

TOWN OF HASTINGS, FLORIDA

TOWN CODE

LAND DEVELOPMENT REGULATIONS

ARTICLE IX

OPERATIONAL PERFORMANCE STANDARDS

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Sec. 9.00.00 GENERALLY

Sec. 9.00.01 Purpose and Intent It is the purpose of this section to provide appropriate standards relating to the operation of certain activities throughout Hastings. Such operations may create or maintain such air pollution, odor, or electromagnetic interference as to be a detriment to the public health, comfort, convenience, safety, and welfare. These standards are therefore provided to protect the public interest, and promote the public health and welfare.

Sec. 9.00.02 Applicability These standards shall apply to all lands within the Town of Hastings.

Sec. 9.00.03 Standard Manuals and Measuring Devices

A. References The following references are cited in this Article:
40CFR Code of Federal Regulations, Title 40, "Protection of Environment"
FAC17-2 Chapter 17-2, Florida Administrative Code, "Air Pollution"
APAM "Air Pollution Abatement Manual" of the Manufacturing Chemist Association
PHR47 U.S. Public Health Report 47, No. 12, "Measurement of Density Mineral Dust"
ICR12 Industrial Cost Rule No. 12 adopted by the Board of Standards and Appeals of the
New York State Department of Labor
CFR10 Title 10, Chapter 1, Part 20, Code of Federal Regulations, "Standards for
Protection Against Radiation"
ANSI American National Standards Institute - Applicable Standards

Sec. 9.01.00 AIR POLLUTION

A. Standards To protect and enhance the air quality of the town, all sources of air pollution shall comply with rules set forth by the Environmental Protection Agency (Code of Federal Regulations, Title 40) and the Florida Department of Environmental Regulations (Florida Administrative Code, Chapter 17-2). No person shall operate a regulated source of air pollution without a valid operation permit issued by the Department of Environmental Regulation.

B. Testing Air pollution emissions shall be tested and results reported in accordance with techniques and methods adopted by the Florida Department of Environmental Regulation and submitted to the State. These tests shall be carried out under the supervision of the State and at the expense of the person responsible for the source of pollution.

C. Air Pollution Creating Land Uses No zoning, special exceptions, or conditional use permits may be issued with respect to any development or project until all applicable permits (see subsection A. Standards) have been received to certify the development or project in compliance with applicable air pollution laws.

Sec. 9.03.00 ODOR

A. No use in any district may generate any odor that reaches the odor standard threshold at the lot line or outside boundary of the enterprise or source of the odor.

Sec. 9.04.00 SMOKE

A. Determination of visual density The Ringlemann Chart, published by the U.S. Department of Interior, Bureau of Mines Information circular 8333, May 1967, is the standard measure for determining the equivalent opacity of smoke. All measurements shall be taken at the point of omission of the smoke.

B. Standard Any land use will be in violation of this ordinance emitting from a vent, stack, chimney, or combustion process any smoke that exceeds a density or equivalent capacity of Ringlemann No. 2, except that such emission does not exceed a density or equivalent capacity of Ringlemann No. 3 for a duration of not more than four minutes during any eight hour period.

C. Responsible Party No land use other than residencies may emit any smoke that is visible to the normal vision individual from a vent, stack, chimney or combustion process. In such event, the generator will be liable for the cost of measurement as stipulated in subsection A and B.

Sec. 9.05.00 ELECTROMAGNETIC INTERFERENCE AND RADIATION

Sec. 9.05.01 Electromagnetic Interference In all districts, no use, activity, or process shall be conducted which produces electric and/or magnetic fields which adversely affect public health, safety, and welfare including but not limited to interference with normal radio, telephone, or television reception from off the premises where the activity is conducted.

Sec. 9.05.02 Electromagnetic Radiations No power lines in excess of 25 KV will be constructed on or above residential land uses in the city. Conversely residential land uses will not be allowed below 300 KV power lines within the town.