

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:
64B16-27.820 Patient Counseling
PURPOSE AND EFFECT: The Board proposes the rule amendment to update language regarding patient counseling from pharmacists.
SUBJECT AREA TO BE ADDRESSED: Patient Counseling.
RULEMAKING AUTHORITY: 465.022, 465.0155 FS.
LAW IMPLEMENTED: 465.0155 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NOS.: RULE TITLES:
64B19-11.010 Limited Licensure
64B19-11.011 Provisional License; Supervision of Provisional Licensees
64B19-11.012 Application Forms
PURPOSE AND EFFECT: The Board proposes the development to consider changes to applications.
SUBJECT AREA TO BE ADDRESSED: To consider changes to applications.
RULEMAKING AUTHORITY: 456.013, 456.015(1), (4), 456.025, 490.004(4), 490.005, 490.0051 FS.
LAW IMPLEMENTED: 456.013, 456.015, 456.025, 456.0635, 490.003(6), 490.005, 490.006, 490.007(1), 490.0051, 490.009 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE

PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3055.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.: RULE TITLES:
69A-51.001 Scope
69A-51.005 Definitions
69A-51.010 Codes Adopted
69A-51.015 Administration
69A-51.017 Other Provisions
69A-51.020 Certificates of Competency
69A-51.025 Certificate of Compliance
69A-51.035 Examinations
69A-51.045 Scope
69A-51.050 Inspection Requirements
69A-51.060 Requirements for New Installations
69A-51.065 Requirements for Existing Installations
69A-51.075 Repairs
69A-51.080 Condemned Boilers
69A-51.085 Accidents
PURPOSE AND EFFECT: Section 554.103, F.S., requires the Department to adopt by rule a State Boiler Code for the safe construction, installation, inspection, maintenance and repair of boilers in this state. The proposed amendments will update the rules to incorporate legislative changes made by Chapter 2017-175, Laws of Florida, and to update existing forms and incorporate several new forms by reference. The State Boiler Code will be updated to incorporate the 2017 edition of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code by reference; incorporate the 2015 edition of the ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers, by reference; incorporate the 2017 edition of the National Board Inspection Code by reference; and incorporate the 2016 edition of the ASME B31.1, Power Piping, by reference.
SUBJECT AREA TO BE ADDRESSED: Update of the State Boiler Code.
RULEMAKING AUTHORITY: 554.103, 554.104, 554.108 FS.
LAW IMPLEMENTED: 554.1021, 554.103, 554.104, 554.105, 554.106, 554.107, 554.108, 554.1081, 554.1101, 554.114, 554.115 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: Wednesday, May 23, 2018, 10:00 a.m.

PLACE: The Fire College Auditorium, Florida State Fire College, 11655 NW Gainesville Road, Ocala, FL 34482

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: John Norman, telephone: (561)640-6752, email: John.Norman@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Norman, Acting Chief Boiler Inspector, address: 400 N. Congress Ave, Suite 230, West Palm Beach, FL 33401, telephone: (561)640-6752, email: John.Norman@myfloridacfo.com. A copy of the proposed rule amendments is also available at: <http://www.myfloridacfo.com/Division/GeneralCounsel/RuleWorkshopMeetings/default.asp>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:
 69O-238.001 Application and Renewal
 69O-238.002 Change in Information

PURPOSE AND EFFECT: The Office of Insurance Regulation is developing new rules to implement Ch. 2018-91, Laws of Florida, signed into law on March 23, 2018. The legislation requires the Financial Services Commission to implement some of its provisions by rule.

SUBJECT AREA TO BE ADDRESSED: Pharmacy Benefit Manager.

RULEMAKING AUTHORITY: 624.490(2), 624.490(6), FS.
 LAW IMPLEMENTED: 624.490, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, May 11, 2018, 9:00 a.m.
 PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

To join by telephone, call (850)413-1558 and enter conference ID #: 343583.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Christopher Struk, Office of Insurance Regulation, E-mail: Christopher.Struk@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christopher Struk, Office of Insurance Regulation, E-mail: Christopher.Struk@flor.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
 40D-8.041 Minimum Flows

PURPOSE AND EFFECT: The purpose of this rulemaking is to establish minimum flows pursuant to Section 373.042, F.S., for the Pithlachascotee River in Pasco County. The effect of the rule is to support the District’s water supply planning, water use permitting, and environmental resource permitting programs.

SUMMARY: Section 373.042, F.S., requires the District to establish minimum flows and levels for water bodies located within the District’s boundaries. This rulemaking is necessary to establish a rule setting the minimum flows for the Pithlachascotee River in Pasco County. The establishment and periodic evaluation of minimum flows is required by statute to ensure that the minimum hydrologic requirements of the water resources and ecology of this system is maintained. The minimum flows for the Pithlachascotee River are being developed using previously peer-reviewed, Governing Board adopted methods.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: The District conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, of the revisions will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S. The revised minimum levels for this spring run is unlikely to constitute an additional significant regulatory constraint on groundwater or surface water withdrawals in the area due to existing resource conditions and regulatory constraints in the basin.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Doug Leeper, MFL Program Lead, 2379 Broad Street, Brooksville, FL 34604, doug.leeper@watermatters.org, (352)796-7211 or 1(800)423-1476 (FL Only) ext. 4272. 2017066-4

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.041 Minimum Flows

(1) through (19) No change.

(20) Minimum Flows for the Lower Pithlachascotee River.

(a) For purposes of this rule, the Lower Pithlachascotee River in Pasco County, FL includes the watercourse from the bridge across the river at Rowan Road (Pasco County Road 77) to the Gulf of Mexico, and tributaries to the watercourse segment.

(b) Minimum Flows for the Lower Pithlachascotee River are based on the adjusted flow at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL Gage (“Gage No. 02310300”) and are set forth in Table 8-25. Adjusted flow is defined as flow that would exist in the absence of withdrawal impacts. There are two flow-based Minimum Flows that were developed using average four-day flows at Gage No. 02310300 adjusted for withdrawals, with a long-term average of 27 cubic feet per second (“cfs”) for the period of record from June 22, 1989 through December 31, 2000. The total reduction in flow from the adjusted flow shall not exceed twenty-five percent of the previous four day’s average adjusted flow when the previous four-day’s adjusted flow is less than or equal to a Minimum High Flow Threshold of

60 cfs at Gage No. 02310300, and shall not exceed thirty-five percent of the previous four day’s average adjusted flow when the previous four-day’s adjusted flow exceeds a Minimum High Flow Threshold of 60 cfs at Gage No. 02310300.

<u>Table 8-25 Minimum Flows for the Lower Pithlachascotee River at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL gage (No. 02310300)</u>			
<u>Period</u>	<u>Effective Dates</u>	<u>Where the Adjusted Average Flow for the Preceding Four Days Equals:</u>	<u>Minimum Flow Is:</u>
<u>Annually</u>	<u>January 1 to December 31</u>	<u>≤60 cfs</u>	<u>Previous four day’s average adjusted flow minus 25%</u>
<u>Annually</u>	<u>January 1 to December 31</u>	<u>>60 cfs</u>	<u>Previous four day’s average adjusted flow minus 35%</u>

(c) Status assessments of the Minimum Flows for the Lower Pithlachascotee River will be completed to determine whether the long-term, four-day average flow is below or projected to fall below the criterion adopted in this rule. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this rule subsection. As part of each status assessment, the District will use the following approach:

1. The District will evaluate flows in the Lower Pithlachascotee River annually to: determine the extent to which the long-term average of four-day average flows in the Lower Pithlachascotee River has been reduced due to withdrawals for the period of record from June 22, 1989 to the date of each status assessment at Gage No. 02310300.

2. The District will also evaluate flows in the Lower Pithlachascotee River every five years as part of the regional water supply planning process.

3. If the Minimum Flows are being met based on the long-term average of the four-day average flows at Gage No. 02310300, then no further actions are required beyond continued monitoring.

4. If the long-term average of the four-day average flows at Gage No. 02310300 is below the Minimum Flows, or if the long-term average of the four-day average flows is projected to fall below the Minimum Flows within 20 years based on the

evaluation performed as part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts to flow in the Lower Pithlachascotee River.

5. Based on the causation analysis, the District will re-evaluate the Minimum Flows for the Lower Pithlachascotee River, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

(21) Minimum Flows for the Upper Pithlachascotee River.

(a) For purposes of this rule, the Upper Pithlachascotee River in Pasco County, FL includes the watercourse from the outlet of Crews Lake to the bridge across the river at Rowan Road (Pasco County Road 77), and tributaries to the watercourse segment.

(b) Minimum Flows for the Upper Pithlachascotee River are based on the adjusted flow at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL Gage (“Gage No. 02310300”) and are set forth in Table 8-26. Adjusted flow is defined as flow that would exist in the absence of withdrawal impacts. There are three seasonally dependent, i.e., block-specific, Minimum Flows that were developed based on daily average flows at Gage No. 02310300 adjusted for withdrawals, with a long-term average of 27 cubic feet per second (“cfs”) for the period of record from June 19, 1989 through December 31, 2000. In addition, the Minimum Flows are flow-based. The Minimum Low Flow Threshold is applied continuously regardless of season. No surface water withdrawal will be permitted that would cumulatively cause the adjusted flow to be reduced below the Minimum Low Flow Threshold of 11 cfs. Additionally, permitted surface withdrawals shall cease when flows are below the Minimum Low Flow Threshold of 11 cfs. In addition, the total reduction in flow from the adjusted flow on any given day from June 24 through October 16 shall not exceed sixteen percent of the previous day’s adjusted flow when the adjusted flow is less than a Minimum High Flow Threshold of 50 cfs at Gage No. 023103300 and shall not exceed nine percent of the previous day’s adjusted flow when the adjusted flow equals or exceeds a Minimum High Flow Threshold of 50 cfs at Gage No. 02310300.

		Previous Day Equals:	
Annually	January 1 to December 31	≤11 cfs >11 cfs and <50 cfs ≥ 50 cfs	Actual flow Seasonally dependent – see Blocks below Seasonally dependent – see Blocks below
Block 1	April 25 through June 23	≤11 cfs >11 cfs	Actual flow Previous _____ day’s adjusted flow minus 18% but not less than 11 cfs
Block 2	October 17 through April 24	≤11 cfs >11 cfs	Actual flow Previous _____ day’s adjusted flow minus 17% but not less than 11 cfs
Block 3	June 24 through October 16	≤11 cfs >11 cfs and <50 cfs >50 cfs	Actual flow Previous _____ day’s adjusted flow minus 16% but not less than 11 cfs Previous _____ day’s adjusted flow minus 9% but not less than 11 cfs

(c) Status assessments of the Minimum Flows for the Upper Pithlachascotee River will be completed to determine whether the long-term, daily average flow and the daily average flows are below or projected to fall below the criteria adopted in this rule. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this rule. As part of each status assessment, the District will use the following approach:

1. The District will evaluate flows in the Upper Pithlachascotee River annually to: determine the extent to which the long-term average of the daily average flows of the Upper Pithlachascotee River has been reduced due to withdrawals for the period of record from June 19, 1989 to the date of each status assessment at Gage No. 02310300; and to determine whether daily average flows at Gage No. 02310300 have been reduced below 11 cfs due to surface water withdrawals.

2. The District will also evaluate flows in the Upper Pithlachascotee River every five years as part of the regional water supply planning process.

Table 8-26 Minimum Flows for the Upper Pithlachascotee River at the U.S. Geological Survey Pithlachascotee River near New Port Richey, FL Gage (No. 02310300)

Period	Effective Dates	Where the Adjusted Flow on the	Minimum Flow Is:
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3. If the Minimum Flows are being met based on the long-term average of the daily average flows at Gage No. 02310300, and based on the determination that surface water withdrawals have not reduced daily average flows at Gage No. 0230300 below 11 cfs, then no further actions are required beyond continued monitoring.

4. If the long-term daily average flow at Gage No. 02310300 is below the Minimum Flows or if the long-term daily average flow is projected to fall below the Minimum Flows within 20 years based on the evaluation performed as part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts to flow in the Upper Pithlachascotee River.

5. Based on the causation analysis or the determination that surface water withdrawals have reduced daily average flows at Gage No. 02310300 below 11 cfs, the District will re-evaluate the Minimum Flows for the Upper Pithlachascotee River, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421 FS. History—New 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07, 2-18-08, 3-2-08, 5-12-08, 5-10-09, 3-23-10, 3-28-10, 7-12-10, 8-2-10 (8), 8-2-10 (15), 10-16-12, 3-20-13(16), 3-20-13(17), 6-20-16, 3-15-18, ___.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Southwest Florida Water Management District

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 27, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 13, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-31.003
RULE TITLE: Renewal of Active and Inactive License Fee for CPA

PURPOSE AND EFFECT: The Board proposes the rule amendment to create a \$10.00 reduction in the Active and Inactive Renewal License Fee for CPAs for 2018 and 2019 renewal periods.

SUMMARY: A \$10.00 reduction in the Active and Inactive Renewal License Fee for CPAs for 2018 and 2019 renewal periods will be created.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 473.3125, 473.304 FS.

LAW IMPLEMENTED: 473.3125(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-31.003 Renewal of Active and Inactive License Fee for CPA.

For individual active and inactive status licenses, the biennial renewal fee provided for in Section 473.305, F.S., shall be \$100.00, with the exception that for the 2018 and 2019 ~~2013-2014~~ renewal periods, the fee shall be \$90.00 ~~\$80.00~~. A special fee of \$5.00 per licensee shall be imposed upon initial licensure and at each renewal to fund efforts to combat unlicensed activity.

Rulemaking Authority 455.219(1), 455.2281, 455.271, 473.305, 473.311, 473.313 FS. Law Implemented 455.219(1), 455.271, 473.305, 473.311, 473.313 FS. History—New 1-7-13, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: April 9, 2018

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Accountancy

RULE NO.: 61H1-36.004
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and penalties.

SUMMARY: Language regarding violations and penalties will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.2273, 473.304 FS.

LAW IMPLEMENTED: 455.277, 455.2273, 473.323 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-36.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1)(a) through (b) No change.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) through (d) No change.		
(e) Fraudulent, false, deceptive or misleading advertising (Section 473.323(1)(f), F.S.) (Rule 61H1-24.001, F.A.C.)	\$250 fine	<u>\$1,000 fine</u>
(f) Incompetence (mental or physical impairment) (Section 473.323(1)(g), F.S.) (Rule 61H1-36.001(3), F.A.C.))	Suspension until ability to practice proved, followed by probation	
(g) No change.		
(h) Negligence or misconduct (<u>Section 473.323(1)(g), F.S.)</u>	\$250 fine	Reprimand and one (1) year probation (continuing Education and review of practice at licensee's expense and limited area of practice) and <u>\$5,000 fine</u>
1. Technical standards and professional competence (Sections 455.227(1)(o), 473.315, F.S.) (Rule 61H1-21.006 and	<u>Reprimand, probation, and \$500 fine</u>	<u>Suspension and \$5,000 fine</u>

Chapter 61H1-22, F.A.C.)		
2. Lack of independence (Sections 473.315, 473.319, 473.3205, F.S.) (Rule 61H1-21.001, F.A.C.)	Reprimand, one (1) year probation with review of practice and continuing education	Revocation and \$5,000 fine Reprimand, one (1) year suspension, two (2) years probation and review of practice and continuing education
3. Commissions and contingent fees (Rules 61H1-21.001, 61H1-21.003, 61H1-21.005, F.A.C.)	Reprimand	One (1) year suspension, two (2) years probation and \$2,500 \$5,000 fine
4. Client records disposition (Rule 61H1-23.002, F.A.C.)	\$250 fine	Suspension until records are returned and <u>\$1,000 fine</u>
(i) through (o) No change.		
(p) Violation of client Confidentiality (Section 473.323(1)(a) or 455.227(1)(q), F.S., by Rule 61H1-23.001, F.A.C.)	Reprimand, probation, and \$1,000 fine	Revocation Suspension and \$5,000 fine
(q) Misleading or deceptive name (Section 473.323(1)(a) by Section 473.321, F.S.)	Reprimand, probation, and \$1,000 fine	Suspension and \$1,000 5,000 fine
(r) Violation of Section 473.323(1)(a)		

by Section 473.322, F.S.:		
1. Present license of another as one's own (Section 473.322(1)(d), F.S.)	Reprimand, probation, and \$1,000 fine	Revocation Suspension and \$5,000 fine
2. Give false or forged evidence to Board or member thereof (Section 473.322(1)(e), F.S.)	Reprimand, probation, and \$1,000 fine	Revocation and \$5,000 fine
3. Use or attempt to use license that has been suspended, revoked, or placed on inactive or delinquent status (Section 473.322(1)(f), F.S.)	Reprimand, probation, and \$1,000 fine	Revocation and \$5,000 fine
4. Employ unlicensed persons to practice public accounting; aiding or assisting unlicensed practice public accounting (Section 473.322(1)(g), F.S.)	Reprimand, probation, and \$1,000 fine	Suspension and \$5,000 fine
5. Conceal information relative to violations of Chapter 473, F.S.	Reprimand, probation, and \$1,000 fine	Revocation Suspension and \$5,000 fine

(Section 473.322(1)(h), F.S.)		
(s) through (u) No change.		
(v) Standards for assembly of financial statements (violation of Sections 455.227(1)(q) and 473.323(1)(h), F.S., by Rule 61H1-20.0053, F.A.C.)	Reprimand, probation, and \$1,000 fine	Suspension and \$5,000 fine
(v)(w) No change.		
(w)(x) Minimum capital (violation of Sections 455.227(1)(q) and 473.323(1)(h), F.S., by Rule 61H1-26.002, F.A.C.)	Reprimand, probation, \$1,000 fine and corrective action. Must document required capital	Suspension and \$1,000 5,000 fine
(x)(y) Licensure of firm names and changes (violation of Sections 455.227(1)(q) and 473.323(1)(h), F.S., by Rules 61H1-26.003 and 61H1-26.004, F.A.C.)	Reprimand, probation, \$100/month fine and corrective action. Must document licensure	Suspension and \$1,000 5,000 fine
(y)(z) No change.		

(z)(aa) No change.		
(aa)(bb) Failure to obtain continuing professional education hours (Section 473.312, F.S., Rule 61H1-33.003, F.A.C.)		
First Offense		
NUMBER OF HOURS LACKING		
1 to 16 hours	\$500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, within 90 days of final order, must submit proof of compliance for next two renewal periods	\$1,000 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, within 90 days of final order, must submit proof of compliance for next two renewal periods
17 to 80 hours	\$1,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	Suspension, \$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, must submit proof of compliance for next two renewal periods

Second Offense		
NUMBER OF HOURS LACKING		
1 to 16 hours	\$1,000 500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	\$2,000 1,000 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, suspension until all hours are completed, must submit proof of compliance for next two renewal periods
17 to 80 hours	\$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	Suspension, \$5,000 2,500 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, must submit proof of compliance for next two renewal periods
(bb)(ee) Failure to enroll in peer review program when required (Sections 473.323(1)(a) and 473.3125(4), F.S.)	Suspension until enrollment and a reprimand	<u>Revocation</u> and \$5,000 2,000.00 fine
(cc)(dd) through (dd)(ee) No change.		

(3) No change.

Rulemaking Authority 455.2273, 473.304 FS. Law Implemented 455.277, 455.2273, 473.323 FS. History—New 1-7-87, Amended 9-16-87, 8-25-88, 6-18-91, 12-30-91, Formerly 21A-36.004, Amended 12-7-93, 5-23-94, 8-16-99, 1-31-05, 7-28-10, 5-6-15, 9-30-15, 2-6-17, 1-31-18, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 9, 2018

DEPARTMENT OF HEALTH
Division of Environmental Health

- RULE NOS.: RULE TITLES:
 64E-11.002 Definitions
 64E-11.003 Food Supplies
 64E-11.004 Food Protection
 64E-11.005 Personnel
 64E-11.006 Food Equipment and Utensils
 64E-11.007 Sanitary Facilities and Controls
 64E-11.008 Other Facilities and Operations
 64E-11.009 Temporary Food Service Events
 64E-11.010 Vending Machines
 64E-11.012 Manager Certification
 64E-11.013 Sanitation Certificates and Fees
 64E-11.014 Mobile Food Units
 64E-11.015 Afterschool Meal Program

PURPOSE AND EFFECT: The proposed changes will update the rules consistent with changes in section 381.0072, F.S., incorporate provisions of the 2013 Food and Drug Administration (FDA) Food Code, reduce rules, and increase clarity.

SUMMARY: The proposed changes to Chapter 64E-11 will amend the definitions, reduce the individual rules and combine them into an inclusive food hygiene standards rule, and incorporate the applicable provisions of the 2013 FDA Food Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 154.06, 381.006, 381.0072 FS.

LAW IMPLEMENTED: 154.06, 381.006, 381.0072 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: VaKesha Brown at VaKesha.Brown@flhealth.gov or at (850)245-4444.

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-11.002 Definitions.

Unless defined below, terms and phrases have the same definition provided in paragraph 1-201.10(B), Food Code, 2013 Recommendations of the United States Public Health Service, Food and Drug Administration, NTISP PB2013-110462 (“Food Code”). The Food Code is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(1) through (3) No change.

(4) Approved Source – Food originated from an establishment that is under the regulatory authority of a state or federal agency.

(5)(4) “Bars and Lounges” – A facility which possesses a consumption on premises alcoholic beverage license from the Division of Alcoholic Beverages & Tobacco; where food service is limited to:

(a) The preparation of drinks; or

(b) The service of ~~non-potentially hazardous~~ snack foods (such as, chips, popcorn and pretzels); or

(c) The service of time/temperature control for safety ~~potentially hazardous~~ foods and no preparation of time/temperature control for safety ~~potentially hazardous~~ food occurs.

(6) Catering Operation (5) “Caterer” – A food service establishment operation listed under Section 381.0072, F.S., that prepares food at one location for delivery to and individual portion service at another location.

(7)(6) “Civic” – Any organization, excluding Division of Blind Services, who offers offering food service to the public; and

(a) Possesses tax exempt status under 26 U.S.C. section 501(c)(4); or

~~(b) Is incorporated and Which has a chartered body of citizens, recognized by a municipality, whether for profit or not, that operates primarily to further the common good and general welfare of the people of the community, whether for profit or not.~~

~~(8)(7) No change.~~

(9) Community Based Residential Facility – A facility as defined in Rule 64E-12.002, of the Florida Administrative Code.

~~(8) “Comminuted” – Fish or meat products that are reduced in size and restructured or reformulated such as gefilte fish, gyros, ground beef, and sausage; and a mixture of two or more types of meat that have been reduced in size and combined, such as sausages made from two or more meats.~~

~~(9) “Corrosion resistant” – Those materials which maintain their original surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and sanitizing solutions, and other conditions of use environment.~~

~~(10) “Easily cleanable” – Surfaces that are readily accessible and of such material, finish and so fabricated that residue may be effectively removed by normal cleaning methods.~~

~~(11) “Easily movable” – Small equipment weighing 30 pounds or less; or mounted on casters, or provided with mechanical means of safely tilting for cleaning purposes; and has no utility connection, or has a utility connection that disconnects quickly, or has a flexible utility connection line of sufficient length to permit the equipment to be moved for cleaning of the area.~~

~~(12) “Employee” – Any person working in or for a food service establishment who engages in food preparation or service, who transports food or food containers, or who comes in contact with any utensil or equipment.~~

~~(13) “Equipment” – All stoves, ranges, hoods, meatblocks, tables, counters, cabinets, refrigerators, freezers, sinks, dishwashing machines, steam tables and similar items, other than utensils, used in the operation of a food service establishment.~~

(10)(14) “Extensively Remodeled” – For the purpose of this chapter, the term extensively remodeled means Sstructural changes to an existing establishment which costs in excess of 50 percent of the establishment’s assessed value, of the facility as indicated determined by the county property appraiser.

~~(11)(15) No change.~~

~~(16) “Food” – Any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use in whole, or in part, for human consumption.~~

~~(17) “Food contact surfaces” – Surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip or splash back onto surfaces normally in contact with food.~~

~~(12)(18) No change.~~

~~(13)(19) “Fraternal” – An organization primarily operating for social, intellectual, educational, charitable, benevolent, moral, fraternal, patriotic, or religious purposes for the benefit of its members, that offers food service to its members or the public at their facility; and possesses ~~possess~~ a charter.~~

~~(14) Frankfurter – As defined in 9 C.F.R. § 319.180 (01-01-1998).~~

~~(15)(20) No change.~~

~~(21) “Guest” – As it relates to churches, synagogues, or other not for profit religious organizations, an individual who is not a member of the religious organization; and~~

~~(a) Who does not regularly attend non-food service events at the religious organization; and~~

~~(b) Whose participation in a food service event is not contingent upon attending non-food service activities of the religious organization; and~~

~~(c) Who receives food service without cost or donation, excluding bake sales that are limited to non-potentially hazardous baked goods.~~

~~(d) This term does not include patrons of a soup kitchen or similar operation.~~

~~(22) “HACCP Plan” – A written document that delineates the formal procedures for following the Hazard Analysis Critical Control Point principles developed by the National Advisory Committee on Microbiological Criteria for Foods.~~

~~(23) “Hermetically sealed container” – A container designed and intended to be secure against the entry of microorganisms to maintain the commercial sterility of its contents after processing.~~

~~(16)(24) “Highly Susceptible Population” – A group of persons who are more likely than other populations to experience foodborne disease because they are immunocompromised, or older adults institutionalized older adults, or preschool age children in custodial care, or elementary school age children.~~

~~(17)(25) “Hot Water” – A minimum For the purposes of this chapter, hot water means a water temperature of 100 degrees Fahrenheit or above.~~

~~(18)(26) No change.~~

~~(27) “Institution” – A place that provides food service as that term is defined in Section 381.0072, F.S., established and operated to provide: care for persons who are destitute, disabled, mentally ill, or incarceration of prisoners and inmates; medical care or treatment; or education. Examples of such places include state mental health facilities, substance~~

~~abuse treatment facilities, jails or prisons, hospitals, schools, colleges and universities.~~

~~(28) “Kitchenware” – All multi-use utensils other than tableware.~~

~~(19)(29) “Limited Food Service Operation establishment” – Any establishment with a food service operation, so limited by the type and quantity of foods prepared and the equipment utilized, that it poses a lesser degree of risk to the public’s health, and, for the purpose of fees, requires less time to monitor. The term includes small seasonally operated concessions stands at schools, regardless of the level of food preparation, provided the concession stand is only operated in conjunction with sporting events, festivals, or similar activities, as well as satellite kitchens that dispense catered meals and similar facilities.~~

~~(30) through (32) renumbered (20) through (22) No change.~~

~~(33) “Other Food Service” – Any food service establishment located at or operated by a church, synagogue, or other not for profit religious organization that advertises food or drink for public consumption, an adult day care center, or a prescribed pediatric extended care center. The term also includes any other food service operation that has not been defined elsewhere in this chapter, but is located on the premises of an establishment regulated by the department under Section 381.0072, F.S. Examples include restaurants, delicatessens, establishments that primarily prepare and serve nonalcoholic beverages such as coffee and smoothies, and retail food stores that provide food service, but which are not licensed under Chapter 500 or 509, F.S.~~

~~(23)(34) “Perishable Food” – Any food of such type or in such condition as may spoil. Food contained provided, that foods which are in hermetically sealed containers processed by heat or other means to prevent spoilage and properly packaged, dehydrated, dried dry or powdered foods so low in moisture content as to retard development of microorganisms are shall not be considered readily perishable.~~

~~(24)(35) No change.~~

~~(36) “Potentially hazardous food” – Any perishable food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form:~~

~~(a) Capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms; or~~

~~(b) Capable of supporting the slower growth of Clostridium botulinum.~~

~~(c) The term “potentially hazardous food” does not include foods which have a pH level of 4.6 or below or a water activity (Aw) value of 0.85 or less, or air-cooled hard-boiled eggs with the shell intact.~~

~~(25)(37)~~ “Premises” – The physical food service establishment and the contiguous land or property under the control of the manager, operator or owner of the establishment.

~~(26)(38)~~ No change.

~~(39)~~ “Ready to eat food” – Food that is in a form that is edible without washing, cooking, or additional preparation by the establishment or the consumer and that is reasonably expected to be consumed in that form. This includes:

~~(a)~~ Unpackaged potentially hazardous food that is cooked to the temperature and time required for the specific food under Rule 64E-11.004, F.A.C.;

~~(b)~~ Raw, washed, cut fruits and vegetables;

~~(c)~~ Whole, raw, fruits and vegetables that are presented for consumption without the need for further washing, such as at a buffet; and

~~(d)~~ Other food presented for consumption for which further washing or cooking is not required and from which rinds, peels, husks, or shells are removed.

~~(27)(40)~~ No change.

~~(41)~~ “Residential Facility” – A food service establishment located at a community based residential facility as defined in Chapter 64E-12, F.A.C. For the purpose of issuing sanitation certificates and charging fees, this term does not apply to establishments that are residential in nature, but which are already specifically categorized in Section 381.0072, F.S., or this rule, such as hospitals, nursing homes, and detention facilities; nor does the term apply to public lodging establishments licensed under Chapter 509, F.S.

~~(28)(42)~~ No change.

~~(29)~~ Safe Temperature – 135 degrees Fahrenheit or above or 41 degrees Fahrenheit or below.

~~(43)~~ “Safe materials” – Articles manufactured from or composed of materials that may not be expected to result. See possible conflict with “safe temperature” in 64E-11.003(2)(b) on next page.

~~directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any food.~~

~~(44)~~ “Sanitize” – The effective treatment of clean surfaces of equipment and utensils by an approved process which provides enough accumulative heat or concentration of chemicals for enough time that when evaluated for efficacy, yields a reduction of 5 logs, which is equal to a 99.999% reduction of representative disease microorganisms of public health importance.

~~(30)(45)~~ “Snack” – A commercially pre-packaged, non-time/temperature control for safety non-potentially hazardous ready-to-eat-food item that is wrapped for individual consumption.

~~(46)~~ “Sealed” – Free of cracks or other junctures or openings which permit the entry or passage of moisture.

~~(47)~~ “Single service articles” – Any cups, containers, closures, plates, straws, place mats, napkins, doilies, spoons, stirrers, paddles, knives, forks, wrapping materials and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic or other readily destructible materials, and which are intended by the manufacturers to be for one time, one person use, then to be discarded.

~~(48)~~ “Tableware” – Multi use eating and drinking utensils.

~~(31)(49)~~ No change.

~~(32)(50)~~ “Theater” – A facility that shows motion pictures and offers food, such as popcorn, hot dogs, soft drinks, nachos and cheese, and pre-packaged snack items, for consumption by that is customarily served to the admittees of such theaters, such as popcorn, hot dogs, soft drinks, nachos and cheese, and pre-packaged snack items.

~~(51)~~ “Utensils” – Implements such as pots, pans, ladles or food containers used in the preparation, storage, transportation or serving of food.

~~(52)~~ “Vending machine” – Any self service device which, upon insertion of coin or token, or by any other means, dispenses unit servings of food or beverage, either in bulk or in package, without the necessity of replenishing the device between each operation.

~~(33)(53)~~ No change.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.22, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.009, Amended 6-1-93, 11-30-93, 8-28-96, Formerly 10D-13.022, Amended 3-15-98, 7-14-03, 4-1-09, _____.

64E-11.003 Food Hygiene Standards.

(1) Food Supplies – Except as specifically provided in this subsection, the standards for food supplies are governed by Part 3-2 of the Food Code, as incorporated by reference in Rule 64E-11.002, F.A.C.

(a) Food received or used in food service establishments must shall be from sources approved or considered satisfactory by the department and must shall be clean, wholesome, free from spoilage, adulteration and misbranding, and safe for human consumption. Food must It shall have been prepared, processed, handled, packaged, transported and stored in a sanitary manner so as to be protected from contamination and spoilage.

~~(2)~~ Milk and milk products, including fluid milk, other fluid dairy products and manufactured milk products shall meet the standards of quality established for such products by applicable state laws and rules. Only pasteurized milk and milk products shall be used or served. Reconstituted dry milk and dry milk products may be used for cooking, baking, or

~~fortification purposes. Non dairy creaming, whitening or whipping agents may be reconstituted on the premises.~~

~~(3) Frozen desserts and frozen dessert mixes shall not exceed a standard plate count of 50,000 per gram nor a coliform count of 10 per gram. The standard plate count does not apply to cultured products. Frozen dessert mixes reconstituted for use in a food establishment shall be pasteurized before use.~~

~~(4) Shellfish, including oysters, clams, and mussels, shall be obtained from food establishments that are licensed under a Federal or State Food Regulatory Program. The shipper's name shall be on the current list of state certified shippers issued by the U.S. Food and Drug Administration. Shell stock containers shall be identified with an official attached tag giving the name and certificate number of the original shell stock shipper. Shucked oysters, clams or mussels shall be packed in non returnable containers identified with the name and address of the packer or repacker, preceded by the abbreviated name of the state. Shucked shellfish shall be kept in the original container until used. Records shall be maintained by the food establishment that show the names and addresses of all persons from whom shellfish are received, date of receipt and quantity. Such records shall be open to inspection by the department and shall be maintained on site for a period of not less than 90 days after purchase.~~

~~(b)(5) No change.~~

~~(6) Only clean eggs with shells intact and without cracks or checks, pasteurized liquid, frozen or dry eggs or pasteurized dry egg products shall be used in the establishment; except that hard boiled, peeled eggs, commercially prepared and packaged may be used. Pasteurized liquid, frozen, or dry eggs or egg products shall be substituted for shell eggs in the preparation of:~~

~~(a) Recipes calling for uncooked eggs, such as Caesar salad, hollandaise or bernaise sauce, noncommercial mayonnaise, eggnog, ice cream, and egg fortified beverages; and~~

~~(b) Eggs for a highly susceptible population if the eggs are broken, combined in a container, and not cooked immediately or if the eggs are held before service following cooking.~~

~~(7) All packaged foods, including those packaged in hermetically sealed containers, shall have been processed and packaged in approved commercial food processing establishments.~~

~~(8) Food containers and packaged foods received and stored at food service establishments shall be in a condition which maintains the safety and integrity of the contents.~~

~~(c)(9) No change.~~

~~(2) Food Protection – Except as specifically provided in this subsection, the standards for food protection are governed~~

by Parts 3-3 through 3-8 of the Food Code, as incorporated by reference in Rule 64E-11.002

(a) Food while being transported, stored, prepared, displayed, served or sold at a food service establishment must be protected from dust, flies, rodents or other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other sources of contamination.

(b) In the event of an emergency occurrence such as a fire, flood, power outage or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at a safe temperature, the person in charge must immediately notify the department.

(3) Personnel – Except as specifically provided in this subsection, the standards for personnel are governed by Parts 2-2 through 2-5 and Part 3-8 of the Food Code, as incorporated by reference in Rule 64E-11.002

(a) No person while affected with any disease in a communicable form or while a carrier of such disease or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, can work in any area of a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms, or transmitting disease to other individuals, and no person known or suspected of being affected with any such disease or condition can be employed in such an area or capacity. If the management of the food service establishment has reason to suspect that an employee has contracted any disease in a communicable form or has become a carrier of such disease that can be transmitted by normal food service operation, the department must be notified immediately. Both management and employee are responsible for compliance with the requirements of this section.

(b) Infants and children under 14 years of age are not permitted in food preparation areas. Only authorized individuals, necessary for the operation of the food service establishment, or as part of an organized educational event, are allowed in the food preparation or utensil washing areas.

(4) Food Equipment and Utensils – Except as specifically provided in this subsection, the standards for food equipment and utensils are governed by Chapter 4 of the Food Code, as incorporated by reference in Rule 64E-11.002.

(a) Every food service establishment must have equipment and utensils so designed, constructed, located, installed, maintained and operated as to permit full compliance with the provisions of this chapter. Only equipment necessary for the proper operation of the activities of the food service establishment is required.

(b) Equipment that is certified or classified for sanitation in accordance with American National Standards Institute/National Sanitation Foundation (ANSI/NSF)

standards (Standard 2, July 1, 2002; Standard 3, July 1, 2001; Standard 4, April 26, 2002; Standard 6, December 6, 2002; Standard 7, April 1, 2001; Standard 8, December 26, 2002; Standard 12, November 1, 1992; Standard 13, August 1, 2001; Standard 18, August 29, 1996; Standard 20, July 1, 2000; Standard 25, December 26, 2002; Standard 29, November 1, 1990; Standard 36, January 1, 2002; Standard 37, April 26, 2002; Standard 51, June 14, 2002; and Standard 59, December 26, 2002) by an ANSI accredited program, are considered to be in compliance with Parts 4-1 and 4-2 of the Food Code.

(5) Sanitary Facilities and Controls – except as specifically provided in this subsection, the standards for sanitary facilities and controls are governed by Chapter 5 of the Food Code, as incorporated by reference in Rule 64E-11.002.

(a) Water Supply – The water supply must be adequate, of safe sanitary quality and from an approved source in accordance with provisions of Chapters 62-550 and 62-555, F.A.C., or Chapter 64E-8, F.A.C. Hot and cold running water under pressure must be provided in all areas where food is prepared and where equipment and multi-use utensils are washed.

(b) Sewage Disposal – Sewage must be disposed of in a public sewerage system or other approved sewerage system in accordance with provisions of Chapter 64E-6 or Chapter 62-600, F.A.C., whichever is applicable. Grease interceptors must be readily accessible for cleaning. Grease interceptors must be designed and installed in accordance with provisions of Chapter 64E-6, F.A.C., or the applicable plumbing authority.

(c) Plumbing – Plumbing must be sized, installed, and maintained in accordance with provisions of the applicable plumbing authority. The plumbing must provide adequate quantities of potable water to required locations throughout the establishment; prevent contamination of the water supply; properly convey sewage and liquid wastes from the establishment to the sewerage system; and must not constitute a source of contamination of food, equipment or utensils or create an unsanitary condition or nuisance. An indirect waste connection is required between the sewerage system and any drains originating from equipment in which food, portable equipment, or utensils are placed.

(d) Handwashing Facilities – Laboratories must be located in or immediately adjacent to all toilet rooms. At least one employee handwashing facility must be located within each food preparation area, within 20 feet of the duty station, visible and accessible through an unobstructed area.

1. For school concession stands existing and operating prior to January 2010, an employee handwashing facility is not required in an outdoor cooking area, provided that the outdoor cooking area is adjacent to a concession stand building that meets the employee handwashing facility requirements.

2. Where only prepackaged food items are served and workers do not open prepackaged items or otherwise come into contact with exposed food, a handwashing sink must be within 100 feet and on the same floor where food items are distributed.

(e) Garbage and Rubbish Disposal – All garbage and rubbish must be removed from the food establishment premises with sufficient frequency to prevent nuisance conditions and must be disposed of in accordance with provisions of Chapter 62-701, F.A.C.

(f) Vermin Control – Insecticides or pesticides, when used, must be used in full compliance with Chapter 5E-14, F.A.C.

(6) Other Facilities and Operations – Except as specifically provided in this subsection, the standards for other facilities and operations are governed by Chapters 6-7 of the Food Code, as incorporated by reference in Rule 64E-11.002.

(a) Ventilation – All rooms in which food is stored, prepared or served, utensils are washed, toilet, dressing and locker rooms and garbage storage areas must be well ventilated. Filters, where used, must be readily removable for cleaning unless designed to be cleaned in place. Ventilation systems must comply with applicable fire prevention requirements and must discharge in such a manner as not to create a nuisance. Intake and exhaust air ducts must be maintained to prevent the entrance of dust, dirt, and other contaminating materials.

(b) At least one utility sink or curbed cleaning facility with a floor drain must be provided and used for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water or similar liquid wastes. The use of lavatories, utensil washing or equipment washing, or food preparation sinks for this purpose is prohibited.

1. Each utility sink or curbed cleaning facility must be supplied with hot and cold water under pressure.

2. School concession stands that operate only in conjunction with sporting events, festivals, or similar activities are exempt from this requirement when a self-contained mopping apparatus is used in accordance with the manufacturer's instructions and is available for use at all times and

a. The school concession stand was existing and operating prior to January 1, 2010, or

b. The school concession stand was constructed and operating on or after January 1, 2010, and the food operation is restricted to the service of prepackaged food items.

(c) Live Birds and Animals – No live birds or animals, excluding crustacea, shellfish, and fish in aquariums, are allowed in a food service establishment, in vehicles used for transporting food, or in any other area or facility used to conduct food service operations, except as provided under

section 413.08, F.S. Live birds may be present in food service areas where adequate engineering controls of the ventilation system will prevent contamination of the facility, employees, or consumers.

(7) Temporary Food Service Events – Food service operations at temporary food service events must comply with all applicable sanitary requirements of this rule, unless otherwise exempted in this subsection.

(a) Notification – Temporary food service event sponsors or vendors must complete form DH8004-DCHP-02/2018, Temporary Food Service Event Application, 02/18, which is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(b) Facilities – Specific requirements for the physical facility where the food service operation is to be conducted are based on the type food that is to be prepared or served, the length of the event, and the amount of food preparation that is to be conducted at the temporary facility.

1. If the food service operation is intended for the sale of only packaged, non-time/temperature control for safety (non-TCS) food or drink, the food packages must be protected from dust, dirt, and other sources of contamination during storage and serving.

2. Overhead protection must be provided at all food service operations when food is prepared or portioned on premises.

3. When time/temperature control for safety (TCS) food is prepared at temporary food service events of more than 3 days, the physical structure where the food preparation occurs must be protected from the entrance of flying insects and other vermin.

(c) All food and beverages served at temporary food service events must be from approved sources in accordance with provisions of this chapter or prepared on premises.

(d) All food served at temporary food service events must be protected in accordance with provisions of this chapter.

(e) Food and food-contact surfaces must be protected from contamination by customers and dust. Where necessary, effective shields or covers must be provided.

(f) Ice which will be consumed or which will come into contact with food must be obtained from an approved source. The ice must be held in a way that protects it from contamination until dispensed.

(g) Storage of packaged food in contact with water or undrained ice is prohibited. Beverage containers may be stored in direct contact with ice when:

a. The storage facility is equipped with adequate drains which preclude the accumulation of water during use;

b. The melt water is disposed of so as not to create a nuisance; and

c. The storage facility is kept clean.

(h) When all necessary washing and sanitizing of utensils and equipment are conducted at an approved commissary or food service establishment, a utensil washing sink is not required, provided that an adequate supply of spare preparation and serving utensils are maintained in the establishment and used to replace those that become soiled. A sanitizer solution in a bucket or spray bottle to adequately sanitize the food preparation surfaces must be available at all times.

(i) All food service operations which prepare food on premises must provide an adequate supply of potable water for cleaning and employee handwashing. An adequate supply may be provided in clean, portable containers equipped with on/off valves. Soap and single-service towels must be available for handwashing and hand drying.

(j) Equipment must be installed in such a manner that the establishment can be kept clean and the food will not become contaminated.

(k) Liquid waste which is not discharged into a sewerage system must be disposed of in a manner that will not create a public health hazard or a sanitary nuisance.

(l) Floor construction in establishments which prepare food on premises must be of durable material. Dirt or gravel subflooring can be used when graded to drain, and covered with platforms, duckboards, plastic film, wood chips, shavings, or similar suitable material such as a sufficient cover of grass or turf to control dust.

(m) Walls and ceilings, when required, must be constructed to minimize the entrance of flies and dust. Ceilings may be of wood, canvas, or other materials which protect the interior of the establishment from the elements and walls may be of such materials or of 16 mesh screening or equivalent. Doors to food preparation areas, when required, must be solid or screened and shall be self-closing. Counter service openings, for facilities with wall enclosures, must not be larger than necessary for the particular operation conducted and must be kept closed at all times, except when food is actually being served.

(n) All food service operations at temporary food service events without effective facilities for cleaning and sanitizing tableware must provide only single-service articles for use by the consumer.

(8) Vending Machines – Except as specifically provided in this subsection, the standards for vending machines are governed by Section 4-204.12 – Section 4-204.111 of the Food Code, as incorporated by reference in Rule 64E-11.002.

(a) Food Supplies – All foods, beverages, and ingredients offered for sale through vending machines offering time/temperature control for safety foods, which are located at food service establishments regulated under this Chapter, must

be from approved sources in accordance with provisions of subsection (1); must be manufactured, processed, and prepared in an approved food service establishment or food processing plant; and must be delivered to the vending machine from an approved commissary or other approved food establishment.

(b) Food Protection – All food must be protected in accordance with provisions of subsection (2). A thermometer accurate to plus or minus 3 degrees Fahrenheit must be provided to indicate the air temperature of food storage compartments used for time/temperature control for safety foods.

(c) Cleaning – All food-contact surfaces of vending machines must be thoroughly cleaned and subjected to effective bactericidal treatment at scheduled intervals, based upon the type of product being dispensed, as approved by the department in accordance with provisions of subsection (4). A record of such cleaning and sanitizing operations must be maintained in each machine and must be current for at least the past 30 days. The cavities and door edges of microwave ovens and similar equipment, used in conjunction with the beverages or food from a vending machine, must be cleaned at least once a day and must be kept free of encrusted grease deposits and other accumulated soil. Food-contact surfaces of all equipment and utensils must be protected from contamination at all times, including while being transported from the commissary to the vending location.

(d) Single-Service Containers – All single-service containers which receive food or beverage from machines dispensing products in bulk must be purchased in sanitary cartons or packages, which protect the containers from contamination; must be stored in a clean dry place in the original carton or package until introduced into the container magazine or dispenser of the vending machine; and must be handled in a sanitary manner. Single-service containers stored within the vending machine must be protected from manual contact, leakage, dust, insects, rodents and other contamination.

(e) Equipment Location – Vending machines, ovens, and other equipment associated with the use of beverages or food from a vending machine, must be located in a room, area or space which can be maintained in a clean condition and which is protected from overhead leakage from drains, piping and other sources.

1. Each machine must be so located that the space around and under the machine can be readily cleaned and so that insect and rodent harborage is not created. The immediate area must be well lighted and ventilated. The floor area upon which vending machines are placed must be of such construction as to be easily cleaned and must be kept clean and in good repair.

2. Adequate handwashing facilities, including hot and cold running water, soap and individual, single-service towels

must be located within 50 feet of machine locations where employees service bulk food machines. Handwashing facilities must be within 20 feet of machine locations where employees handle unpackaged or exposed foods.

(f) Interior Construction and Maintenance – All interior surfaces and component parts of vending machines must be so designed and constructed as to permit easy cleaning and shall be kept clean.

1. All food-contact surfaces of vending machines must be smooth, in good repair, and free of breaks, corrosion, open seams, cracks, and chipped places. The design of such surfaces must be such as to preclude routine contact between food and V-type threaded surfaces, except that in equipment where such contact is unavoidable, such as ice makers, such threads must be minimized. All joints and welds in food-contact surfaces must be smooth; and all internal angles and corners of such surfaces must be rounded to facilitate cleaning. If solder is used, it must be composed of safe materials and be corrosion resistant. All food-contact surfaces of vending machines, including containers, pipes, valves and fittings, must be constructed of non-toxic, corrosion resistant, and nonabsorbent materials and must be kept clean. All containers, valves, fittings, chutes and faucets which are in contact with food must be easily disassembled and when disassembled, all surfaces must be visible for inspection and cleaning. In machines of such a design that pipes or tubing are in contact with food but are not readily removable, in-place cleaning of such pipes and pipe fittings may be permitted; provided:

a. They are so arranged that cleaning and bactericidal solutions can be circulated throughout the fixed system;

b. Such solutions will contact all interior surfaces;

c. The system is self-draining or otherwise capable of being completely evacuated; and

d. The cleaning procedures result in thorough cleaning of the equipment.

2. The openings into all nonpressurized containers used for the storage of vendable foods and ingredients including water must be provided with covers which prevent contamination from reaching the interior of the containers. Such covers must be designed to provide a flange which overlaps the opening and must be sloped to provide drainage from the cover surface wherever the collection of condensation, moisture or splash is possible. Concave covers or cover areas are prohibited. Any port opening through the cover must be flanged upward at least three sixteenth inch and must be provided with an overlapping cover flanged downward. Condensation or drip deflecting aprons must be provided on all piping, thermometers, equipment, rotary shafts and other functional parts extending into the container, unless a watertight joint is provided. Such aprons must be considered as satisfactory covers for those openings which are in

continuous use. Gaskets, if used, must be of a material which is nontoxic, stable, and nonabsorbent and must have a smooth surface. All gasket retaining grooves must be easily cleanable.

3. The delivery tube or chute and orifice of all bulk food vending machines must be protected from normal manual contact, dust, insects, rodents and other contamination. Design must be such as to divert condensation or other moisture from the normal filling position of the container receiving the food or beverage. The vending stage of such machines must be provided with a tight fitting, self-closing door or cover which is kept closed, except when food is being removed.

4. The food storage compartment and other compartments in refrigerated vending machines which are subject to condensation or cooling water retention must be so constructed as to be self-draining or must be provided with a drain outlet which permits complete draining of the compartment. In vending machines designed to store cartoned beverages, diversion devices and retention pans or drains for leakage must be provided. All such drains, devices and retention pans must be easily cleanable.

5. Opening devices which come into contact with the food or the food-contact surface of the containers must be constructed of smooth, nontoxic, corrosion resistant and nonabsorbent materials. Unless the opening device is of a single-service type, it must be readily removable for cleaning and must be kept clean. Parts of multi-use opening devices which come into contact with the food or food-contact surface of containers must be protected from manual contact, dust, insects, rodents and other contamination and such parts must be readily removable for cleaning and must be kept clean.

(g) Delivery of Foods, Equipment, and Supplies – Food, single-service containers, and food-contact surfaces of equipment, containers, and devices must be protected from the elements, dirt, dust, insects, rodents, and other contaminants while in transit to vending machine locations. Time/temperature control for safety foods must be maintained at safe temperatures while in transit.

(h) Personnel – Individuals servicing or replenishing these machines must comply with all applicable provisions of subsection (3), Rule 64E-11.012, and Rule 64E-11.013.

Rulemaking Authority 381.006, 381.0072 FS. Law Implemented 381.006, 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Retained here and Transferred to 7C-4.010, Amended 6-1-93, 8-28-96, Formerly 10D-13.023, Amended 3-15-98, 7-14-03, Repealed.

64E-11.004 Food Protection.

Rulemaking Authority 381.0072 FS. Law Implemented 120.542, 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.24, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.011, Amended 6-1-93, 8-28-96, Formerly 10D-13.024, Amended 3-15-98, 7-14-03, Repealed.

64E-11.005 Personnel.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.25, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.012, Amended 6-1-93, Formerly 10D-13.025, Amended 3-15-98, 7-14-03, Repealed.

64E-11.006 Food Equipment and Utensils.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.26, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.013, Amended 6-1-93, 8-28-96, Formerly 10D-13.026, Amended 3-15-98, 7-14-03, Repealed.

64E-11.007 Sanitary Facilities and Controls.

Rulemaking Authority 381.006, 381.0072 FS. Law Implemented 381.006, 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.27, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.014, Formerly 10D-13.027, Amended 3-15-98, 7-14-03, Repealed.

64E-11.008 Other Facilities and Operations.

Rulemaking Authority 381.006, 381.0072 FS. Law Implemented 381.006, 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.28, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.015, Amended 8-28-96, Formerly 10D-13.028, Amended 3-15-98, Repealed.

64E-11.009 Temporary Food Service Events.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History–New 6-1-93, Formerly 10D-13.0292, Amended 3-15-98, Repealed.

64E-11.010 Vending Machines.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History–New 6-1-93, Formerly 10D-13.0331, Amended 3-15-98, Repealed.

64E-11.012 Manager Certification.

(1)(a) All managers who are responsible for the storage, preparation, display, and serving of foods to the public must shall have passed a written certification test which complies with section 509.039, Florida Statutes, within 30 days after the effective date of employment approved by the department demonstrating a basic knowledge of food protection practices. Those managers who successfully pass the certification examination will shall be issued a certificate which is valid for a period of five years from the date of issuance.

(2) All establishments must shall designate in writing the food service manager or managers for each location. Establishments that serve highly susceptible populations, or have three or more employees at one time engaged in the storage, preparation, display, or serving of food must shall have at least one certified manager present at all times when said activities are taking place. All other establishments must shall have a certified manager or managers responsible for all

periods of operation, but said manager or managers need not be present at all times.

(3) ~~It is shall be~~ the responsibility of the certified manager or person in charge to train or ensure the training of ~~managers to inform~~ all employees under their supervision and control who engage in the storage, preparation, or serving of food, or cleaning of equipment, utensils, or food contact and non-food contact surfaces, and to do so in accordance with acceptable sanitary practices as described in this chapter. The trainings must be annual and provided to employees by March 31 of each year. Employees hired after the annual training has been provided for that calendar year must receive training within 30 days of being hired. The certified manager or person in charge ~~managers must shall~~ also maintain a copy of the establishment's most recent regular food service inspection form provided by the department. Employees ~~must shall~~ present this inspection form to guests or patrons for their review upon ~~their~~ request.

