



687212

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FC	.	
4/22/2008	.	
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1 The Committee on Community Affairs (Geller) recommended the  
2 following **amendment**:

3  
4 **Senate Amendment (with title amendment)**

5 Delete line(s) 79-154

6 and insert:

7  
8 Section 1. Section 403.9335, Florida Statutes, is created  
9 to read:

10 403.9335 Short title.--Sections 403.9335-403.9338 may be  
11 cited as the "Protection of Urban and Residential Environments  
12 and Water Act."

13 Section 2. Section 403.9336, Florida Statutes, is created  
14 to read:

15 403.9336 Legislative findings.--The Legislature finds that  
16 the model fertilizer use ordinance contained in the Florida  
17 Consumer Fertilizer Task Force Final Report to the 2008 Florida



687212

18 Legislature, issued January 15, 2008, as well as its  
19 incorporation of rule 5E-1.003, Florida Administrative Code,  
20 entitled "Labeling Requirements For Urban Turf Fertilizers," will  
21 serve to improve the quality of water in this state's water  
22 bodies.

23 Section 3. Section 403.9337, Florida Statutes, is created  
24 to read:

25 403.9337 Adoption of the Florida Friendly Fertilizer Use on  
26 Urban Landscapes Model Ordinance.--

27 (1) The Department of Environmental Protection is directed  
28 to adopt by secretarial order on or before October 1, 2008, and  
29 without changes, except for stylistic changes, the "Florida  
30 Friendly Fertilizer Use on Urban Landscapes Model Ordinance"  
31 contained in the Florida Consumer Fertilizer Task Force Final  
32 Report to the 2008 Florida Legislature, issued January 15, 2008.

33 (2) At least every 3 years, or as additional research or  
34 other scientific information becomes available, the department,  
35 in consultation with the Department of Agriculture and Consumer  
36 Services, the University of Florida Institute of Food and  
37 Agricultural Sciences, local governments, and other interested  
38 parties, shall review the model ordinance and adopt changes as  
39 necessary.

40 (3) Any county or municipal government that has not held  
41 public meetings on or before December 4, 2007, for the purpose of  
42 developing a fertilizer use ordinance must adopt the department  
43 adopted model ordinance, by reference, by December 31, 2008.

44 (4) Any county or municipal government that has adopted and  
45 implemented the most current model ordinance may adopt provisions  
46 in addition to or more stringent than those contained in the  
47 model ordinance as part of a comprehensive program, based on



687212

48 sound scientific principles, to address nonpoint sources of  
49 nutrient pollution; if such entity has:

50 (a) Collected data demonstrating that the model ordinance  
51 is insufficiently protective of water quality; or

52 (b) An impaired or potentially impaired water body or  
53 watershed within its jurisdiction.

54 (5) Any county or municipal government may adopt provisions  
55 in addition to or more stringent than those contained in the  
56 model ordinance if:

57 (a) The county or municipal government is a party to a  
58 basin-management action plan adopted pursuant to s. 403.067  
59 requiring provisions in addition to or more stringent than those  
60 contained in the model ordinance; or

61 (b) The county or municipal government has an approved  
62 permit for a municipal separate storm sewer system requiring  
63 provisions in addition to or more stringent than those contained  
64 in the model ordinance.

65 (6) Any county or municipal government electing to  
66 establish provisions in addition to or more stringent than those  
67 contained in the model ordinance shall consult with the  
68 department, the Department of Agriculture and Consumer Services,  
69 and the University of Florida Institute of Food and Agricultural  
70 Sciences when establishing such provisions. Input from the  
71 consulting agencies shall be received within 90 days and shall  
72 become part of the public record of decision in the adoption of  
73 any such provisions.

74  
75 ===== T I T L E A M E N D M E N T =====

76 And the title is amended as follows:

77 Delete line(s) 9-11



687212

78 | and insert:

79 |

80 |       date, without changes; requiring that the department, in  
81 |       consultation with certain entities, review the model  
82 |       ordinance and adopt changes as necessary within specified  
83 |       periods; requiring a county or municipal government to  
84 |       adopt the department model ordinance by a specified date;  
85 |       providing an exception; authorizing