

**Section I**  
**Notice of Development of Proposed Rules  
 and Negotiated Rulemaking**

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

**RULE NOS.: RULE TITLES:**

69A-62.030 Definitions

69A-62.032 Division Inspection or Investigation

**PURPOSE AND EFFECT:** This rule promulgation will amend the definition of the term “serious incident” with respect to firefighters’ activities. The rule also amends firefighters’ notification requirements to the Division for certain injuries. Lastly, the promulgation includes minor editorial corrections.

**SUBJECT AREA TO BE ADDRESSED:** Definitions and Division Investigations.

**RULEMAKING AUTHORITY:** 633.128(1)(a), 633.518 FS.

**LAW IMPLEMENTED:** 633.502, 633.518 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, January 24, 2014, 4:30 p.m.

**PLACE:** Daytona Beach Ocean Center, 101 N. Atlantic Ave., Room 103-B, Daytona Beach, FL 32118

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: Rick Rochford, (352)369-2836 or Rick.Rochford@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:** Rick Rochford, Safety Program Manager, Bureau of Fire Fighters Standards & Training, Division of State Fire Marshal, Department of Financial Services, The Florida State Fire College, 11655 N.W. Gainesville Road, Ocala, FL 34482-1486, (352)369-2836 or Rick.Rochford@myfloridacfo.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**

**Suwannee River Water Management District**

**RULE NOS.: RULE TITLES:**

40B-1.703 Procedures for Consideration of Permit Applications

40B-1.706 Fees

40B-1.901 General

**PURPOSE AND EFFECT:** The purpose of the proposed rule amendments is to implement changes resulting from statewide Consumptive Use Permitting rule consistency work with Florida Department of Environmental Protection.

**SUMMARY:** New permit thresholds; deletion of the signatory authority for a non-existent staff position; identification of permit cost in terms of permit allocation with no change from existing fee schedule, and repeal of Rule 40B-1.901, F.A.C. (forms to be incorporated by reference in Chapter 40B-2, F.A.C.)

**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: There is neither a cost nor an exemption from cost associated with these rules. The promulgation of this language is a result of a legislative mandate.

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, 373.083, 373.109, 373.113, 373.118, 373.171, 373.4141 FS.

**LAW IMPLEMENTED:** 120.57, 120.59, 120.60, 218.075, 373.084, 373.085, 373.086, 373.106, 373.109, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 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: Warren Zwanka, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-1.703 Procedures for Consideration of Permit Applications.

(1) General Permits.

(a) Section 373.118, F.S., authorizes the governing board to adopt rules establishing a general permit system for projects or categories of projects which have, either singly or cumulatively, a minimal adverse impact on water resources of the district. The governing board of the Suwannee River Water Management District has established a general permit system which authorizes the issuance of ~~three two~~ categories of general permits – Noticed General Permits, ~~and (all other)~~ General Permits, and General Permits by Rule. A specific reference to the procedures for issuance of these categories of general permits is included in each district rule which authorizes a Noticed General Permit, ~~or (any other)~~ General Permit, and General Permit by Rule along with specific standards or conditions for issuance of such permits. When an activity does not qualify or conform to the conditions for issuance of general permits, an application for an individual permit or conceptual approval permit may be submitted to the district for consideration. No public notice by advertisement in a newspaper of general circulation in the affected area shall be required for general permits; however, public notice will be made by providing to any interested person a copy of any permit on file with the district and by posting at the district headquarters a current journal of all such permits issued.