(4)(b) ~~If a food service establishment, which possesses a sanitation certificate and initially met the requirements Managers employed on or after the effective date of this section, becomes noncompliant with paragraph (2) above, the food service establishment will chapter shall have a period of 30 90 days after the effective date of employment to become compliant with paragraph (2) above satisfactorily pass the required test.~~

(5) The food service employee training must inform the employee regarding basic public health food protection practices, as specified in this chapter and which relates to their assigned duties. Employees who prepare foods must be knowledgeable about safe methods of thawing, cooking, cooling, handling, holding, and storing foods. Service personnel must be knowledgeable about safe methods of food service. Employees who clean equipment and facilities must be knowledgeable about proper cleaning and sanitization methods. Employees responsible for maintaining the premises must be knowledgeable about proper insect and vermin control methods. Managers must obtain and maintain an attendance roster of all employees present during training. Both the training curriculum and attendance roster must be maintained for three years and available upon request by the department. Establishments that are not compliant with the employee training requirements and record retention of this section must schedule a training and testing with the department and pay any applicable fees. In lieu of the department providing training and testing, the establishment may schedule training and testing with an outside course provider, who in addition to providing employee-level training, is also an approved manager certification test provider. The training and testing for employees must be completed within 60 days of the violation,

or prior to the renewal of the sanitation certificate, whichever comes first.

~~(2) The test shall be designed to assess the manager's knowledge of basic public health food protection practices, including: receiving of food supplies; food storage, including dry, refrigerated and freezer storage; food protection and preparation practices including thawing of potentially hazardous food, techniques to minimize handling, recognition of critical temperatures during storage, preparation, cooking, serving, displaying and reheating; personal hygienic practices of employees during all phases of preparation and serving of food; equipment and utensil design and fabrication, installation and location as well as cleaning, sanitizing and storage; water supplies; sewage disposal; plumbing; bathroom and handwashing facilities; garbage and trash storage and disposal; insect and rodent control; general housekeeping including cleaning, maintenance, lighting and ventilation; control of toxic materials; premises sanitation and other miscellaneous activities which the manager needs to ensure are accomplished to prevent the occurrence of foodborne illness.~~

~~(3) The testing program shall demonstrate testing program compliance with one or more generally recognized measurement standards such as the Standards for Educational and Psychological Testing. Documentation of conformance shall include organization review and program evaluation by qualified psychometricians and shall demonstrate adherence in the areas of administrative independence; fairness; technical standards for test construction and evaluation including validity, reliability and errors in measurement, test development and revision, scaling, norming, score comparability and equating, and test publication; professional standards for test use including employment testing and professional and occupational certification; and related standards for testing linguistic minorities, testing people who have handicap conditions, test administration, scoring and reporting, protecting the rights of test takers and public information. Testing programs that provide documentation to the department of current accreditation by an accrediting organization as defined in the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs shall be considered as meeting the provision for testing programs of this section, provided that the Testing Program maintains its accreditation.~~

~~(4) Once approved, the testing program shall maintain and offer test(s) that comply with the current requirements of this chapter and shall notify and receive approval from the department prior to making any changes to the test. Within 120 days of receiving notification from the department that this chapter has undergone substantial changes, approved testing programs shall revise their certification test(s) to be consistent~~

~~with the applicable changes and notify the department when such revisions have been completed.~~

~~(5) A test offered for compliance with this section shall be invalid when:~~

~~(a) It has not been approved by the department; or~~

~~(b) It is a previously approved test that has been changed without department approval; or~~

~~(c) Any applicable requirement of subsection (4) of this section is not met.~~

(6) Persons ~~are shall be~~ considered certified under these rules when a written examination is a requirement for licensure by the Florida Department of Health, Division of Medical Quality Assurance Business and Professional Regulation in a dietary field and when these persons have acquired and maintained an active the currency of this license, provided that they comply with subsection (2) above. The following establishments are ~~also~~ exempt from the manager certification requirements of this section, however, the establishment must have a person in charge:

(a) Any theater, if the primary use is as a theater and patron service is limited to food items customarily served to admittees of theaters such as popcorn, hot dogs, soft drinks, nachos and cheese, and pre-packaged snack foods;

(b) Establishments listed in ~~s~~Section 381.0072, F.S., as being exempt from this certification;:-

(c) Food service establishments that limit their food service operation to non-time/temperature control for safety prepackaged food items;

(d) Culinary arts and similar food programs, which do not offer, sale, or serve food beyond the program's instructors and participants.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History—New 2-21-91, Amended 5-12-92, Retained here and Transferred to 7C-4.023, Amended 6-1-93, 8-28-96, Formerly 10D-13.037, Amended 3-15-98, 7-14-03,_____.

64E-11.013 Sanitation and Inspection Certificates and Fees.

(1) Sanitation Certificate Required.

(a) All food service establishment sanitation certificates ~~shall~~ expire on September 30. Initial sSanitation certificates issued for a period less than a calendar year will shall be prorated on a quarterly basis, in accordance with ~~s~~Section 381.0072(4), F.S.

~~(b)4-~~ Food service establishments containing multiple food operations housed in the same building, at the same location, under the same ownership and operation or concession stands operating on the premise of K-12 schools, must function according to either one of the following:

1a. Each food operation ~~must shall~~ operate under the umbrella of the sanitation certificate issued to the main food service operation, in which case the sanitation certificate must

~~shall~~ be posted in a conspicuous location at the main food service establishment, or

2b. Each food operation ~~must shall~~ be issued its own individual sanitation certificate, in which case each food service establishment must shall post their own sanitation certificate in a conspicuous location in their establishment. The owner or operator of the food service establishment must shall decide which of the sanitation certificate processes listed above, will be followed.

~~(c)2-~~ Food service establishments where multiple food operations are located in different buildings at the same location regardless of ownership must shall each be issued their own individual sanitation certificate, in which case each such food operation must shall post their own sanitation certificate in a conspicuous location in their food service operation. School concession stands under the same ownership, may elect to comply with the provisions of (b)1. regardless of location, provided that the school concession stands are located on the same premises and there are no more than four concession stand operations.

(2) Application and Renewal of Sanitation Certificates.

(a) Each person who plans to construct, purchase, reopen, or operate a food service establishment or an establishment subject to the requirements of this chapter, must shall apply for and receive a sanitation certificate from the department prior to the commencement of operation. Applications for certificates must shall be made to the department on ~~DH DOH Form 4086, Application for Sanitation Certificate, 02/18 7/98,~~ which is incorporated herein by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> which can be obtained from the environmental health section of the county health department.

(b) Applications for sanitation certificates must shall be submitted accompanied with the facility plans as described in (c) below, the annual fee and any other applicable fee that is required in subsection (3).

(c) Prior to the renovation of a food service establishment, notification must shall be provided to the department. This notification must shall include construction schedules and details of the work to be completed. Prior to the construction or extensive remodeling of a food service establishment, or the conversion of a structure for use as a food service establishment, or remodeling which includes the addition or relocation of major equipment, plans of the facility and its operation must shall be submitted to and approved by the department. Plans may be submitted by the owner, prospective operator or their designated representative. All plans must shall comply with the requirements of this chapter. Plans must shall be drawn to scale, describe the layout, construction, and general operation of the facility, equipment design and installation, the intended menu, and similar aspects of the

facility's operation that relate to the requirements of this chapter, and be accompanied by DH8003-DCHP-02/2018, Food Service Establishment Plan Review Application, 02/18, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The department shall grant or deny approval of the plans in writing pursuant to the provisions of Chapter 120, F.S. Approval or denial shall be based on whether or not the plans comply with the requirements of Section 381.0072, F.S., and the provisions of this chapter.

(d) Before a sanitation certificate is issued to a newly constructed or extensively remodeled food service establishment, an inspection must shall be made by a representative of the department for the determination of compliance with the requirements of this chapter and sSection 381.0072, F.S.

(3) Fees.

(a) Fees must shall be submitted to the department for sanitation certificates, as well as the provision of other required public health services at food service establishments. Sanitation certificates must be renewed annually and the fee will not be prorated A food service establishment which applies for an annual certificate shall pay the full fee. Fees for all other sanitation certificates, such as change of ownership, reinstatement after revocation of a sanitation certificate, or new establishments, after the first quarter will shall be prorated on a quarterly basis. Proration will shall be based on the quarter the department receives an application for a Sanitation Certificate to operate a food service establishment. Upon request of the applicant, the initial fee for school concession stands may be prorated on a quarterly basis regardless of the date of application, provided that it does not operate for more than one quarter, the conditions of subparagraph (1)(b)1., do not apply, and the annual fee used to determine the prorated amount is prescribed by sub-subparagraph (b)5.b. below Proration shall not apply to annual renewals of Sanitation Certificates.

(b) Except for establishments specifically exempted from fees in subsection (4), all food service establishments must shall pay an annual or prorated fee to the department according to the following schedule:

ANNUAL SANITATION CERTIFICATE FEE OR INSPECTION FEE SCHEDULE Annual—Sanitation Certificate Fee per Food Service Establishment:

	Total
1. Hospital	\$250.00
2. Nursing Home	\$250.00
<u>1.3.</u> Detention Facility	\$250.00
<u>2.4.</u> Bar/Lounge	\$190.00
<u>3.5.</u> Fraternal/Civic Organization	\$190.00
<u>4.6.</u> Movie Theater Inspection	\$190.00

5.7. School Cafeteria	
a. Cafeteria requiring 3 routine inspections per Operating for 9 months out of a year	\$170.00
b. Cafeteria requiring 4 routine inspections per year Operating for more than 9 months	\$200.00
c. Concession Stand	\$110.00
6.8. Community Based Residential Facility	\$135.00
7. Afterschool Meal Program	\$170.00
9. Other Food Service	\$190.00
8. Prescribed Pediatric Extended Care Center	\$110.00
9.1. Limited Food Service Operation	\$110.00
10. Catering Operation 12. Caterer	\$180.00
11.43. Mobile Food Unit	\$180.00
12.44. Vending Machine Dispensing Time/Temperature Control for Safety Potentially Hazardous Food	\$ 85.00

(c)~~1.a.~~ Food service establishments with multiple food operations, housed in the same building, at the same location, under the same ownership and operation, which operate under the umbrella of the sanitation certificate of the main food service establishment (as described addressed in subparagraph (1)(b)1. above, ~~of this rule~~), will shall be assessed a single annual fee of \$300. That fee will shall be assessed on the main food service establishment, ~~it shall be the maximum allowed in Section 381.0072, F.S., which is \$300, and it will shall~~ cover the other food service facilities operating in that same building under the umbrella of the main food service establishment. This fee provision also applies to school concession stands that elect to comply with the provisions of paragraph (1)(b).

(d)~~b.~~ Food service establishments with multiple food operations, housed in the same building, at the same location, under the same ownership and operation choosing not to operate under the umbrella of the sanitation certificate of the main food establishment (as described addressed in subparagraph (1)(c) above, ~~(b)2., of this rule~~) will shall be assessed separate annual fees for each food operation based on the category of establishments listed in paragraph (3)(b) above.

(e)~~e.~~ Except for school concession stands that elect to comply with the provisions of subparagraph (1)(b)1. above, ~~Food service establishments as described in paragraph (1)(c) with multiple food operations located in different buildings at the same location, regardless of ownership, will shall~~ be assessed separate annual fees for each food operation based on the category of establishments listed in paragraph (3)(b) above.

~~(f)2-~~ Vending machines dispensing time/temperature control for safety ~~potentially hazardous~~ food, catering operations ~~enterers~~ and mobile food units that are located at or operated from an establishment listed in ~~s~~Section 381.0072, F.S., ~~will shall~~ be charged the fees listed in paragraph (3)(b) above when they are not operating under an existing Sanitation Certificate that has already been issued for the main food service establishment where they are located.

~~(g)(4)~~ The following schedule of fees is established for plan reviews, food service worker training and testing, alcoholic beverage establishment sanitation inspections, reinspections, late renewals:

- 1. Plan review per hour \$ 40.00
Public schools, colleges, and vocational teaching facilities are exempt from this fee.
- 2. Food establishment worker training course (per person) \$ 10.00
- 3. Sanitation inspection
 - a. Alcoholic beverage inspection approval \$ 30.00
 - b. Requests for inspection \$ 40.00
- 4. Reinspection \$ 75.00
(for each reinspection after the first)
- 5. Late renewal of certificate \$ 25.00
- 6. Temporary event food service establishment
 - a. Sponsor without an existing sanitation certificate \$100.00
 - b. Vendor or booth at an establishment or location \$ 50.00

without an existing sanitation certificate

~~(h)(e)~~ All fees collected pursuant to this section shall be deposited under a unique revenue code within the individual county health department trust fund to be used to meet the cost of carrying out that portion of the food hygiene program described in this chapter. All fees submitted to the department are nonrefundable, once review action has started ~~been taken~~ on the application.

(4) Exemptions. The following limited food service establishments are exempted from the fee requirements of this section:

(a) Food service establishments that only serve catered meals which have been prepared in an approved food establishment and where no warewashing, and no storage, re-heating, or re-service of the catered food takes place onsite; such as satellite kitchens at schools and other institutions, and similar operations.

(b) Food service establishments ~~Child care facilities and other institutions~~ that serve only snacks which are not kept overnight, as that term is defined in Rule 64E-11.002, F.A.C., ~~of this chapter~~, or that require individuals in attendance to bring their own meals to the facility, which do not require any food preparation.

Rulemaking Authority 381.0072, 154.06 FS. Law Implemented 381.0072(2), 154.06 FS. History—New 2-21-91, Amended 5-12-92, Retained here and Transferred to 7C-4.024, Amended 6-1-93, 11-30-93, 8-28-96, Formerly 10D-13.038, Amended 3-15-98, 7-14-03, 4-1-09,_____.

64E-11.014 Mobile Food Units.

All mobile food units required to have vehicle identification numbers ~~must shall~~ submit their vehicle identification number to the department on the application for licensure. The license decal ~~must shall~~ be affixed to the mobile food unit. Mobile food units ~~must shall~~ comply with Rules 64E-11.001 through ~~64E-11.003~~ ~~11.008~~ and Rules 64E-11.011 through 64E-11.013, F.A.C., except that such mobile food units are shall not ~~be~~ required to have employee/patron toilet facilities or mop sinks. ~~No Moreover, no~~ license will shall be granted to a mobile food unit until the following additional requirements have been met:

(1) A potable water supply system of sufficient capacity (minimum 5 gallons) to furnish an adequate quantity of hot and cold water for food preparation, cleaning, and handwashing purposes ~~must shall~~ be provided during all periods of operation. The water inlet ~~must shall~~ be located so that it will not be contaminated by waste discharge, road dust, oil or grease, and it ~~must shall~~ be kept capped unless being filled. It ~~must shall~~ be provided with a transition connection of a size or type that will prevent its use for any other service.

(2) through (4) No change.

(5) Mobile food units ~~must shall~~ operate from an approved commissary that meets all applicable requirements of this rule. The commissary must be provided with potable water and adequate facilities for disposal of liquid and solid waste. The mobile food unit must report to the commissary to store or replenish supplies, clean utensils, and equipment or dispose of liquid and solid waste. Mobile food units which are self-sufficient for equipment, storage, and utilities must report to the commissary at least once weekly or as often as needed to replenish supplies, clean the interior of the unit, or dispose of liquid or solid wastes. A letter from the commissary ~~must will~~ be submitted as part of the application confirming the arrangements above. A mobile food unit which is self-sufficient includes a three compartment sink for washing, rinsing, and sanitizing of equipment and utensils, a separate handwash sink, adequate refrigeration and storage capacity, full provision of power utilities including electrical, LP gas, or a portable power generation unit, and a liquid waste disposal system, and potable water holding tank in accordance with subsections (1) and (2) ~~of this rule~~. Mobile food units which are not self-sufficient must report to their commissary at least once daily. The exterior of the unit may be washed in any location, provided the waste water does not create a sanitary nuisance.

(6) When a service area is provided at the commissary for cleaning and servicing mobile food units, the service area must shall include at least overhead protection for any supplying, cleaning or servicing operation. Such area must shall be physically separated from other food operations; must shall be equipped to furnish approved potable water in accordance with applicable provisions of Chapters 62-550 and 62-555 or Chapter 64E-8, F.A.C.; and must shall provide facilities for the drainage and disposal of liquid wastes in accordance with applicable provisions of Chapter 64E-6 or 62-600, F.A.C., and the plumbing authority. The surface of the servicing area must shall be constructed of a smooth, nonabsorbent material such as concrete or machine laid asphalt and must shall be maintained in good repair, kept clean and be graded to drain.

(7) Mobile food units which are limited to the sale of non-time/temperature control for safety ~~potentially hazardous~~ food only are shall be exempt from:

(a) The requirements of employee hand washing sink, provided that only pre-packaged items are offered; and

(b) ~~The requirements of a~~ utensil washing sink will not be required when all necessary washing and sanitizing of utensils and equipment are conducted at a designated approved commissary or fixed food establishment. An adequate supply of spare preparation or serving utensils must shall be maintained in on the unit and used to replace any utensils that become contaminated.

(8) Mobile food units may temporarily connect to an approved utility system for a time period not to exceed one day's operation, provided the utility system is adequate to meet the needs of the unit, sanitary facilities are made available for employees and patrons in accordance with the applicable plumbing authority, and the unit returns to its base commissary in accordance with at least on a daily basis as described in subsection (5) ~~of this section~~.

(9) Mobile food units which limit the preparation of food to frankfurters only, must comply with all applicable requirements of this section, except that subsection (3) does not apply when adequate precautions are utilized to prevent contamination of the frankfurters during cooking operations. Potentially hazardous time/temperature control for safety foods such as chili, cooked onions and peppers, cheese, and cheese sauce may only be served in individually portioned and packaged or pre-packaged containers which are maintained at proper temperatures on the unit. Non-time/temperature control for safety foods such as relish, raw onions and peppers, and other such condiments may be served directly from the unit. Bulk beverages from approved sources may be dispensed from covered urns or other protected containers.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History—New 3-15-98, Amended 7-14-03, _____.

64E-11.015 Afterschool Meal Program.

(1) through (4) No change.

(5) Manual washing, rinsing and sanitizing – Sinks, drainboards and dishtables must shall be cleaned prior to use. A two-compartment sink may be used when warewashing is limited to a batch operation in which cleaning of kitchenware and tableware is suspended until the end of the service period. For batch cleaning, the following process applies:

(a) through (d) No change.

(e) In the second compartment use a sanitization method in accordance with ~~Rule paragraph 64E-11.006(5)(a), F.A.C.~~ If using a chemical sanitizer, the sanitizing agent must shall be the same chemical agent contained in the detergent-sanitizer; and

(f) No change.

(6) Drains – For an existing building with an existing food service operation, all drainage connections are considered shall be deemed acceptable if in good working order and capable of being maintained in a sanitary condition. Replacement materials and repairs must shall meet the requirements specified in ~~Rule paragraph 64E-11.007(3)(b), F.A.C.~~

(7) through (9) No change.

(10) Time as a public health control – Time may be used in lieu of the holding temperature requirements of ~~Rule 64E-11.003(2) subsection 64E-11.004(2), F.A.C., provided that time/temperature control for safety potentially hazardous~~ foods are cooked or reheated in accordance with ~~Rule 64E-11.003(2) 64E-11.004, F.A.C.;~~ the Department is notified at least 14 days prior to the implementation of time as a public health control; and the Afterschool Meal Program:

(a) Provides the Department a copy of the written procedures, which at a minimum indicates the meal service times and the following:

1. The specific location where the time/temperature control for safety, which the potentially hazardous foods proposed for use under time as a public health control are prepared;

2. The proposed delivery schedule, if time/temperature control for safety potentially hazardous foods are received from an outside approved source; and

3. The names of the food workers who have been trained regarding these written procedures.

(b) Maintains a daily log for time/temperature control for safety potentially hazardous foods cooked or reheated onsite, which indicates the date, name of the time/temperature control for safety potentially hazardous foods, final cooking temperature, and the time that the final cooking temperature was reached. In addition, each time/temperature control for safety potentially hazardous food product or the container holding the product must shall be labeled with an expiration

time, which ~~must shall~~ not exceed 4 hours from the time that the product reached the final cooking temperature. Time/temperature control for safety ~~Potentially hazardous~~ food products ~~must shall~~ be discarded upon reaching the expiration time or if no expiration time is indicated.

(c) Maintains a valid copy of the caterer’s license, if a catering operation ~~caterer~~ is used, and documents the name of food suppliers, for ready-to-eat time/temperature control for safety ~~potentially hazardous~~ food products that are not cooked or reheated onsite. In addition, a daily product log ~~must shall~~ be maintained that documents the following: the date, name, and quantity of the time/temperature control for safety ~~potentially hazardous~~ food products that are obtained or received; the time and temperature of time/temperature control for safety ~~potentially hazardous~~ food products received or obtained by the Afterschool Meal Program; the expiration time, which ~~must shall~~ not exceed 4 hours from the time that the Afterschool Meal Program takes possession of the time/temperature control for safety ~~potentially hazardous~~ food product; and the name and quantity of time/temperature control for safety ~~potentially hazardous~~ food products discarded.

(d) through (e) No change.

(11) During transport between food service establishments or while being transported from a food service establishment to another location, all food must be in covered containers or otherwise wrapped or packaged to ensure protection from contamination. Time/temperature control for safety food products must be kept at safe temperatures during all periods of transportation and delivery. Food utensils must be completely wrapped or packaged to protect them from contamination. Any time/temperature control for safety ~~potentially hazardous~~ food product that does not meet these ~~the~~ requirements of ~~subsection 64E 11.004(20), F.A.C.,~~ must shall not be accepted or served by the Afterschool Meal Program Site.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History--New 2-18-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
VaKesha Brown

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 06/14/17

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.831
RULE TITLE: Standards of Practice for the Filling of Controlled Substance Prescriptions; Electronic Prescribing; Mandatory Continuing Education
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 34, February 19, 2018 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at the public meeting held April 4, 2018. The rule shall now read as follows:

64B16-27.831 Standards of Practice for the Filling of Controlled Substance Prescriptions; Electronic Prescribing; Mandatory Continuing Education.

The Board of Pharmacy recognizes that it is important for the patients of the State of Florida to be able to fill valid prescriptions for controlled substances. In filling these prescriptions, the Board does not expect pharmacists to take any specific action beyond exercising sound professional judgment. Pharmacists should not fear disciplinary action from the Board or other regulatory or enforcement agencies for dispensing controlled substances for a legitimate medical purpose in the usual course of professional practice. Every patient’s situation is unique and prescriptions for controlled substances shall be reviewed with each patient’s unique situation in mind. Pharmacists shall attempt to work with the patient and the prescriber to assist in determining the validity of the prescription.

(1) through (5) No change.

(6) Mandatory Continuing Education: All pharmacists shall complete a Board-approved 2-hour continuing education course on the Validation and Counseling of Prescriptions for Controlled Substances and Opioids. The course content shall include the following:

(a) through (e) No change.

(f) Proper patient storage and disposal of ~~unused~~ controlled substances;

(g) Protocols for addressing and resolving problems

recognized during the drug utilization review to include but not limited to the following:

1. drug /drug interactions;
2. side effects; and
3. high dose/low dose guidelines; ~~and~~
4. ~~section 381.887, F.S., Emergency treatment for suspected opioid overdoses and the State Surgeon General's Statewide Standing Order for Naloxone.~~

(h) Education on the provision of section 381.887, F.S., Emergency treatment for suspected opioid overdoses and on the State Surgeon General's Statewide Standing Order for Naloxone (eff. May 19, 2017) for as long as the Order is valid and effective.

~~(i)(4)~~ through ~~(j)(4)~~ No change.

(7) All licensed pharmacists shall complete the required course during the biennium ending on September 30, 2019. A 2-hour course shall be taken every biennium thereafter. The course shall count towards the mandatory 30 hours of CE required for licensure renewal. All newly licensed pharmacists must complete the required course before the end of the first biennial renewal period. A licensee who completed the mandated Validation of Prescription for Controlled Substances course between October 1, 2017 and July 1, 2018 ~~May 1, 2018~~, shall be deemed to have complied with this subsection for the biennium ending on September 30, 2019.

(8) No change.

Rulemaking Authority 456.013, 465.005, 465.0155, 465.009, 465.022(12) FS. Law Implemented 456.013, 456.42, 456.43, 465.0155, 465.003, 465.009, 465.016(1)(i), (s), 465.017, 465.022(12), 893.04 FS. History—New 8-29-02, Amended 2-24-03, 11-18-07, 12-24-15, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NO.: RULE TITLE:

73A-1.001 Purpose and Scope

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 47, March 8, 2018 issue of the Florida Administrative Register. The amendments to the text published in the Notice of Proposed Rule referenced above was inadvertently not coded correctly and should have been coded as appears below:

73A-1.001 Purpose and Scope

(1) The Department shall reimburse travel expenses, as that term is defined in s. 288.1253(1), F.S., to the Governor,

the Lieutenant Governor, security staff of the Governor or Lieutenant Governor, the Commissioner of Film and Entertainment, and staff of the Office of Film and Entertainment for all travel expenses or entertainment expenses incurred by the individual solely and exclusively in connection with the performance of statutory duties of the Office of Film and Entertainment.

(2) All travel must be preapproved by the Department. Requests for travel preapproval shall be made by completing and submitting DEO Form Travel-01, Authorization to Incur Travel Expenses, effective October 2016, which is incorporated by reference herein. Copies of DEO Form Travel-01 are available and/or can be accessed at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09140> or may be obtained by submitting a request to: State of Florida Department of Economic Opportunity, Office of Film and Entertainment, 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399-6545. Documentation justifying the reason for travel must be attached.

(3) Claims for reimbursement of travel expenses shall be made by completing and submitting DEO Form Travel-02, the Voucher for Reimbursement of Travel Expenses, effective October 2016, which is incorporated by reference herein. This form can be accessed at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09141> or may be obtained by submitting a request to: State of Florida Department of Economic Opportunity, Office of Film and Entertainment, 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399-6545. Documentation justifying travel expenditures must be attached, such as paid receipts or other proof of expenditure as prescribed by the Chief Financial Officer.

(4) For purposes of reimbursement, the computation of travel time, the rate of per diem and subsistence allowance, and other reimbursable expenses shall be determined as set forth in s. 112.061, F.S. and Chapter 69I-42, F.A.C.

(5) The manner of travel that is reimbursable is governed by s. 112.061, F.S. and Rules 69I-42.007-.009, F.A.C.

(6) Claims for reimbursement of entertainment expenses may be made contemporaneous with the request for travel reimbursement. For purposes of this section, "entertainment expenses" are defined as the actual, necessary, and reasonable costs incurred during the active conduct of business with anyone defined in s. 288.125, F.S., with the main purpose being or having more than a general expectation of deriving a specific business benefit.

(7) The Commissioner of Film and Entertainment or his/her designee shall review all claims for reimbursement of entertainment expenses to ensure the expense(s) are in conformity with this definition prior to authorizing reimbursement.

