

ORDINANCE NO. 16-O-14

AN ORDINANCE OF THE CITY OF TALLAHASSEE,
FLORIDA, AMENDING SECTION 9-130 OF THE
TALLAHASSEE CODE OF GENERAL ORDINANCES
RELATING TO CERTIFICATION FOR FERTILIZER
APPLICATORS; PROVIDING FOR CONFLICTS,
SEVERABILITY AND AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. Section 9-130 of the Code of General Ordinances of the City of Tallahassee, Florida is hereby amended to read as follows:

Sec. 9-130. - Training and certification; presence on site of trained applicator during application of fertilizer.

(a) ~~Within 180 days of the effective date of this article and every three years thereafter,~~ All applicators of fertilizer within the city, other than private homeowners on their own property, ~~shall abide by and~~ must be certified as provided under this section. To obtain certification, an applicator shall successfully complete a city-approved best management practices training program as defined in this article. Upon successful completion of the best management practices training program and compliance with the requirements in this article, a certificate of completion and a certification card ~~valid for a period of three years will be provided by the entity providing the training will be issued to the applicator. For persons certified on or after January 1, 2014, the certification shall be valid for a period of four years. For persons certified before January 1, 2014, the certification shall be valid for a period of three years.~~ Persons working as employees and under the direct and physical supervision of commercial applicators that hold a current certificate of completion and certification card shall be exempt from the requirement to complete a city-approved best management practices training program.

(b) During application of any fertilizer governed by this article, the applicator shall abide by best management practices. At least one person holding a current city-approved best management practices training certificate shall be present at all times on any job site while work applying fertilizer is in progress.

Section 2. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall take effect immediately upon passage.

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INTRODUCED to the City Commission on the ____ day of _____, 2016.

PASSED by the City Commission on the ____ day of _____, 2016.

CITY OF TALLAHASSEE

By: _____
Andrew D. Gillum
Mayor

ATTEST:

APPROVED AS TO FORM

By: _____
James O. Cooke, IV
City Treasurer-Clerk

By: _____
Lewis E. Shelley
City Attorney