

ARTICLE 7 - OFFICERS AND BOARDS

CHAPTER 7-10

OFFICERS AND BOARDS: INTENT

Sections:

7-10.1	Title and Purpose
7-10.2	Organization

Section 7-10.1 Title and Purpose. Article 7 of the Land Development Regulations is entitled Officers and Boards. The purpose of this article and the chapters within it is to specify the bodies empowered to regulate and restrict the development of land and the uses and structures thereon and to justify and equitably administer the Land Development Regulations in the interest of the public health, safety, and general welfare.

Section 7-10.2 Organization. Article 7 consists of the following chapters:

- (a) 7-10 Officers and Boards: Intent
- (b) 7-20 Board of Supervisors
- (c) 7-30 Planning Board
- (d) 7-40 Pollution Control Board
- (e) 7-50 Planning and Engineering Department
- (f) 7-60 Environmental Services Department
- (g) 7-70 Building and Safety Department
- (h) 7-80 Fire Services Department

CHAPTER 7-20

BOARD OF SUPERVISORS

Sections:

7-20.1	Purpose
7-20.2	Comprehensive Plan
7-20.3	Land Development Regulations
7-20.4	Environmental Regulations
7-20.5	Safety and Sanitary Codes
7-20.6	Other Standards
7-20.7	Implementation of Regulations
7-20.8	Procedures
7-20.9	Planning Board
7-20.10	Intergovernmental Coordination
7-20.11	Appeals
7-20.12	Fees

Section 7-20.1 Purpose. The purpose of this chapter, Chapter 7-20, Board of Supervisors, is to describe the responsibilities of the RCID Board of Supervisors with regard to comprehensive land use planning and land development regulations. These powers are contained in the RCID enabling legislation and Florida statutes. This chapter implements Section 163.3202 F.S.

Section 7-20.2 Comprehensive Plan. The Board has the authority to adopt, review, amend, or supplement the Comprehensive plan to provide for the physical development of the area within the District.

Section 7-20.3 Land Development Regulations. The Board has the authority to adopt, review, amend or supplement Land Development Regulations that are consistent with and implement the Comprehensive Plan. These regulations shall, at a minimum, accomplish the following:

- (a) Regulate the subdivision of land;
- (b) Regulate the use of land and water for those land use categories included in the land use element of the Comprehensive Plan, ensure the compatibility of adjacent uses, and provide for open space;
- (c) Provide for protection of potable water wellfields;
- (d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- (e) Ensure the protection of environmentally sensitive lands designated in the Comprehensive Plan;
- (f) Regulate signage;
- (g) Provide that public facilities and services meet or exceed the standards established in the Capital Improvement Element of the Comprehensive Plan and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development; and

- (h) Ensure safe and convenient on-site traffic flow, considering needed vehicle parking.

Section 7-20.4 Environmental Regulations. The Board has the authority to adopt, review, amend, or supplement other environmental regulations to prohibit or control the pollution of air and water, and require electrical power, telephone and other utility lines, cables, pipes and ducts to be placed underground.

Section 7-20.5 Safety and Sanitary Codes. The Board has the authority to adopt, review, amend, or supplement codes regulating building safety, elevators, escalators and similar devices; prevention of fire hazards; plumbing and electrical installations; operation of amusement and recreation parks and facilities, water supply wells and drainage wells; and such other safety or sanitary codes as the Board may determine to be necessary or desirable.

Section 7-20.6 Other Standards. The Board has the authority to adopt, review, amend, or supplement other standards at least equivalent to the minimum standards in applicable statewide regulations protecting the general safety and welfare of the public.

Section 7-20.7 Implementation of Regulations. The Board has the authority to perform such actions as are assigned to it in these Land Development Regulations.

Section 7-20.8 Procedures. The Board has the authority to provide for the manner in which comprehensive plans, codes, regulations, and restrictions shall be determined, established, and enforced.

