

for a point of contact in case of an emergency.

62-604.500 (2) F.A.C. Operation and Maintenance -All collection/transmission systems shall be operated and maintained so as to provide uninterrupted service as required by this rule; **to wit:** On July 2, 2021, the Department Inspector found a lift station located at the Pahokee Marina that was not enclosed by a fence or otherwise designed with appropriate features to discourage entry; nor was an unobstructed sign made of durable weather resistant material posted at the location with a telephone number for a point of contact in case of an emergency.

62-604.500(3), F.A.C. Operation and Maintenance -All equipment necessary for the collection/transmission of domestic wastewater, including equipment provided pursuant to subsection 62-604.400(2), F.A.C., shall be maintained so as to function as intended. In the event odor, noise or lighting adversely affect neighboring developed areas at levels prohibited by paragraph 62-604.400(2)(c), F.A.C, corrective action (which may include modifications of the collection/transmission system) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department; **to wit:** On July 2, 2021, the Department Inspector found a lift station located at the Pahokee Marina that was not enclosed by a fence or otherwise designed with appropriate features to discourage entry; nor was an unobstructed sign made of durable weather resistant material posted at the location with a telephone number for a point of contact in case of an emergency.

3. The Petitioner issued Respondent a Notice of the Violation on August 9, 2021.
4. Respondent admits the violation(s) and agrees to the entry of the Order below, and further agrees:
 - a) secure or surround lift station with protective fencing, post Emergency Contact number at lift station within thirty (30) days from Order; and
 - b) to pay a total civil penalty of **\$500.00** by check payable to the order of ***“Palm Beach County,”*** to be received on or before **April 10, 2022.**
5. Petitioner agrees to recommend that the Environmental Control Hearing Board enter an Order adopting this Stipulation. If approved, Petitioner shall seek no additional civil penalty for the above-referenced violation.

6. In the event this Stipulation is rejected by the Environmental Control Hearing Board, or if the stipulation is adopted and Respondent fails to comply with the terms of this Stipulation, this matter shall be heard by the Environmental Control Hearing Board on a date to be set. Respondent shall be notified of such hearing by regular U.S. mail.

Date

Date

Respondent:
CITY OF PAHOKEE PAHOKEE MARINA

By: _____

Title: _____

Andrew Simler, Esq.
Acting Environmental Control Officer
FL Department of Health in Palm Beach County
800 Clematis Street, Rm 546
West Palm Beach, Florida 33401

ORDER

This matter came before the Palm Beach County Environmental Control Hearing Board. The above terms stipulated to by the parties appearing to be fair and proper, the Hearing Board hereby adopts the terms as its Order. This Board finds the Respondent has committed the violation(s) and orders that the parties hereto shall comply with this Order.

Gary S. Betensky, Esq., Chair
Palm Beach County Environmental
Control Hearing Board

Copies furnished to:

Environmental Control Officer
FL Department of Health in Palm Beach County
800 Clematis Street, Rm 546
West Palm Beach, Florida 33401

FL Department of Health in Palm Beach County
Environmental Public Health
800 Clematis Street
West Palm Beach FL 33401

Greg Thompson, City Manager
City of Pahokee at the Pahokee Marina
207 Begonia Drive
Pahokee, FL 33476

FILED: _____ WITH THE PALM BEACH COUNTY
ENVIRONMENTAL CONTROL HEARING BOARD

BY: _____
CLERK OF THE BOARD