the State’s Water Management Districts, and practices identified in the Green Industries Best Management Practices for Protection of Water Resources in Florida (2002) as amended.

**Sec. 50-371. Authority and applicability.**

- (a) This division is adopted by the County of Volusia under its police power and charter authority to adopt minimum standards for environmental protection.
- (b) These provisions shall be the minimum standards for irrigation systems applicable to landscape irrigation systems within the unincorporated and incorporated areas of the county.
- (c) These provisions apply to new irrigation system installations on individual parcels and within entire subdivisions, head replacement on existing irrigation systems, expansion of irrigation systems and substantial irrigation system modification.

**Sec. 50-372. Exemptions.**

The following are exempted from the provisions of this division:

- (a) Hand watering and portable sprinklers;
- (b) Bonafide agricultural use;
- (c) Golf course play areas and specialized athletic fields, provided however, the remainder of any such property shall comply with the requirements of this division.

**Sec. 50-373. Requirements for efficient irrigation.**

(a) System Design.

Irrigation systems shall be designed, constructed, and permitted to include:

- (1) Automatic irrigation controllers, when utilized, shall contain a functional rain sensor device, capable of being set to one minute run times, and battery backup capability to retain programming in the event of a power failure;
- (2) A rain sensor placed on a stationary structure, free and clear of any overhead obstructions and above the height of the sprinkler coverage;
- (3) Equipment with check valves used in low-lying areas to prevent low head drainage;
- (4) Backflow prevention methods and other provisions prescribed in section 74-42;
- (5) Irrigation design with the appropriate uniformity for the type of plant being grown and for the type of soil;
- (6) Irrigation system equipment installed as designed;
- (7) Irrigation zones divided according to: available flow rate, vegetated groupings (i.e. turf, shrubs, native plants, etc.), sprinkler types (i.e. sprinklers with matching precipitation rates), and soil characteristics;
- (8) Spray heads and rotors not mixed in same zone;
- (9) Distribution equipment in a given zone having matched precipitation rates;
- (10) Application rates that avoid runoff and permit uniform water infiltration into the soil, considering land slope, soil hydraulic properties, vegetative ground cover, and prevailing winds;
- (11) A minimum separation of four (4) inches between distribution equipment and pavement;
- (12) A minimum separation of twelve (12) inches between distribution equipment and buildings and other vertical structures;
- (13) No direct spray onto walkways, buildings, roadways, and drives;
- (14) Lawn spray patterns providing head to head coverage;
- (15) Water conveyance systems with a flow velocity of five (5) feet per second or less;
- (16) Pipelines designed to provide the system with the appropriate pressure required for maximum irrigation uniformity;
- (17) Pressure regulating heads; and
- (18) A maintenance checklist provided to the property owner by the irrigation contractor accompanied by a recommended maintenance schedule, proper irrigation system settings according to season, recommendations for checking rain sensor device, filter cleaning recommendations and information on the current water restrictions.

(b) System Layout and Native Vegetation Retention. Irrigation systems shall comply with the following requirements:

- (1) A high volume irrigation area shall not exceed fifty percent (50%) of the landscaped area. Low or medium volume irrigation areas may be utilized in lieu of any high volume irrigation area.

- (2) A medium volume irrigation area shall not exceed twenty-five percent (25%) of the landscaped area. However, the landscaped area may contain up to seventy-five percent (75%) medium volume irrigation area, if no high volume irrigation area is utilized on site.
  - (3) A low volume irrigation area may be utilized for an entire landscaped area with the exception of native vegetation areas regulated by section 50-373 (b)(4).
  - (4) In the alternative to section 50-373 (b)(1), (2), and (3) above, if twenty-five percent (25%) of the pre-existing native vegetation is retained on site, the remaining seventy-five percent (75%) of the landscaped area may be a high volume irrigation area. For all pre-existing native vegetation retained on a parcel:
    - a. No supplemental water shall be applied to the native vegetation area;
    - b. Only hand pruning of native vegetation is allowed;
    - c. Mechanical mowing or clearing is prohibited.
- (c) System Operation Flows. Systems shall dispense no more than:
- (1) One inch of water per week for high volume irrigation areas;
  - (2) One-half inch of water per week for medium volume irrigation areas;
  - (3) One-quarter inch of water per week for low volume irrigation areas.
- (d) Irrigation System Operation and Maintenance.
- (1) Irrigation systems shall be operated properly and in compliance with section 50-315 and this section.
  - (2) All automatic controllers shall be programmed to the appropriate level of 6 water conservation set forth in section 50-315.
  - (3) Irrigation systems shall be maintained to meet the requirements of this section.

**Sec. 50-374. Irrigation system design guidelines.**

The Director shall create educational and design guidelines including best management practices, Florida Friendly Landscape techniques and water wise principles.