Section 7-20.9 Planning Board. The Board has the authority to establish a Planning Board and prescribe the powers, duties, and functions of such Planning Board, the requirements for membership, the term or terms of office of members, the rules and procedure to be followed in proceedings before or involving the Planning Board, and all other matters affecting the organization and functioning of the Planning Board. The Board shall appoint the members of the Planning Board.

Section 7-20.10 Intergovernmental Coordination. The Board has the authority to enter into agreements to further its planning and land development activities. These agreements include, but are not limited to the following:

- (a) The Board may enter into agreements with the City of Bay Lake and the City of Lake Buena Vista to plan for and regulate land uses within the boundaries of the District;
- (b) The Board may enter into agreements with cities and counties outside the boundaries of the District to implement the Comprehensive Plan; and
- (c) The Board may enter into agreements with regional, state, or federal agencies to implement the Comprehensive Plan.

Section 7-20.11 Appeals. The Board has the authority to hear appeals from decisions of the District Administrator and Planning Board.

Section 7-20.12 Fees. The Board may collect fees from applicants and assess municipalities located within the District such fees and charges as may be necessary to cover the cost of enforcing these regulations.

CHAPTER 7-30

PLANNING BOARD

Sections:

7-30.1	Purpose
7-30.2	Local Planning Agency
7-30.3	Powers of the Planning Board
7-30.4	Evaluation and Appraisal of the Comprehensive Plan
7-30.5	Appointment of Members
7-30.6	Terms of Membership

Section 7-30.1 Purpose. The purpose of this chapter, Chapter 7-30, Planning Board, is to describe the responsibilities of the RCID Planning Board. This chapter implements Section 163.3202 F.S.

Section 7-30.2 Local Planning Agency. The Planning Board shall act as the "local planning agency" and perform those duties as set forth in Section 163.3174 Florida Statutes.

Section 7-30.3 Powers of the Planning Board. The responsibilities and duties of the Planning Board are as follows:

- (a) Prepare the Comprehensive Plan in accordance with state statutes and regulations, and recommend amendments and revisions for meeting current requirements and such future requirements as may be foreseen;
- (b) Prepare and recommend to the Board of Supervisors, City Council of Bay Lake, and City Council of Lake Buena Vista, policies that promote orderly future development in conformance with the Comprehensive plan;
- (c) Conduct such public hearings as may be required to gather information necessary for the periodic review and maintenance of the Comprehensive Plan, such additional public hearings as are specified under these Land Development Regulations, and such other hearings as may be required by the Board of Supervisors;
- (d) Cooperate with neighboring municipalities, counties, regional planning councils, and other state and local government agencies for the purpose of achieving a harmonious and coordinated plan for the development of the land resources under their respective jurisdictions;
- (e) Determine the establishment of land use boundaries in cases where the exact location of a boundary is in question;
- (f) Perform such actions as are assigned to it in these Land Development Regulations; and
- (g) Perform any other duties which may lawfully be assigned to it by the Board of Supervisors.

Section 7-30.4 Evaluation and Appraisal of the Comprehensive Plan. The Planning Board shall evaluate and appraise the Comprehensive Plan and submit a report to the Board of Supervisors at least once

every five (5) years after the adoption of the Comprehensive Plan. The report shall present an assessment of the success or failure of the Comprehensive Plan or elements or portions thereof and shall contain appropriate statements using words, maps, illustrations, or other forms related to:

- (a) The major problems of development, physical deterioration, and the location of land uses and the social and economic effects of such uses in the area;
- (b) The condition of each element in the Comprehensive Plan at the time of adoption and at date of report;
- (c) The Comprehensive Plan objectives as compared with actual results at date of report; and
- (d) The extent to which unanticipated and unforeseen problems and opportunities occurred between the date of adoption and date of report.

Section 730.5 Appointment of Members. The membership of the Planning Board shall be five (5) members appointed by the Board of Supervisors. At all times, at least one (1) of the members must be professionally knowledgeable in the field of land use planning and regulations.

Section 7-30.6 Terms of Membership. All appointments to the Planning Board are for a period of three (3) years.