(b) Noticed General Permits are a category of general permits for activities which have established standards and conditions for issuance of permits in district rules and which are considered by the governing board to have little or no potential for adverse impact to water resources of the district if those standards and conditions for issuance of permits are followed. ~~Specific procedures for processing Noticed General Environmental Resource Permits are included in Rule 40B-400.211, F.A.C., and in each such permit enumerated in Chapter 40B-400, Part II, F.A.C.~~

(c) General permits are reviewed, and agency action is initiated within 30 days of receipt of a completed and properly executed application, including any permit fees. Following investigation and review by District staff to insure the proposed activity qualifies for the specific general permit

authorized by District rule and conforms to all conditions for issuance of the specific general permit, the general permit is issued by rule. In lieu of issuance of the general permit, the District will issue a notice of proposed agency action to deny the application and follow the procedures in Section 120.57, F.S., and Chapter 28, F.A.C., when investigation and review of the application by District staff reveals that the proposed activity does not qualify or conform to the conditions for issuance of the specific general permit authorized by District rule. If an application is received in an incomplete state, not properly executed or if additional information is required, the applicant shall be notified pursuant to the procedures in Section 120.60, F.S., and Chapter 28, F.A.C.

(d) General Minor-use permits by rule, as defined in Rule 40B-2.042~~1~~, F.A.C., are a category of general permits for activities which have established standards and conditions for issuance of permits in district rules. A permit application is not required for any use that meets the requirements of Rule 40B-42.042~~1~~, F.A.C., and is thereby considered to be an existing legal user of water.

(2) Individual Permits.

(a) Individual permits are issued under the standard permitting and licensing procedures described in Section 120.60, F.S. Unless a general permit is specifically authorized by District rule or unless an applicant chooses to request a conceptual approval permit for an activity, the individual permit procedures described in this section and Chapter 120 govern all district permitting and licensing activities. Within 30 days of receipt of an application for an individual permit, the District will notify the applicant of any apparent errors or omissions and request any additional information that the District is authorized to request. A request for additional information shall include a reference to the specific rule or law which authorizes the District to make the request. If apparent errors or omissions are not corrected or additional information requested is not supplied within 90 days of the date of the District notice, the District shall issue a notice of proposed agency action to deny the application and follow the procedures in Section 120.57, F.S., and Chapter 28, F.A.C. The applicant may request an extension of time in writing necessary to correct apparent errors or omissions or supply additional information requested by the District.

(b) Upon receipt of an application for an individual permit, the District will cause to be published and distributed the notices of application required by Sections 373.116, 373.413(3), and 373.413(4), F.S. The notice of application shall specify a date not less than 14 days from the date of

publication and distribution by which comments or objections to the application may be filed with the District. A notice of proposed agency action on an individual permit application will be prepared whenever possible. The notice of proposed agency action will be sent to the applicant or any other person requesting such notice. If no substantial objection to the application or notice of proposed agency action is received, the Governing Board may, at its discretion, consider the application at its next regularly scheduled meeting, which is at least 14 days after issuance of a notice of proposed agency action. If a substantial objection is received, the Board shall proceed under the procedures in Chapter 28, F.A.C., and, if appropriate, set a time for a hearing in accordance with the provisions of Chapter 120, F.S. When there is not a reasonable opportunity for the District to issue a notice of proposed agency action, the Governing Board may, at its discretion, consider the application and advise the applicant and all other persons requesting notice of the Governing Board’s action and providing an opportunity to request an administrative hearing on the action pursuant to Section 120.60(3), F.S., and Chapter 28, F.A.C.

(c) The Governing Board hereby delegates authority to the Executive Director, or Assistant Executive Director ~~or Deputy Executive Director~~ to issue individual environmental resource permits that require no special limiting conditions or that require only the following special limiting conditions pursuant to subsection 40B-4.1140(1), Florida Administrative Code (F.A.C.), under Chapters 40B-4 and 40B-400, F.A.C.:

1. Permits that identify non-profit associations as operation and maintenance entities under subsection 40B-4.2035(3), F.A.C.; or

2. Permits that require the following documents to be recorded in legal records:

- a. Final plats; and
- b. Deed restrictions; and
- c. Drainage easements.

Unless objection to the permit application or the notice of proposed agency action is made according to statute and these rules by a substantially affected person, the Executive Director or Assistant Executive Director shall either issue the permit or place the application on the agenda of the next regularly scheduled meeting of the Governing Board.

(3) Conceptual Approval Permits. Any person may request conceptual approval of any activity that requires a permit from the governing board by making application for a conceptual approval permit. The procedure for review and consideration of such applications shall be the same as for an individual permit. A conceptual approval permit issued by the governing board cannot authorize construction or the beginning of the activity which is the subject of the conceptual approval.

Rulemaking Authority 373.044, 373.083, 373.113, 373.118, 373.171, 373.4141 FS. Law Implemented 120.57, 120.59, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS. History—New 6-16-88, Amended 12-22-92, 10-3-95, 1-29-01, 12-10-07, 10-25-09, \_\_\_\_\_.

40B-1.706 Fees.

(1) through (2) No change.

TABLE 1.A. SCHEDULE OF PERMIT FEES

WATER USE PERMITS

<del>General Water Use Permits Less than 10,000 GPD-ADR per paragraph 40B-2.041(4), F.A.C.</del>	\$100
<del>Modification or Renewal</del>	\$50
<del>General Water Use Permits less than 2,000,000 10,000 GPD-ADR or more and less than 2,000,000 GPD-ADR as per paragraph 40B-2.041(4), F.A.C.</del>	\$230
<del>Modification or Renewal of Water Use Permits less than 2,000,000 GPD-ADR</del>	\$115
<del>Individual or Conceptual Approval Water Use Permits equal to or greater than 2,000,000 GPD-ADR per subsection 40B-1.703(3) and subsection 40B-2.041(5), F.A.C.</del>	\$530
<del>Modification or Renewal of Water Use Permits equal to or greater than 2,000,000 GPD-ADR</del>	\$265

TABLE 1.B. SCHEDULE OF PERMIT FEES

ENVIRONMENTAL RESOURCE AND WORKS OF THE DISTRICT PERMITS

Use of the reviewing agency’s electronic self-certification system	\$0
Verification of exemption under Sections 373.406, 403.813, F.S., Chapter 62-330, F.A.C., or 40B-4, F.A.C.	\$100
Verification of qualification to use a General Permit under Chapter 62-330, F.A.C., or Noticed General under Chapter 40B-4, F.A.C.	\$250
Variance or Waiver under Section 120.542, F.S.	\$0

All other Variances or Waivers	\$550
Works of the District General Permits	\$490
Modification of a Works of the District General Permit	\$245
All Individual or Conceptual Approval Permits under Chapter 62-330, F.A.C. or Chapter 40B-4, F.A.C.:	
(1) New applications – the processing fee for a new permit application shall be as determined from the categories below:	
(a) Total project area of less than 10 acres, with no works in, on, or over wetlands and other surface waters, and no boat slips	\$490
(b) Total project area of less than 10 acres that does not meet paragraph (1)(a), above, but that involves less than 1 acre of works (i.e. dredging, filling, construction, or alteration) in, on or over wetlands and other surface waters, AND less than 10 new boat slips	\$1,190
(c) Project exceeds any of the thresholds in paragraph (1)(b), above, but involves a total project area of less than 40 acres, less than 3 acres of works in, on or over wetlands and other surface waters, AND less than 30 new boat slips	\$2,110
(d) Project exceeds any of the thresholds in paragraph (1)(c), above, but involves a total project area of less than 100 acres, less than 10 acres of works in, on or over wetlands and other surface waters, AND less than 50 new boat slips	\$5,610
(e) Project exceeds any of the thresholds in paragraph (1)(d), above, but involves a total project area of less than 640 acres, AND less than 50 acres of works in, on or over wetlands and other surface waters	\$9,120
(f) Project exceeds any of the thresholds in paragraph (1)(e), above	\$11,220
(g) Projects that are exclusively agricultural or silvicultural, and that involve a total project area of less than 10 acres AND less than 1 acre of works (i.e. dredging, filling, construction, or alteration) in, on or over wetlands and other surface waters	\$250
(h) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in paragraph (1)(g), above, but involves a total project area of less than 40 acres AND less than 3 acres of works in, on or over wetlands and other surface waters	\$1,055
(i) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in paragraph (1)(h), above, but involve a total project area of less than 100 acres AND less than 10 acres of works in, on or over wetlands and other surface waters	\$2,805
(j) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in paragraph (1)(i), above, but involve a total project area of less than 640 acres AND less than 50 acres of works in, on or over wetlands and other surface waters	\$4,590
(k) Projects that are exclusively agricultural or silvicultural, and that exceed any of the thresholds in paragraph (1)(j), above	\$5,610
(l) Individual or Conceptual Permits solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S. For the purposes of this provision, the term “environmental restoration or enhancement” means an action or actions designed and implemented solely to convert degraded or altered uplands, wetlands, or other surface waters to intact communities typical of those historically present, or to improve the quality and condition of currently degraded wetlands or other surface waters to a more healthy, functional, and sustaining condition for fish, wildlife, and listed species	\$250
(m) Individual or Conceptual Permit solely to retrofit an existing stormwater management system or systems to add treatment to and reduce stormwater pollutant loadings from the system or systems	\$250
(2) All Major Modifications including those that exceed any of the thresholds in subsection 62-330.315(3), F.A.C.:	50% of (1)

(3) All Minor Modifications including those that do not exceed any of the thresholds in subsection 62-330.315(3), F.A.C.:	
a) Transfers or Time Extensions of Permits, where not exempted from fees under Florida Statutes	\$0
(b) Minor Modifications to correct minor errors that do not involve technical review, or to incorporate changes requested by the reviewing agency	\$0
(c) All other Minor Modifications	25% of (1)
Resubmittal of an application that was previously withdrawn or administratively denied, in accordance with paragraph 62-330.090(1)(b), F.A.C. The Agency shall apply the processing fee paid when the previous application was submitted to the fee required for the new application. If the resubmitted application would require a greater fee, only the additional portion shall be required.	
New Determinations of the Landward Extent of Wetlands and Other Surface Waters	
(1) Informal Determinations, where:	
a) Total area to be included in the determination is up to 1 acre	\$100
(b) Additional fee per acre (or portion thereof) beyond the first, total fee not to exceed \$500	\$50
(2) Formal Determinations, where:	
a) Total area to be included in the determination is less than 10 acres	\$860
(b) Total area to be included in the determination is at least 10, but less than 40 acres	\$1,180
(c) Total area to be included in the determination is at least 40, but less than 100 acres	\$2,370
(d) Total area to be included in the determination is at least 100	\$2,370
(e) Additional fee per 100 acres (or portion thereof) beyond the first 100 acres	\$200
Reissuance of Informal Determinations	\$50
Reissuance of Formal Determinations, in accordance with subsection 62-330.201(5), F.A.C.	\$350
Application for any activity when submitted by the Department of Defense	\$0
Any fee in excess of \$100, as determined by this section, shall be reduced to this amount, which shall not exceed \$100, for public projects when the applicant is a county or municipality (or under contract thereto) that qualifies under Section 218.075, F.S.	\$100

Rulemaking Authority 373.044, 373.109, 373.113, 373.118, 373.171 FS. Law Implemented 218.075, 373.109 FS. History—New 6-16-88, Amended 11-25-90, 12-22-92, 10-16-94, 11-8-94, 10-3-95, 1-3-96, 6-22-99, 5-6-12, 10-1-13, \_\_\_\_\_.

40B-1.901 General.

The District maintains a list of forms which is updated annually and is available upon request. All district forms and instructions may be obtained at the District headquarters or on the District's website and are hereby incorporated by reference as follows:

- (1) Form number 40B 2.041A, Water Use Permit Status Form, is incorporated by reference in Rule 40B 2.041, F.A.C.;
- (2) Form number 40B 2.041B, Application for Water Use Permit Agricultural Use, is incorporated by reference in Rule 40B 2.041, F.A.C.

