

MEMORANDUM

Agenda Item No. 5(F)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: (Public Hearing: 5-6-25)
March 4, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to
environmental protection;
amending section 24-43.1 of the
Code; clarifying standards for
calculating sewage flow and
sewage loading using total floor
area; providing exceptions for
certain structures when
calculating the total floor area

Ordinance No. 25-39

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Anthony Rodriguez.


Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: May 6, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Fiscal Impact Statement for Ordinance Relating to Standards for Calculating Sewage Flow
and Sewage Loading

The proposed ordinance clarifies the standards in the Code for calculating the total floor area used to determine the estimated water usage and wastewater discharges for properties. This ordinance involves environmental regulation throughout Miami-Dade County (County). Chapter 24 establishes sewage flow rates used based on the total floor area of a building to calculate estimated demand water usage and corresponding wastewater discharges. The Department of Regulatory and Economic Resources (RER) uses these flow rates to evaluate sewer system capacity and sewage loading requirements for properties served by septic tank.

The proposed ordinance clarifies that certain structures, such as sheds and storage containers, under specific circumstances, are not expected to result in increases in water usage and wastewater discharges and should not be included in the total floor area. Currently, these structures are accounted for in the calculation. The proposed ordinance clarifies that if the shed is used only for storage, does not have plumbing connections to the sewer system or a septic tank, and the shed does not exceed 720 square feet, it will not be added to the total floor area and will not be calculated in water usage and wastewater discharge.

Approval of this item is not anticipated to create a fiscal impact to the County, as the proposed amended regulations will be incorporated into the existing RER plan review process and will not require additional staffing resources. Additionally, the proposed ordinance will not change any fees associated with plan review or permits.

Roy Coley

Roy Coley
Chief Utilities and Regulatory Services Officer

Memorandum



Date: May 6, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Social Equity Statement for Ordinance Relating to Environmental Protection; Amending
Section 24-43.1

The proposed ordinance clarifies the standards in the Code for calculating the total floor area used to determine the estimated water usage and wastewater discharges for properties. This ordinance involves environmental regulation throughout Miami-Dade County (County). Chapter 24 establishes sewage flow rates used based on the total floor area of a building to calculate estimated demand water usage and corresponding wastewater discharges. The Department of Regulatory and Economic Resources uses these flow rates to evaluate sewer system capacity and sewage loading requirements for properties served by septic tank.

The proposed ordinance clarifies that certain structures, such as sheds and storage containers, under specific circumstances, are not expected to result in increases in water usage and wastewater discharges and should not be included in the total floor area. Currently, these structures are accounted for in the calculation. The proposed ordinance clarifies that if the shed is used only for storage, does not have plumbing connections to the sewer system or a septic tank, and the shed does not exceed 720 square feet, it will not be added to the total floor area and will not be calculated in water usage and wastewater discharge.

This ordinance is not anticipated to have a specific social equity benefit or burden as described under Ordinance No. 15-83.

Roy Coley

Roy Coley
Chief Utilities and Regulatory Services Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: May 6, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(F)

Please note any items checked.

- “3-Day Rule” for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Statement of social equity required**
- Ordinance creating a new board requires detailed County Mayor’s report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(F)
5-6-25

ORDINANCE NO. 25-39

ORDINANCE RELATING TO ENVIRONMENTAL PROTECTION; AMENDING SECTION 24-43.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CLARIFYING STANDARDS FOR CALCULATING SEWAGE FLOW AND SEWAGE LOADING USING TOTAL FLOOR AREA; PROVIDING EXCEPTIONS FOR CERTAIN STRUCTURES WHEN CALCULATING THE TOTAL FLOOR AREA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, section 24-43.1 of the Code of Miami-Dade County sets forth the sewage unit flow rates for sanitary sewers and septic tank sewage loading; and

WHEREAS, the sewage unit flow rates are used to calculate expected, estimated water usage and corresponding wastewater discharges; and