CHAPTER 7-40

POLLUTION CONTROL BOARD

Sections:

7-40.1	Purpose
7-40.2	Pollution Control Program
7-40.3	Responsibilities
7-40.4	Membership
7-40.5	Term of Office
7-40.6	Chairman of the Board
7-40.7	Minutes of Meetings

Section 7-40.1 Purpose. The purpose of this chapter, Chapter 740, Pollution Control Board, is to describe the responsibilities of the RCID Pollution Control Board. This chapter implements Section 163.3202 F.S.

Section 7-40.2 Pollution Control Program. The Pollution Control Board shall recommend and submit an overall policy for the Pollution Control Program to the Board of Supervisors. It shall be guided in developing policy by the general statewide procedures and policies adopted by the Florida Department of Environmental Protection (FDEP). The Pollution Control Board shall ensure that the Pollution Control Program is directed toward accomplishing the following objectives:

- (a) Maintenance of the quality of the air and of the water within the RCID water control system, drainage canals, and natural water courses;
- (b) Maintenance of the water quality in the lakes to standards such that their use for recreational purposes is not impaired;
- (c) Supervision of the ecosystems of the wetland areas and wilderness areas; and
- (d) Supervision of the quality of the water entering and leaving the District's boundaries.

Section 7-40.3 Responsibilities. The functions, powers, and duties of the Pollution control Board are as follows:

- (a) The Board shall review all budgets and submit such budgets to the City Councils of Bay Lake and Lake Buena Vista and the RCID Board of Supervisors for approval;
- (b) The Board shall recommend the appointment or removal of the Pollution Control Officer to the Board of Supervisors for approval;
- (c) The Board shall make periodic progress reports to the City Councils of Bay Lake and Lake Buena Vista and the RCID Board of Supervisors;
- (d) The Board shall review any contracts proposed by the Pollution Control Officer; and

- (e) The Board shall perform such other duties and functions as may be assigned to it by the Cities of Bay Lake and Lake Buena Vista and the RCID.

Section 740.4 Membership. The Pollution Control Board consists of five (5) members appointed as follows:

- (a) Two (2) members are appointed by the City Council of Bay Lake;
- (b) Two (2) members are appointed by the City Council of the City of Lake Buena Vista; and
- (c) One (1) member is appointed by the RCID Board of Supervisors.

Section 7-40.5 Term of Office. The members of the Pollution Control Board will serve for one (1) year and may be appointed for successive terms.

Section 7-40.6 Chairman of the Board. The Chairman of the Pollution Control Board shall be elected by its members and shall call meetings of the Board whenever necessary.

Section 7-40.7 Minutes of Meetings. Minutes shall be kept of all meetings of the Pollution Control Board.

CHAPTER 7-50

PLANNING AND ENGINEERING DEPARTMENT

Sections:

7-50.1	Purpose
7-50.2	Responsibilities
7-50.3	Manager of Planning and Engineering
7-50.4	Authority of Manager
7-50.5	Hearing Officer

Section 7-50.1 Purpose. The purpose of this chapter, Chapter 7-50, Planning and Engineering Department, is to describe the responsibilities of the RCID Planning and Engineering Department. This chapter implements Section 163.3202 F.S.

Section 7-50.2 Responsibilities The Planning and Engineering Department is responsible for administering and enforcing the RCID Comprehensive Plan and its implementing regulations. These responsibilities include the following:

- (a) Review and coordinate the administration of the Comprehensive Plan;
- (b) Review and coordinate the administration of these Land Development Regulations;
- (c) Review plans for all development that requires a permit pursuant to the Land Development Regulations;
- (d) Coordinate the determination of the adequacy of infrastructure for new development;
- (e) Make inspections as required in the administration of the Land Development Regulations;
- (f) Enforce all of these regulations within the incorporated municipalities located within the District, provided such municipalities have authorized the Board of Supervisors to act on their behalf;
- (g) Review development applications to ensure that they comply with the drainage, wetlands, water quality, and other environmental standards in the Comprehensive Plan, these Land Development Regulations, and applicable state and federal statutes; and
- (h) Issue environmental permits as prescribed by these Land Development Regulations or by state or federal statutes.