~~These rules establish the policies and procedures governing actual travel and entertainment expenses for the Office of Film and Entertainment, of the Department of Economic Opportunity.~~

Rulemaking Authority 288.1253(2) FS. Law Implemented 288.1253 FS. History—New 2-21-02, Formerly 27M-1.001, Amended

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 4, 2018, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Kapadokya Inc. located in Boynton Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 44/67 on April 5, 2018. The Order for this Petition was signed and approved on April 24, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure,

and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 5, 2018, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Tornadoz LLC. located in Jensen Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 44/68 on April 6, 2018. The Order for this Petition was signed and approved on April 24, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants. 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 5, 2018, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Tornadoz LLC. located in Coral Springs. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 44/68 on April 6, 2018. The Order for this Petition was signed and approved on April 24, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 5, 2018, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Tornadoz LLC. located in Coral Springs. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to

provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

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A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that on February 08, 2018, the Florida Office of Financial Regulation, received a petition for variance from rules 69V-560.402, 69V-560.1012, and OFR-560-07. Gulf Management Systems, Inc. and Charles Billone (“Petitioners”) request that “Money Transmissions”, as it pertains to annually filing form OFR-560-07 and Petitioners’ required security device, do not include Payroll Processing bank-to-bank Automated Clearing House (“ACH”) credits or debits.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 9, 2018, 3:00 p.m. – 4:00 p.m.

PLACE: Toll Free Dial in Number: 1(888)670-3525, Conference Code: 8470026713

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council Subcommittee's will discuss combined research efforts for 2018.

A copy of the agenda may be obtained by contacting: <http://www.cssbmb.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

The Board of Directors of Living Healthy in Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: May 10, 2018, 10:00 a.m.

PLACE: Conference call: Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/199557389>

You can also dial in using your phone.

United States (Toll Free): 1(866)899-4679 United States: 1(571)317-3117 Access Code: 199-557-389

Joining from a video-conferencing room or system? Dial: 67.217.95.2##199557389

Cisco devices: 199557389@67.217.95.2

First GoToMeeting? Let's do a quick system check:<https://link.gotomeeting.com/system-check>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation by Abbott Nutrition regarding a research project related to older adult nutrition. Discuss Living Healthy in Florida, Inc. website development.

A copy of the agenda may be obtained by contacting: Allie Caldwell, Carey.Caldwell@FreshFromFlorida.com, 1(850)617-7167.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Allie Caldwell, Carey.Caldwell@FreshFromFlorida.com, 1(850)617-7167. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Allie Caldwell, Carey.Caldwell@FreshFromFlorida.com, 1(850)617-7167.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 1, 2018, 1:30 p.m., ET.

PLACE: The Hermitage Centre, Everglades Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida, 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Negotiation Team will recommend contract award for Invitation to Negotiate, ITN 17-05, Actively-Managed Fixed Income Investment Management Services for Stanley G. Tate Prepaid College Program.

A copy of the agenda may be obtained by contacting: The Florida Prepaid College Board, ITN Administrator by email at ITNinfo.Prepaid@MyFloridaPrepaid.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ITN Administrator at the e-mail address provided above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The West Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 2, 2018, 1:00 p.m.

PLACE: Okaloosa County Administration Building, Training Room, 1250 Eglin Pkwy., Shalimar, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The General Planning Consultant Selection Committee for Bay County Transportation Planning Organization (TPO), Florida-Alabama TPO, and Okaloosa-Walton TPO will meet Wednesday, May 2, 2018, at 1:00 p.m. at the Okaloosa County Administration Building The GPC Selection Committee will shortlist the firms at this meeting.

A copy of the agenda may be obtained by contacting: Jill Lavender at jill.lavender@wfrpc.org or (850)332-7976.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by

contacting: Public Involvement at publicinvolvement@wfrpc.org or (850)332-7976. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jill Lavender at jill.lavender@wfrpc.org or (850)332-7976.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2018, 10:00 a.m.

PLACE: 100 Festival Park Avenue, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Emergency Planning Committee (LEPC) quarterly meeting.

A copy of the agenda may be obtained by contacting: Tyler Nolen at (904)279-0880 or tnolen@nefrc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tyler Nolen at (904)279-0880 or tnolen@nefrc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2018, 2:00 p.m.

PLACE: SWFRPC Office, 1400 Colonial Blvd, Suite 1, Fort Myers, FL 33907

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the SWFRPC's Water Quality Committee.

A copy of the agenda may be obtained by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of

the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Margaret Wuerstle, (239)938-1813, ext. 222, mwuerstle@swfrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2018, 9:00 a.m.

Water Resources Analysis Coalition (WRAC) Public Forum and Governing Board

PLACE: District Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Forum of the Water Resources Analysis Coalition (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this public forum. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, (561)682-6286, ybonilla@sfwmd.gov or <https://www.sfwmd.gov/agenda>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Yvette Bonilla, (561)682-6286.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2018, 9:00 a.m.

PLACE: Area Agency on Aging for Southwest Florida: 15201 N. Cleveland Ave. Suite 1100 North Ft. Myers, FL 33903; telephone conference: 1(888)670-3525, participant code: 649 992 7145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Dementia Cure and Care Initiative Task force for the City of Ft. Myers. The goal of the DCCI Task force is to engage communities across the state to be more dementia friendly, promote better care for Floridians affected by

dementia, and support research efforts to find a cure. The vision of the DCCI Task Force is to see all Florida communities engaged in providing better care for those affected by dementia while we work towards a cure.

A copy of the agenda may be obtained by contacting: Christine Didion, Department of Elder Affairs, (850)414-2028, DidionC@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Christine Didion, Department of Elder Affairs, (850)414-2028, DidionC@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Didion, Department of Elder Affairs, (850)414-2028, DidionC@elderaffairs.org.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2018, 8:30 a.m.

PLACE: Pine Hills Community Center, 6408 Jennings Road Building B, Orlando, FL 32818; telephone conference: 1(888)670-3525, participant code: 649 992 7145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Dementia Cure and Care Initiative Task force for the City of Orlando. The goal of the DCCI Task force is to engage communities across the state to be more dementia friendly, promote better care for Floridians affected by dementia, and support research efforts to find a cure. The vision of the DCCI Task Force is to see all Florida communities engaged in providing better care for those affected by dementia while we work towards a cure.

A copy of the agenda may be obtained by contacting: Christine Didion, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Christine Didion, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Didion, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2018, 2:00 p.m., CT

PLACE: Northwest Florida Area Agency on Aging, 5090 Commerce Park Circle, Pensacola, FL 32505; telephone conference: 1(888)670-3525, participant code: 649 992 7145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Dementia Cure and Care Initiative Task force for the City of Pensacola. The goal of the DCCI Task force is to engage communities across the state to be more dementia friendly, promote better care for Floridians affected by dementia, and support research efforts to find a cure. The vision of the DCCI Task Force is to see all Florida communities engaged in providing better care for those affected by dementia while we work towards a cure.

A copy of the agenda may be obtained by contacting: Christine Didion, Department of Elder Affairs, (850)414-2028, DidionC@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Christine Didion, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Didion, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

The Board of Auctioneers announces a public meeting to which all persons are invited.

DATE AND TIME: May 11, 2018, 9:00 a.m., ET - CANCELLED.

PLACE: Homewood Suites Tallahassee, 2987 Apalachee Parkway, Tallahassee, Florida 32301, (850)402-9400
CANCELLED

GENERAL SUBJECT MATTER TO BE CONSIDERED: MEETING HAS BEEN CANCELLED.

A copy of the agenda may be obtained by contacting: **CANCELLED.**

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

The Board of Auctioneers announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 11, 2018, 10:00 a.m., ET

PLACE: 1(888)670-3525, participant pass code: 7004064007#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony

and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Auctioneers, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 3, 2018, 9:00 a.m.

PLACE: Courtyard by Marriott Miami Homestead, 2905 NE 9th Street, Homestead, FL 33033

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain public comments on the draft injection well permit for Florida Power & Light Company (FPL), who applied on June 1, 2017, for a permit to operate an injection well (File No. 0293962-004- UO/II, WACS ID No. 101172). The project is located at the FPL Turkey Point Power Plant, 9760 SW 344 Street, Florida City, Florida 33035, and will consist of one non-hazardous injection well to a total depth of 3,230 feet below land surface. The injection well will be used for the disposal of hypersaline groundwater from extraction wells completed in the Biscayne Aquifer at the FPL Turkey Point Power Plant.

During the public comment period provided in Rule 62-528.315, Florida Administrative Code (F.A.C.), any interested person may submit written comments on the draft permit. All comments shall be considered in making the final decision and shall be answered as provided in Rule 62-528.330, F.A.C. More information or a copy of the draft permit, fact sheet, and application may be obtained by contacting Neil Campbell, DEP, 2600 Blair Stone Road, MS 3530, Tallahassee, Florida 32299-2400, phone: (850)245-8612. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by calling the Bureau of Personnel Services at (850)245-2511. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: May 1, 2018, 10:00 a.m.

PLACE: Northeast Florida State Hospital, 7487 South State Road 121, Conference Room A, MacClenny, Florida 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Solicitation conference for ITB# - ITBHK20180404, Provision of Environmental Housekeeping Services.

A copy of the agenda may be obtained by contacting: Elesha Brown, State Mental Health Treatment Facilities, (850)663-7189, elesha.brown@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Elesha Brown, State Mental Health Treatment Facilities, (850)663-7189, elesha.brown@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Elesha Brown, State Mental Health Treatment Facilities, (850)663-7189, elesha.brown@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2018, 4:00 p.m.

PLACE: Northeast Florida State Hospital, 7487 South State Road 121, Conference Room A, MacClenny, Florida 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bid Opening and Review of Mandatory Requirements for the ITB# - ITBHK20180404, Provision of Environmental Housekeeping Services

A copy of the agenda may be obtained by contacting: Elesha Brown, State Mental Health Treatment Facilities, (850)663-7189, elesha.brown@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Elesha Brown, State Mental Health Treatment Facilities, (850)663-7189, elesha.brown@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Elesha Brown, State Mental Health Treatment Facilities, (850)663-7189, elesha.brown@myflfamilies.com.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The H. Lee Moffitt Cancer Center & Research Institute announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2018, 2:00 p.m.

PLACE: Moffitt Cancer Center, Stabile Research Building, Trustees Board Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance & Planning Committee.

A copy of the agenda may be obtained by contacting: Kathy McKinley, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kathy McKinley. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2018, 3:00 p.m.

PLACE: Teleconference: 1(888)942-8686; Code: 574 373 5657#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics to include but not limited to 2018 Risk Transfer Program.

A copy of the agenda may be obtained by contacting: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at (850)513-3744. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Barbara Walker, 2101 Maryland Circle, Tallahassee, FL 32303, (850)513-3744; Barbara.walker@citizensfla.com.

INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA

The Florida Higher Educational Facilities Financing Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 9, 2018, 12:00 Noon – 1:00 p.m.

PLACE: The Offices of: The Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, the Board Room on the third (3rd) floor of the Howard Building at Jacksonville University located at 2800

University Boulevard North, Jacksonville, Florida, and by teleconference at 1(800)719-7514, Conference Code: 596984
GENERAL SUBJECT MATTER TO BE CONSIDERED:

A. Review and Consideration of all matters relating to the application of Jacksonville University, Inc. to the Authority for the Authority to issue revenue bonds (the “Jacksonville University Bonds Series 2018”, including, without limitation, the conduct of a public hearing with respect to the proposed issuance by the Authority of up to \$125,000,000 in principal amount of its revenue bonds for the funding of Higher Educational Facilities Financing Authority Revenue Bonds, Series 2018 (Jacksonville University Project) under Chapter 243, Part II, Florida Statutes all as more particularly described in the separate public hearing notice published pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, in The Tallahassee Democrat. The loan proceeds will be allocated for the purposes of providing funds by the Authority to Jacksonville University, a Florida not for profit corporation (the “Borrower”), for the purpose of (i) financing the costs of the Project which consists of consists of the acquisition, construction and installation of certain educational facilities at the Borrower’s existing campus (the “Main Campus”) located at 2800 University Boulevard North, Jacksonville, Florida, and to be owned and operated by the Borrower, including but not limited to the construction of a new three-story building for the Brooks Rehabilitation College of Healthcare Sciences which contains the Keigwin School of Nursing, the School of Applied Health Sciences and the School of Orthodontics, the renovation of existing residence halls, the construction of a new welcome center, the construction and/or renovation of various capital improvements at the Main Campus, and the installation of facilities, furnishings, fixtures and equipment related to the foregoing, (ii) refinancing a portion of certain outstanding indebtedness of the Borrower, the proceeds of which were to finance certain capital projects located on the campus of the borrower as further described in the separate public hearing notice referred to above, (iii) paying certain capitalized interest on the Bonds, (iv) funding debt service reserves for the Bonds, if any, and (v) paying all or a portion of the costs of issuing the Bonds,

B. Consideration of a resolution authorizing the issuance of the Jacksonville University Series 2018 Bonds and authorizing the appropriate officials and officers of the Authority to take all necessary actions to authorize, sell and deliver the Jacksonville University Series 2018 Bonds.

C. Any other matters that may come before the Authority.
 A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM

The Panhandle Public Library Cooperative System (PPLCS) announces a public meeting to which all persons are invited.
 DATE AND TIME: May 16, 2018, 10:00 a.m.
 PLACE: PPLCS meeting room located at 2862 Madison Street, Suite 1, Marianna, FL 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular board meeting.

A copy of the agenda may be obtained by contacting: cdelahunt@pplcs.net.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cynthia De La Hunt at cdelahunt@pplcs.net or (850)482-9296. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Cynthia De La Hunt at cdelahunt@pplcs.net or (850)482-9296.