WHEREAS, these sewage unit flow rates are used by the Miami-Dade County Department of Regulatory and Economic Resources, Division of Environmental Resources Management to evaluate sewer system capacity and sewage loading requirements for properties served by septic tanks; and

WHEREAS, the floor area occupied by certain structures, such as utility sheds, prefabricated storage sheds, storage containers, and utility appurtenances, may, under certain circumstances, not be expected to result in increases in a property's expected water usage and corresponding wastewater discharges; and

WHEREAS, nevertheless, these structures are currently accounted for in calculations of sewage flow and sewage loading; and

WHEREAS, this Board wishes to clarify the standards for calculating sewage flow and sewage loading using total floor area and provide exceptions for certain structures, where such structures do not exceed a certain size and satisfy the criteria provided herein, when calculating the total floor area,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The foregoing recitals are approved and incorporated herein.

Section 2. Division 2 of Article III of Chapter 24 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

ARTICLE III. – WATER AND SOIL QUALITY

DIVISION 2. – WELLFIELD PROTECTION, DOMESTIC WELL SYSTEMS AND POTABLE WATER STANDARDS

* * *

Sec. 24-43.1 Liquid waste disposal and potable water supply systems.

(1) The intent and purpose of this section is to safeguard the public health, safety, and welfare by regulating liquid waste storage, disposal and treatment methods other than sanitary sewers and any source of potable water supply.

* * *

(5) *Table to determine applicable sewage flow and sewage loading.* The Director shall utilize the >>general requirements set forth in paragraph (a) and<< the table set forth in paragraph >>(d)<<[[~~(e)~~]] below to determine sewage flows for sanitary sewers, the maximum allowable

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

OSTDS sewage loading requirements, and the applicable sewage loading requirements within wellfield protection areas, as set forth in this chapter.

>>(a) General requirements.

i. Total floor area. For the purposes of this subsection (5), sewage flow and sewage loading shall be calculated based on total floor area in accordance with this subsection.

ii. Definition. For purposes of this section, the term "total floor area" shall mean the sum of all square feet of the length and depth of a building area that is or is proposed to be covered by a roof, including, without limitation, the length and depth of each floor, covered patio, closet, elevator, and garage, regardless of whether the covered area is habitable space, as defined in section 33-1, or contains plumbing.

iii. Multiple buildings. Where a property contains multiple buildings, total floor area shall include all buildings.

iv. Exclusions from total floor area. Notwithstanding any provision to the contrary, for purposes of this subsection (5) with respect to sewage flow and sewage loading, total floor area shall not include:

1. Utility sheds as defined in section 33.1 of the Code, prefabricated storage sheds, or storage containers, provided that all of the following requirements are met:

a. any of which is used solely for storage, and

b. not served by sanitary sewers or an OSTDS, and

c. does not exceed 720 square feet total floor area;

2. Utility appurtenances, as defined in the County public works manual promulgated pursuant to section 2-100, that do not contain plumbing.

(b)<< ~~[(a)]~~ If the Director receives competent factual data and information such as actual on-site measured sewage flows or actual metered water bills, or an engineering flow study which utilizes recognized standard practices of the engineering profession, is signed and sealed by an engineer licensed in the State of Florida, and approved by the Director, the Director may utilize this data and information to determine sewage flows for sanitary sewers and the maximum allowable OSTDS sewage loading requirements set forth in this chapter in lieu of the table set forth in this subsection below.

>>(c)<< ~~[(b)]~~ This table shall not be utilized for the sizing of an OSTDS. Sizing of OSTDSs shall be in accordance with ~~[[Section]]~~>>section<< 24-42.7 and applicable Florida Statutes.

>>(d)<< ~~[(e)]~~ The applicable table is as follows:

* * *

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: May 6, 2025

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:

Cristina M. Rabionet
Abbie Schwaderer Raurell

Prime Sponsor: Chairman Anthony Rodriguez