



Levy County Board of County Commissioners Agenda Item Summary Form

1. **Name:** Stacey Hectus
2. **Organization/Title/Telephone:** Planning & Zoning/Director/352-486-5203
3. **Meeting Date:** Tuesday, November 7, 2023
4. **Requested Motion/Action:**

Requesting the Levy County Board of County Commissioners' approval of **ORDINANCE NUMBER 2023-11 AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF LEVY COUNTY, FLORIDA RELATING TO MANURE COMPOSTING AND DISPOSAL; BY CREATING A NEW ARTICLE WITHIN CHAPTER 22 - BUSINESSES; BY AMENDING CHAPTER 74 – SOLID WASTE; BY AMENDING SEC. 2-140 TO PROVIDE CIVIL PENALTIES FOR VIOLATIONS; ADOPTING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

5. **Agenda Presentation:** Yes No N/A

6. **Time Requested:** 2 minutes

7. **Is this Item Budgeted (If Applicable):** Yes No N/A

8. **If no, State Action Required:**

- a. **Budget Action:**
- b. **Financial Impact Summary Statement:**
- c. **Detailed Analysis Attached**
- d. **Budget Officer Approval:**

If approved enter date: Click or tap to enter a date.

1. **Background:** At the July 11, 2023 Regular Meeting of the Board of County Commissioners, County staff presented an informational item regarding manure composting, including the State regulatory framework, current County Code and recommendations. The Board discussed and directed staff to prepare certain ordinances to make clear that the business of composting manure is not permitted in the County and that manure is not to be disposed of at the County Landfill. Ordinance Number 2023-9, which the Board heard on first reading on October 17 and continued to November 7, is the comprehensive update of Zoning District Uses and it does not recognize manure composting facilities as permitted, conditional or special exception uses in any zoning district and therefore states that such uses are prohibited. In addition, based on the Board direction, this Ordinance Number 2023-11 adds manure composting facility as a prohibited nuisance businesses in Chapter 22 of the Code of Ordinances and provides a civil penalty for same and adds manure to the list of solid waste in Chapter 74 of the Code of Ordinances that is not allowed to be deposited at the County Landfill. This Ordinance does not amend the Land Development Code and was, therefore, not required to be heard by the Planning Commission. This Ordinance is the first to be considered by the Board that requires a Business Impact Estimate per the new provisions of Section 125.66(3), Florida Statutes, that

P.O. Box 310 Bronson Florida 32621

Telephone (352) 486-5218 Fax (352) 486-5167

E-mail: levybocc@levycounty.org Website: www.levycounty.org



Levy County Board of County Commissioners Agenda Item Summary Form

became effective on October 1, 2023. The Business Impact Estimate is included in the back-up to this agenda item and was posted on the County website as required by State Law.

2. Recommended Approval

- | | | | |
|-------------------------|---|-----------------------------|------------------------------|
| a. Department Director: | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| b. County Attorney: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| c. County Coordinator: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| d. Other: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |