

5/11/1991

INDIAN RIVER COUNTY ENVIRONMENTAL CONTROL BOARD RULE 1

A RULE OF THE INDIAN RIVER COUNTY ENVIRONMENTAL CONTROL BOARD ADOPTED PURSUANT TO THE AUTHORITY CONTAINED IN CHAPTER 85-427, SPECIAL ACTS, LAWS OF FLORIDA, PROVIDING FOR TITLE, PROVIDING FOR PURPOSE, PROVIDING FOR AUTHORITY, PROVIDING FOR ADOPTION BY REFERENCE, PROVIDING FOR APPLICABILITY, PROVIDING FOR ENFORCEMENT, PROVIDING FOR PENALTIES, PROVIDING FOR SEVERABILITY, PROVIDING FOR EFFECTIVE DATE

SECTION 1. TITLE

This rule shall be called Indian River County Environmental Control Rule 1.

SECTION 2. PURPOSE

The purpose of this rule is to protect the public health and environment in Indian River County by facilitating enforcement of laws and rules protecting the public health and the environment in Indian River County.

SECTION 3. AUTHORITY

This rule is adopted by the Indian River County Environmental Control Board pursuant to its authority contained in Chapter 85-427, Special Acts, Laws of Florida.

SECTION 4. ADOPTION BY REFERENCE

All laws of the State of Florida pertaining to environmental regulation and protection of the public health and all rules of all state agencies, including, but not limited to the Department of Environmental Regulation, the Department of Health and Rehabilitative Services, the Department of Natural Resources, the St. John's River Water Management District, the Division of Forestry, and the Departments of Business and Professional Regulation, pertaining to environmental regulation or protection of public health, as they may from time to time be adopted or amended, are hereby adopted by reference as if set out in full in this Ordinance.

SECTION 5. APPLICABILITY

This Rule shall apply in all areas of Indian River County except as is provided in Chapter 85-427, Special Acts, Laws of Florida.

SECTION 6. ENFORCEMENT

This Rule shall be enforceable as is provided in Chapter 85-427, Special Acts, Laws of Florida

SECTION 7. PENALTIES

Any person who shall violate or fail to comply with the provisions of this Rule shall be subject to penalty as is provided in Chapter 85-427, Special Acts, Laws of Florida.

SECTION 8. SEVERABILITY

If any section, part of a sentence, paragraph, phrase or word of this Rule is for any reason held to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions hereof, and it shall be construed to be the legislative intent to pass this Rule without such unconstitutional, invalid or inoperative part.

SECTION 9. EFFECTIVE DATE

This Rule shall become effective 20 days after being filed with the Clerk of the Board of County Commissioners of Indian River County. This Rule was advertised in the Vero Beach Press Journal on the 20 day of April, 1991, for a public hearing to be held on the 14 day of May, 1991, at which time it was moved for adoption by Eggert, seconded by Bowman, and adopted by the following vote:

Chairman	<u>Richard N. Bird</u>	<u>Aye</u>
Vice Chairman	<u>Gary C. Wheeler</u>	<u>Aye</u>
Environmental Control Board Member	<u>Margaret C. Bowman</u>	<u>Aye</u>
Environmental Control Board Member	<u>Carolyn K. Eggert</u>	<u>Aye</u>
Environmental Control Board Member	<u>Don C. Scurlock, Jr.</u>	<u>Aye</u>

INDIAN RIVER COUNTY ENVIRONMENTAL CONTROL BOARD

By *Richard N. Bird*  
Chairman

Attest By *Jeffrey K. Barton*  
Jeffrey K. Barton, Clerk  
*by d. waterfayne*

Effective this date: On this \_\_\_\_\_ day of \_\_\_\_\_, 1991, at \_\_\_\_\_ A.M./P.M. filed in the Office of the Clerk of the Board of County Commissioners of Indian River County, Florida.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY.  
BY *William Calliper, For*  
Charles Vitunac, County Attorney