~~(3) Form number 40B 2.041C, Application for Water Use Permit Augmentation/Other Use, is incorporated by reference in Rule 40B 2.041, F.A.C.;~~

~~(4) Form number 40B 2.041D, Application for Water Use Permit Commercial Use, is incorporated by reference in Rule 40B 2.041, F.A.C.;~~

~~(5) Form number 40B 2.041E, Application for Water Use Permit Potable Water Supply Use, is incorporated by reference in Rule 40B 2.041, F.A.C.;~~

~~(6) Form number 40B 2.351A, Water Use Permit Transfer Form, is incorporated by reference in Rule 40B 2.351, F.A.C.;~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 9-15-81, Amended 3-17-88, 12-21-88, 10-8-89, 6-17-93, 10-3-95, 1-3-96, 6-22-99, 1-29-01, 5-15-05, 7-7-08, 4-1-10, 10-1-13, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Warren Zwanka, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.:           RULE TITLE:

61G6-8.001       Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete language and to add new language to clarify the fees required and the amount of the fees.

SUMMARY: The rule amendment will delete language and to add new language to clarify the fees required and the amount of the fees.

**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: 455.217(2), 455.219(1), 489.507(3), 489.509 FS.

LAW IMPLEMENTED: 455.217(2), 455.219(1), 455.2281, 455.271(8), 489.509, 489.511(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: Daniel Biggins, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-8.001 Fees.

The following fees are prescribed by the Board:

(1) No change.

(2) The initial application fee for licensure by endorsement as a certified ~~unlimited~~ electrical, alarm system or specialty contractor by endorsement or certification of a registered contractor shall be two hundred dollars (\$200.00).

(3) through (8) No change.

(9) Delinquent Fee. If licensee becomes delinquent, an applicant must elect for active or inactive status, and a fifty dollar (\$50.00) delinquent fee will be charged.

(10) through (13) No change.

(14) The initial application fee for licensure by second entity as certified ~~unlimited~~ electrical contractor or alarm system contractor shall be two hundred fifty dollars (\$250.00).

(15) Pursuant to Section 455.2281, F.S., in addition to all other fees collected from each licensee, there shall be a five dollar (\$5.00) fee collected at the request of the Department, both upon initial licensure and license renewal for the purpose of combatting unlicensed activity.

(16) No change.

Rulemaking Authority 455.217(2), 455.219(1), 489.507(3), 489.509 FS. Law Implemented 455.217(2), 455.219(1), 455.2281, 455.271(8), 489.509, 489.511(2) FS. History—New 1-2-80, Amended 10-27-80, 5-13-81, 5-3-82, 8-4-82, 5-2-83, 1-19-84, Formerly 21GG-8.01, Amended 7-9-86, 12-24-87, 10-30-88, 2-20-89, 8-26-90, 4-1-91, 7-3-91, Formerly 21GG-8.001, Amended 3-14-94, 11-30-94, 4-5-95, 7-13-95, 12-25-96, 6-1-97, 3-10-98, 12-31-98, 10-4-99, 12-27-04, 6-5-08, 6-29-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors' Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 20, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 7, 2013

Section III  
Notice of Changes, Corrections and  
Withdrawals

NONE

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-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on December 16, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Madison Heights Apartments (1). Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-415).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on December 16, 2013, the Department of Business and Professional Regulation,

Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Madison Heights Apartments (2). Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-416).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on December 17, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Devoe Cadillac, filed November 27, 2013, and advertised on December 2, 2013 in Vol. 39, No. 232, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-397).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on December 17, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Hammond Stadium Players Academy, filed November 27, 2013, and advertised on December 4, 2013 in Vol. 39, No. 234, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-398).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

## 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: January 14, 2014, 2:00 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 shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

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: 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: Bureau of Criminal Justice Programs at (850)414-3300.

### DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Gulf Coast State College District Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: January 16, 2014, 10:00 a.m.

PLACE: Room 176, Emergency Operations Center, North Bay Campus

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Regular Meeting.

A copy of the agenda may be obtained by contacting: Dr. Jim Kerley, President, Gulf Coast State College.

### REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

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

DATE AND TIME: January 15, 2014, 9:00 a.m.

PLACE: ECFRPC Office, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Board Room, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Monthly meeting of the Executive Committee.

A copy of the agenda may be obtained by contacting: Pegge Parker at [pparker@ecfrpc.org](mailto:pparker@ecfrpc.org) or (407)262-7772, ext. 300.