**Section VII
 Notice of Petitions and Dispositions
 Regarding Declaratory Statements**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco
 NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has declined to rule on the petition for declaratory statement filed by Robert D. Epstein (DS #2018-

004; DBPR Ref#: 2018-004282) on January 23, 2018. The following is a summary of the agency’s declination of the petition:

Petitioner failed to clearly set forth a particular set of circumstances relating to his clients and failed to describe how the statutes cited in the petition may substantially affect his clients in such a particular set of circumstances, as required by Section 120.565, Florida Statutes, and Rule 28-105.002, Florida Administrative Code. Therefore, the petition was denied and Prospective Intervenors’ the Wine and Spirits Distributors of Florida, Inc., the Florida Independent Spirits Association, the Florida Beer Wholesalers Association, Inc., and the Beer Industry of Florida, Inc., motion to intervene was rendered moot.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk’s Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202; (850)717-1183, AGC.Filing@MyFloridaLicense.com, DS #2018-004, DBPR Ref#: 2018-004282.

Please refer all comments to: Daniel McGinn, Deputy Chief Attorney, Department of Business and Professional Regulation, Office of the General Counsel, Division of Alcoholic Beverages and Tobacco, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1588, Daniel.McGinn@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

Notice is hereby given that the Board of Occupational Therapy has received a Petition for Declaratory Statement filed by Liana Valla, OTR/L, on April 4, 2018. The Petitioner seeks a declaratory statement from the Board with regard to the definition of occupational therapy (Section 468.203, F.S.) as it relates to neurofeedback. The Board will consider this petition at its meeting currently scheduled for July 30, 2018. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. Copies of the petition may be obtained by writing Allen Hall, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or from health@flhealth.gov.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that Florida Office of Financial Regulation has received the petition for declaratory statement from Doctors Associates Inc. The petition seeks the agency's

opinion as to the applicability of Chapter 559, Florida Statutes, as it applies to the petitioner.

The original petition submitted March 26, 2018, sought a declaratory statement from the Office on whether paragraph 559.544(5)(e) of the Florida Commercial Collections Practices Act apply to Petitioner, and therefore exclude Petitioner from the requirement to register as a commercial collection agency, considering that none of the revenue of Petitioner arises from the collection of commercial claims. *On April 23, 2018, the Petition was withdrawn.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Section VIII

**Notice of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

The Florida Horsemen's Benevolent & Protective Association, Inc. a Florida nonprofit corporation, Petitioner vs. Department of Business and Professional regulation, Division of Pari-Mutuel Wagering, Respondent; CASE NO.: 18-2088RP; RULE NO.: Proposed Rule 61D-6.011, F.A.C.

James Stanley, Petitioner vs. District School Board of Pasco County, Florida, Respondent; CASE NO.: 18-2089RP; RULE NO.: Agency Statement of the District School Board of Pasco Caounty, Florida

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

**Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, April 18, 2018 and 3:00 p.m., Tuesday, April 24, 2018.

Rule No.	File Date	Effective Date
1A-39.001	4/20/2018	5/10/2018
1T-1.039	4/24/2018	5/14/2018
58A-5.0131	4/20/2018	5/10/2018
58A-5.014	4/20/2018	5/10/2018
58A-5.0181	4/20/2018	5/10/2018
58A-5.0182	4/20/2018	5/10/2018
58A-5.0185	4/20/2018	5/10/2018
58A-5.019	4/20/2018	5/10/2018
58A-5.0191	4/20/2018	5/10/2018
58A-5.029	4/20/2018	5/10/2018
58A-5.030	4/20/2018	5/10/2018
58A-5.031	4/20/2018	5/10/2018
59A-17.101	4/19/2018	5/9/2018
59A-17.118	4/19/2018	5/9/2018

59A-17.119	4/19/2018	5/9/2018
59A-24.005	4/19/2018	5/9/2018
61C-5.007	4/20/2018	5/10/2018
61G15-19.0051	4/18/2018	5/8/2018
61G15-22.011	4/18/2018	5/8/2018
61G15-22.012	4/18/2018	5/8/2018
61N-2.018	4/18/2018	5/8/2018
61N-2.029	4/18/2018	5/8/2018
61N-2.030	4/18/2018	5/8/2018
64B16-26.200	4/24/2018	5/14/2018
64B16-27.410	4/18/2018	5/8/2018
64B16-28.830	4/18/2018	5/8/2018
69B-186.010	4/23/2018	5/13/2018
69D-2.002	4/18/2018	5/8/2018
69D-2.003	4/18/2018	5/8/2018
69D-2.005	4/18/2018	5/8/2018

**LIST OF RULES AWAITING LEGISLATIVE
APPROVAL SECTIONS 120.541(3), 373.139(7)
AND/OR 373.1391(6), FLORIDA STATUTES**

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

EXECUTIVE OFFICE OF THE GOVERNOR
MEETING OF THE BOARD OF EXECUTIVE CLEMENCY
(VIA PHONE) April 25, 2018 at 9:30 p.m. Cabinet Meeting
Room – Lower Level, The Capitol, Tallahassee, Florida
4/24/2018 8:32 p.m.

CONSIDERATION OF FEDERAL COURT’S DECISION
IN CLEMENCY CASE

NOTE: The Board of Executive Clemency will convene via
phone. This meeting will be open to the public and streamed
live on the Florida Channel.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

Medicaid Enterprise System (MES) Procurement Project Strategy

Meeting Location:

Florida Department of Revenue

Capital Circle Office Center (CCOC) – Room 2-1250, 2450 Shumard Oak Boulevard, Tallahassee, FL 32399

Meeting Date and Time: Wednesday, May 9, 2018, 10:00 a.m. – 12:00 p.m. (Eastern Standard Time)

Introduction: Discuss the Purpose of the Meeting

Discussion: Discuss the Medicaid Enterprise System (MES) Procurement Project Strategy to include: Scope, Objectives, Future State

Closing: Next Steps

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF GRANT APPLICATION SUBMISSION
PERIOD FOR FLORIDA COMMUNITIES TRUST, STAN
MAYFIELD WORKING WATERFRONTS FLORIDA
FOREVER PROGRAM

The Department of Environmental Protection will accept Fiscal Year 2018-19 grant applications, in accordance with Rule Chapters 62-820 and 62-821, Florida Administrative Code (F.A.C), from Local Governments and Nonprofit Working Waterfronts Organizations, or a partnership between a Local Government and Nonprofit Working Waterfronts Organization, requesting funding awards for the acquisition of land and capital project expenditures necessary to implement the Stan Mayfield Working Waterfronts Program (SMWW) within the Florida Communities Trust (FCT) pursuant to Sections 380.5105 and 259.105, Florida Statutes (F.S.).

APPLICATION SUBMISSION PERIOD: Applications will be accepted beginning June 1, 2018, and must be received by 5:00 p.m. (EDT), June 29, 2018. Applications must be received on or before the above stated deadline to be eligible for consideration. Applications received after the published deadline shall be deemed late and will not be considered.

ELIGIBLE APPLICANTS: All Local Governments and Nonprofit Working Waterfronts Organizations, or a partnership between a Local Government and Nonprofit Working Waterfronts Organization.

MAXIMUM GRANT REQUEST: A total of \$4,268,238.57 is available in funding for this grant application submission period. Under the provisions of subsection 62-820.003(6), F.A.C., the total amount of any Award or combination of Awards applied for by any Applicant(s) under any Application(s) for any project(s) shall not exceed \$4,268,238.57.

APPLICATION FORMS: Applications for funding must be made on Application Form SMWW-2 following procedures

outlined in Rule 62-820.003(1), F.A.C. The Application Instructions Guide and Application Form SMWW-2 for Fiscal Year 2018-19 submissions, as well as copies of the Rule Chapters may be obtained at <https://floridadep.gov/ooo/land-and-recreation-grants/content/florida-communities-trust-act-home> or you may contact FCT staff via email FloridaCommunitiesTrust@floridadep.gov, by phone (850)245-2501, or U.S. Mail at Department of Environmental Protection, Land and Recreation Grants Section, 3900 Commonwealth Boulevard, Mail Station 115, Tallahassee, Florida 32399.

WORKSHOPS: In conjunction with the beginning of the application cycle, FCT has scheduled three (3) workshops to provide technical assistance to potential grant applicants in understanding the application and acquisition processes. Workshops will be held in Tallahassee, Temple Terrace, and Hobe Sound. The schedule with dates, times and specific locations is listed below for your information. These free workshops are open to the public and no registration is required. You may also join the FCT Staff via Skype through the links listed below. Please contact FCT Staff at (850)245-2501 with any questions regarding the workshops.

Workshop dates and locations:

Date and Time: Thursday, May 3, 2018, 10:00 a.m. – 1:00 p.m.

Place: Florida Department of Environmental Protection, Douglas Building, Conference Rooms A and B, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

Link:

<https://meet.lync.com/floridadep/linda.reeves/74H9KHZN>

Date and Time: Monday, May 7, 2018, 10:00 a.m. – 1:00 p.m.

Place: Florida Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Suite 101, Temple Terrace, Florida 33637

Link:

<https://meet.lync.com/floridadep/linda.reeves/94NBZFF8>

Date and Time: Tuesday, May 8, 2018, 10:00 a.m. – 1:00 p.m.

Place: Florida Department of Environmental Protection, Jonathan Dickinson State Park, 16450 Southeast Federal Highway, Hobe Sound, Florida 33455

Link:

<https://meet.lync.com/floridadep/linda.reeves/06753CDG>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Linda Reeves, (850)245-2501. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT

BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT NOTICE OF RULEMAKING FOR AMENITY FACILITY RULES AND RATES, LINE AND GRADE REVIEW FEES, AND WASTE COLLECTION FEES

BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT

NOTICE OF RULEMAKING FOR AMENITY FACILITY RULES AND RATES, LINE AND GRADE REVIEW FEES, AND WASTE COLLECTION FEES

A public hearing will be conducted by the Babcock Ranch Community Independent Special District (“District”) on May 24, 2018, at 1:00 p.m. at 14750 State Road 31, Punta Gorda, Florida 33982. The public hearing will be a rulemaking hearing and will provide an opportunity for the public to address proposed rules that 1) set fees and charges related to the use of the District’s amenity facilities and services; 2) address the requirements for the suspension and termination from use of the District’s amenity facilities; 3) set fees related to line and grade review within the District and 4) set fees related to waste collection and recycling services. The purpose and effect of the proposed rules is to provide for efficient and effective District operations, and to provide sufficient revenues to meet expenses and provide services related to the District’s amenity facilities and review of certain construction within boundaries of the District. Prior notice of rule development for the rulemaking hearing was published in the Florida Administrative Register on April 24, 2018. The proposed fees are as follows:

DISTRICT AMENITY FEES

Advance Reservations:	
District Residents	Available Six (6) Months in Advance
Non-District Residents	Available Four (4) Months in Advance
Non-Profit Groups	Available Three (3) Months in Advance
Great Lawn Rental Fees:	
District Residents	\$100.00 per hour
Non-District Residents	\$200.00 per hour
Non-Profit Groups	Free for 2 Hours; then hourly
Deposit*	\$250.00 up to \$1,000.00 depending upon number of attendees
Maximum Capacity	750

Shade Arbor Rental Fees (Non-peak hours):	
District Residents	\$50.00 for up to 4 hours
Non-District Residents	\$100.00 for up to 4 hours
Non-Profit Groups	Free for 2 hours; then hourly
Deposit*	\$100.00
Maximum Capacity	50
Band Shell Rental Fees:	
District Residents	\$50.00 per hour
Non-District Residents	\$100.00 per hour
Deposit*	\$250.00
Maximum Capacity	100
Lake and Trail Rental Fees:	
Maximum Fee	\$3,000
Maximum Deposit	\$2,000
*Deposit	
<i>* Refundable Deposits are required for all rentals. Deposit will be cashed, and then returned within 30 days if no issues are found post rental.</i>	

Line and Grade Review Fee

The Line and Grade Review Fee will be paid directly to the Babcock Ranch Community Independent Special District. A one-time Line and Grade Review fee will be charged for review of each single family home lot. This Line and Grade Review Fee includes the cost of the final lot inspection for each single family home lot. Such final lot inspection shall include review of as-built information provided by the builder, general site grading inspection for conformity with the as-builts, sod and other erosion control measures, sidewalk conformity with ADA requirements, and site tie in as it relates to public rights-of-way and easements. The above services are a fee of \$376.00 per single family lot. Should a re-inspection be required, the following re-inspection fees will apply:

- First re-inspection: \$50;
- Second re-inspection: \$100;
- Third or subsequent re-inspection: \$150; and
- Partial re-inspection: \$50.

Waste Collection Fees

RESIDENTIAL SERVICES

Solid Waste Collection \$10.00 (per month)

Recycle Waste Collection \$10.00 (per month)

Specific legal authority for the rules includes section 120.054, Florida Statutes, and Chapter 2007-306, Laws of Florida, as amended. Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by section 120.541(1), Florida Statutes, must do so in writing within twenty one (21) days after publication of this notice.

A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: May 24, 2018 at 1:00 p.m.

PLACE: 14750 State Road 31

Punta Gorda, Florida 33982

The public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at the public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, one or more Supervisors may participate in the public hearing by telephone. Any person requiring special accommodations at the hearing because of a disability or physical impairment should contact the District Office at (561) 571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office. A copy of the proposed rules may be obtained by contacting the District Manager, Craig Wrathell, at 2300 Glades Road, Suite 410w, Boca Raton, Florida 33431 or by calling (561)571-0010.

Craig Wrathell, Manager

Section XIII

Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