Section 750.3 Manager of Planning and Engineering. The District Administrator shall appoint a Manager of Planning and Engineering to manage the Planning and Engineering Department.

Section 7-50.4 Authority of Manager. The Manager of Planning and Engineering shall act to cause the Planning and Engineering Department to carry out its responsibilities as set forth in Section 7-50.2 and shall perform other duties which may lawfully be assigned to him or her by the District Administrator, Director of Finance and Planning, Planning Board, or Board of Supervisors. The Manager shall have the power to employ such staff as authorized by the District Administrator and to delegate authority to staff members in the performance of his or her duties.

Section 7-50.5 Hearing Officer. The District Administrator shall serve as the RCID Hearing Officer and perform such duties that the office requires as set forth in these Land Development Regulations.

CHAPTER 7-60

ENVIRONMENTAL SERVICES DEPARTMENT

Sections:

7-60.1	Purpose
7-60.2	Responsibilities
7-60.3	Pollution Control Officer

Section 7-60.1 Purpose. The purpose of this chapter, Chapter 7-60, Environmental Services Department, is to describe the responsibilities of the RCID Environmental Services Department. This chapter implements Section 163.3202 F.S.

Section 7-60.2 Responsibilities. The Environmental Services Department shall carry out the Local Pollution Control Program. The functions, powers, and duties of the Environmental Services Department are as follows:

- (a) Establish, operate, and maintain a pollution surveillance program for monitoring air and water quality throughout the are of the District.
- (b) Immediately call any pollution to the attention of the polluter. If not abated or corrected, Environmental Services may refer the matter to the Florida Department of Environmental Protection for enforcement action; and
- (c) Perform other duties which may lawfully be assigned by the Pollution Control Board.

Section 7-60.3 Pollution Control Officer. The Environmental Services Department shall be managed by the Pollution Control Officer who is appointed pursuant to Chapter 7-40. In addition to his or her other duties, the Pollution Control Officer shall submit an annual budget, not later than July 1 of each year, to the District Administrator and the Pollution Control Board.

CHAPTER 7-70

BUILDING AND SAFETY DEPARTMENT

Sections:

- 7-70.1 Purpose
- 7-70.2 Responsibilities

Section 7-70.1 Purpose. The purpose of this chapter, Chapter 7-70, Building and Safety Department, is to describe the responsibilities of the RCID Building and Safety Department in regard to the implementation of the Comprehensive Plan. This chapter implements Section 163.3202 F.S.

Section 7-70.2 Responsibilities. In addition to its other responsibilities, the Building and Safety Department is responsible for the following in regard to the Comprehensive Plan and Land Development Regulations:

- (a) Accept, log in, and track all development applications required by the Land Development Regulations;
- (b) Maintain file copies of applications and the actions taken thereon as required by good professional practice, RCID policies, and state statutes; and
- (c) Review site plans for those issues within its area of expertise.

CHAPTER 7-80

FIRE SERVICES DEPARTMENT

Sections:

7-80.1	Purpose
7-80.2	Responsibilities
7-80.3	Burning and Clearing of Land
7-80.4	Hydrants and Connections

Section 780.1 Purpose. The purpose of this chapter, Chapter 7-80, Fire Services Department, is to describe the responsibilities of the RCID Fire Services Department. This chapter implements Section 163.3202 F.S.

Section 780.2 Responsibilities. The RCID Fire Services Department shall enforce the EPCOT Fire Protection Code, EPCOT Building Code, National Fire Codes, and the State Fire Marshal's Rules and Regulations.

Section 780.3 Burning and Clearing of Land. The RCID Fire Services Department shall ensure that burning and clearing of land complies with the EPCOT Fire Prevention Code and the Florida Department of Forestry Regulations.

Section 7-80.4 Hydrants and Connections. Locations of all fire hydrants shall be subject to the approval of the District Administrator and shall ensure that all fire hydrants and connections comply with the fire protection requirements in Section 4-20.2, Potable Water Distribution Systems.