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: Pegge Parker at [pparker@ecfrpc.org](mailto:pparker@ecfrpc.org) or (407)262-7772, ext. 300. 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: Pegge Parker at [pparker@ecfrpc.org](mailto:pparker@ecfrpc.org) or (407)262-7772, ext. 300.

### REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

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



DATE AND TIME: January 15, 2014, 10:00 a.m.  
PLACE: ECFRPC Office, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Board Room, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

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: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300. 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: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

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REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2014, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Council's Comprehensive Economic Development Committee.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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: Liz Gulick at (772)221-4060. 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: Liz Gulick at (772)221-4060.

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DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: January 31, 2014, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Room #301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NO.: RULE TITLE:

65E-5.350: Eligibility Criteria and Procedures for Designation of Baker Act Receiving Facilities

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

DATE AND TIME: January 10, 2014, 11:00 a.m. – 1:00 p.m.

PLACE: Regency Park Library, 9701 Little Road, New Port Richey, FL 34654

GENERAL SUBJECT MATTER TO BE CONSIDERED: Designation of Baycare Behavioral Health's Integrated Stabilization Unit in New Port Richey, FL as a Baker Act Receiving Facility.

A copy of the agenda may be obtained by contacting: Elizabeth Statzer at (813)337-5973 or email: Elizabeth\_K\_Statzer@dcf.state.fl.us.

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: Elizabeth Statzer at (813)337-5973 or email: Elizabeth\_K\_Statzer@dcf.state.fl.us. 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).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
 Refugee Services

The Jacksonville Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 8, 2014; 1:30 p.m. – 3:30 p.m.

PLACE: Lutheran Social Services of Northeast Florida, 4615 Phillips Highway, Classroom #3, Jacksonville, Florida 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Jacksonville Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Debbie Ansbacher at (904)485-9540 or Taddese Fessehaye at (407)317-7335.

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: Debbie Ansbacher at (904)485-9540 or Taddese Fessehaye at (407)317-7335. 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: Debbie Ansbacher at (904)485-9540 or Taddese Fessehaye at (407)317-7335.

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 Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Petitioner, Laurence Robinson, DS 2013-115 on December 10, 2013. The petition seeks the agency's opinion as to the applicability of Florida Statue 561.57 as it applies to the petitioner.

The Petitioner, Laurence Robinson requests clarification regarding whether the Petitioner's proposed operations are legal under the exceptions for vendors receiving telephone and mail orders in Florida Statue 561.57. Petitioner, Laurence Robinson, either herself or on behalf of a Florida business entity, intends to begin an online business to sell wine and

possibly beer for consumption off the premises pursuant to Florida Statutes 564.02(1)(a). The business intends to operate exclusively through Internet-based marketing and sales. The petitioner is substantially by virtue of its intent to be a vendor of alcoholic beverages in Florida.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joy.Cottrell@myfloridalicense.com, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

Please refer all comments to: Michael Ross, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from the Morganti Group, Inc. on December 12, 2013. The petition seeks the agency's opinion as to the applicability of Section 489.105, Florida Statutes, as it applies to the petitioner.

The Petitioner seeks a declaratory statement on Section 489.105, Florida Statutes, regarding whether the disciplines of Construction Management, Program Management and Facility Management as applied to the execution and performance of contracts fall within the definitions of "contractor" and "contracting" and thus fall within the purview of a licensed general contractor. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by email, Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Philip W. Green, Fire Marshal, Estero Fire Rescue, on September 27, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 207, of the Florida Administrative Register on October 23, 2013. The subject of the Petition is whether the intent of Section 633.208(8), Florida Statutes, is

