

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
DEC 19 2006 LH/Bw

# RESOLUTION

*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*regarding*  
**ENVIRONMENTAL REGULATION IN ORANGE COUNTY,  
FLORIDA; ESTABLISHING AND IMPOSING AN ANNUAL  
SMALL QUANTITY GENERATOR NOTIFICATION AND  
VERIFICATION SURCHARGE PURSUANT TO  
CHAPTER 403, FLORIDA STATUTES.**

**Resolution No. 2006- M-73**

WHEREAS, the Florida Legislature has enacted laws providing guidelines and procedures for conducting local programs pertaining to the identification, regulation and management of hazardous waste management assessments of small quantity generators; and

WHEREAS, Sections 403.7234 and 403.7236, Florida Statutes, mandate county governments to identify and notify small quantity generators, and annually verify the management practices of at least twenty (20) percent of the small quantity generators; and

WHEREAS, pursuant to Section 403.7225(12), Florida Statutes, the Florida Legislature recognizes the expense incurred by county governments in properly identifying and notifying small quantity generators of hazardous waste within their jurisdiction and may therefore impose a small quantity generator notification and verification surcharge of up to Fifty and No/100 Dollars (\$50.00) on the business or occupational license, or renewal thereof, of any firm that is classified as a potential small quantity generator of hazardous waste. Further, the county may enter into an agreement with the tax collector to collect the annual surcharge; and

WHEREAS, on June 19, 2001 the Board of County Commissioners of Orange County, Florida approved Resolution 2001-M-22 providing for payment of expenses incurred by county government in the proper identification and notification of small quantity generators of hazardous waste by imposing a small quantity generator notification and verification surcharge and entered into an agreement with the Tax Collector to collect the surcharge at the time of issuance of the annual occupational license; and

WHEREAS, in the 2006 Legislative Session, the Florida Legislature enacted a bill (HB 1269, codified at Chapter 2006-152, Laws of Florida) changing the term "Occupational License Tax" to "Local Business Tax," effective January 1, 2007; and

WHEREAS, Resolution 2001-M-22 must now be amended and updated to conform to the recent change to state law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

**Section 1.** In recognition of the statutory mandates imposed upon county governments by section 403.7234 and 403.7236, Florida Statutes, and the legislative recognition of the expenses incurred by county governments in the proper identification and notification of small quantity generators of hazardous waste within their jurisdictions, there is hereby established and imposed by Orange County, Florida a Small Quantity Generator Notification and Verification Surcharge in the amount of Thirty One and No/100 Dollars (\$31.00) upon the issuance of an Orange County Local Business Tax Receipt or any firm that is classified as a potential small quantity generator of hazardous waste.

**Section 2.** The Board of County Commissioners of Orange County, Florida, expressly finds that the annual Small Quantity Generator Notification and Verification Surcharge imposed hereby in the amount of Thirty One and No/100 Dollars (\$31.00) is specifically established and recognized as a reasonable fee to reduce and recover the Orange County government expenses incurred in implementing the small quantity generator identification program referenced above.

**Section 3.** The Board of County Commissioners of Orange County, Florida, directs Orange County staff to work with the Tax Collector to amend the existing agreement enabling the aforementioned fees to be collected by the Tax Collector annually at the time of issuance of a Local Business Tax Receipt or renewal thereof. The amendment to agreement shall continue to provide that the Tax Collector may retain a portion of the fee collected to cover its administrative expenses. Further, the Board of County Commissioners of Orange County authorizes the Mayor to execute the amendment to agreement upon presentation of an amendment which is mutually acceptable to the Tax Collector and Orange County staff.

**Section 4.** Resolution 2001-M-22, adopted June 19, 2001, is hereby repealed in its entirety upon the effective date stated herein.

**Section 5.** This Resolution shall become effective January 1, 2007.

DONE AND RESOLVED this 19 day of December, 2006.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: Richard T. Crotty  
Richard T. Crotty  
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller  
As Clerk of the Board of County Commissioners

By: Martha O. Haynie  
Deputy Clerk

Date: DEC 27 2006