**Sec. 50-375. Municipal enforcement.**

- (a) The Volusia County Health Department shall administer the provisions of this division countywide unless a municipality has entered into an interlocal agreement with the county transferring administration to the municipality.
- (b) Nothing herein prevents a municipality from enacting and enforcing additional regulations that are not inconsistent with this division.

**Sec. 50-376. Permitting and fees.**

(a) Permitting Process.

- (1) Permit required. Prior to the installation, expansion, or substantial modification of an irrigation system, an owner/contractor or irrigation contractor shall obtain a valid permit from the permitting authority. A licensed contractor may obtain the permit if it is part of a building permit.
- (2) Permit approval.
  - a. Action shall be taken on any complete permit application within 30 days of complete submittal.
  - b. Any permit issued may specify terms and conditions of approval.
  - c. A valid permit must be properly displayed at the job site prior to commencement of work.
  - d. A permit is valid for a period of six months from date of its issuance. The permitting authority may at its discretion extend this time limit for any reasonable period of time not to exceed an additional six months.
- (3) Permit denial. The permitting authority shall notify an applicant of permit denial. Notice shall state the grounds for rejection.
- (4) Suspension or revocation of permit. A permit may be suspended or revoked by the permitting authority if any irrigation system installation is found in violation of the permit, Florida law, Florida Administrative Code, this division, any applicable municipal ordinance or any of the following:
  - a. Material misstatement or misrepresentation in the application for a permit;
  - b. Failure to comply with the conditions set forth in the permit;
  - c. Disregard or violation of this article or any rule or regulation promulgated by the council;

- d. Aiding and abetting another person in the violation of this article or any rule or regulation promulgated by the council pursuant hereto;
- e. Failure to pay the required permit fee; and/or
- f. Construction or installation of an irrigation system that would have deleterious effects on the quality of ground water supplies in the county.

(5) Self-Certification.

- a. Contractors shall be accountable for proper installation and compliance through self-certification. The permitting authority shall conduct an adequate number of random inspections to ensure compliance of each contractor.
- b. An irrigation contractor or owner/contractor must submit a completed and endorsed checklist on a form provided by the permitting authority, accompanied by an as-built sketch of the irrigation system, to the permitting authority and the property owner within thirty (30) days of irrigation system completion, permit expiration, or with any request for final inspection.
- c. Irrigation contractor certificates may be refused, suspended or revoked for any material misrepresentation of information in the as-built sketch.

(6) Certificate of Occupancy. No certificate of occupancy shall be issued until:

- a. A complete, self-certification checklist and as-built sketch have been submitted and accepted by the permitting authority; and
- b. The permitting authority has conducted any required final inspection.

(b) Fees. A fee schedule may be adopted to fund this program.

(c) Late permit fees or charges. If a permit fee is not paid within thirty (30) days after notification, future permits will not be issued until all fees are paid.

**Sec. 50-377. Penalty.**

Violations of this division may result in:

- (a) Suspension or revocation of irrigation system permits pursuant to Section 7439(i);
- (b) Refusal, suspension or revocation of irrigation contractor certificates of competency pursuant to section 74-36(j);
- (c) Refusal, suspension or revocation of irrigation contractor certificates of competency for a material misrepresentation of information on an as-built sketch; and
- (d) The imposition of penalties pursuant to section 1-7.

**Sec. 50- 378. Appeals.**

Denial, suspension, or revocation of irrigation system permits by the Volusia County Health Department may be appealed to the Development Review Committee (DRC) pursuant to Appendix A, Section 101.02(d) of the Volusia County Land Development Code. DRC decision is final administrative action.

**Secs. 50-379-- 50-390. Reserved.**

**SECTION III: SEVERABILITY** -This ordinance and the various parts, sections, subsections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby. If any part, sentence, paragraph, subsection, section or clause be adjudged unconstitutional or invalid as applied to a particular property, building, or other structure, it is hereby provided that the application of such portion of the ordinance to other property, buildings, or structures shall not be affected thereby.

**SECTION IV: INCLUSION IN THE CODE AND SCRIVENERS ERRORS** -The provision of this ordinance shall be included and incorporated into the Code of Ordinances of the County of Volusia, as additions or amendments thereto, and shall be appropriately renumbered or relettered to conform to the uniform numbering

system of the Code. Sections of this ordinance may require the correction of typographical errors, which do not affect the intent. Such corrections may be authorized without need of a Public Hearing, by filing a corrected or recodified copy of same with the clerk of the County of Volusia.

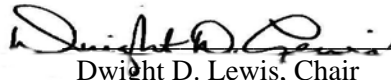
**SECTION V: EFFECTIVE DATE** -A certified copy of this Ordinance shall be filed with the Department of State by the County Manager within ten (10) days after enactment by the County Council and this Ordinance shall take effect July 1, 2004.

ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN 9 OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT 10 THE THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2004.

COUNTY COUNCIL  
ATTEST: COUNTY OF VOLUSIA, FLORIDA



Cynthia A. Coto, County Manager



Dwight D. Lewis, Chair