to prohibit a local jurisdiction or utility from requiring a standby water fee for a one- or two-family dwelling that is provided with residential fire sprinklers. The Division of State Fire Marshal determined that Section 633.208(8), Florida Statutes, prohibits a local jurisdiction or utility from charging a standby water fee for one- and two-family dwellings that are equipped with residential fire sprinklers that is not charged to non-fire sprinklered one- and two-family dwellings.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: R. Terry Butler, Assistant General Counsel, Department of Financial Services, Room 612A, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0333.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Philip W. Green, Fire Marshal, Estero Fire Rescue, on September 27, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 207, of the Florida Administrative Register on October 23, 2013. The subject of the Petition is whether the intent of Section 633.208(8), Florida Statutes, is to prohibit a local jurisdiction or utility from requiring the installation of a separate water connection in one- or two-family dwellings if the dwellings are required to have residential fire sprinklers. The Division of State Fire Marshal determined that the intent of Section 633.208(8), Florida Statutes, is to prohibit a local jurisdiction or utility that adopts a sprinkler requirement for one- or two-family dwellings from requiring a dwelling owner to incur the cost of a separate water connection when said cost will accrue to the benefit of the local jurisdiction or utility and the required design professional has determined that the domestic water connection is adequate to provide both domestic and fire sprinkler demand.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: R. Terry Butler, Assistant General Counsel, Department of Financial Services, Room 612A, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0333.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Philip W. Green, Fire Marshal, Estero Fire Rescue, on September 27, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 207, of the Florida Administrative Register on October 23, 2013. The subject of the Petition is compliance with the property owner notification requirements of Section 633.208(9), Florida Statutes, when a political subdivision is contemplating a fire sprinkler requirement for one- and two-family dwellings. The Division of State Fire Marshal determined that: (1) Section 633.208(9), Florida Statutes, requires the local government to provide a letter documenting specific infrastructure or other tax or fee allowances and waivers to owners of one- or two-family dwellings prior to initiation of legal proceedings necessary to consider adoption of a sprinkler requirement; (2) neither Section 633.208(8) nor Section 633.208(9), Florida Statutes, require that a copy of the economic cost and benefit report required by subsection (9) be presented to owners of one- and two-family dwellings; and (3) presentation of a copy of the economic cost and benefit report to the owners of every one- and two-family dwelling does not constitute compliance with the notice requirement in Section 633.208(9), Florida Statutes, unless the report documents specific infrastructure or other tax or fee allowances and waivers that are listed in but not limited to those described in subsection (8).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: R. Terry Butler, Assistant General Counsel, Department of Financial Services, Room 612A, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0333.

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

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

NONE

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

FLORIDA HOUSING FINANCE CORPORATION

Request for Applications 2013-010 for the Financing of Affordable Multifamily Housing Developments with HOME Funding to be used in conjunction with Florida Housing-Issued MMRB and Non-Competitive HC

Florida Housing issued RFA 2013-010 on November 25, 2013 with a due date of December 17, 2013. This due date was extended to December 19, 2013 in a modification to the RFA

which was posted to the Corporation’s website on December 11, 2013. A second modification to the RFA, posted to the Corporation’s website on December 17, 2013, further extends the due date for this RFA to December 31, 2013. Applications for the HOME funding offered in RFA 2013-010 shall be accepted until 11:00 a.m., Eastern Time, on Tuesday, December 31, 2013, to the attention of Ken Reecy, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The RFA, which outlines selection criteria and Applicant’s responsibilities, can be downloaded from the Florida Housing Finance Corporation website at: [http://apps.floridahousing.org/StandAlone/FHFC\\_ECM/ContentPage.aspx?PAGE=0394](http://apps.floridahousing.org/StandAlone/FHFC_ECM/ContentPage.aspx?PAGE=0394).

Any further modifications that occur to the Request for Applications will be posted at the website and may result in an extension of the deadline. It is the responsibility of the Applicant to check the website for any modifications prior to the deadline date.

Section XII  
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF CORRECTION – The Florida Department of Environmental Protection, Petroleum Restoration Program (PRP) announces a public meeting to which all persons are invited.

Notice of Correction to entry PRP Public Meeting scheduled for December 19, 2013, Volume 39, Page 6160, Florida Administrative Register, published on December 11, 2013.

Due to a clerical error the link provided was incorrect. The correct link is <https://www2.gotomeeting.com/register/536042194>.

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.