

**9. RULES OF CENTRAL BROWARD WATER CONTROL  
DISTRICT REGARDING PERMITS FOR WORK  
WITHIN DISTRICT RIGHTS-OF-WAY**

**9.01 GENERAL**

The Board has the power to establish a code of general specifications for the obtainment of a permit; and for hearings in connection therewith before the Board of Commissioners for approval of plans for any construction or work done, which comes into, over, onto, or through any of the waterways of the District created hereby. Waterways for the purposes of these requirements are hereby defined as “the waterways, easements, rights and reservations, rights-of-way, maintenance strips, swales, and all and every work or facility appurtenant or adjacent to, or utilized by the District in connection with the functioning of its waterways.

**9.02 POLICY OF THE DISTRICT IN CONSIDERING AND ISSUING PERMITS**

**9.02.1** No permit will be granted for any use of a District’s works that will adversely affect such works, or interfere with, or impose hardships upon the District’s operation, maintenance, or construction activities.

**9.02.2** No permit will be granted for any use of District’s works when granting such would be inconsistent with the comprehensive plans for the District.

**9.02.3** The District reserves the rights to: (a) change, regulate, and limit discharges into, or withdrawals from, District works, and (b) amend or change any of its policies, practices, procedures, regulations, or fees; and such action shall not constitute any claim for damages, nor become the basis for legal suit by any permittee.

**9.02.4** In the event that the District exercises its rights reserved in 9.02.3

(a) and (b) above, the permit holder will be required to comply by alteration or otherwise, as required.

### **9.03 APPLICATION FOR PERMIT**

**9.03.1** Requests for application for permit forms can be made in person, by letter, or by phone, directly to the Central Broward Water Control District office at 8020 Stirling Road, Hollywood, Florida 33024, (954) 432-5110. There is no charge for issuance of an application for a permit.

#### **9.03.2 PREPARING THE APPLICATION**

**9.03.2.1** Simply state what use is intended; bridge crossing, culvert connection, beautification of right-of-way, etc.

**9.03.2.2** Location of work to be done, stating County, Section, Township, Range, Block, Lot, Subdivision, where pertinent.

**9.03.2.3** Name or project number of canal or levee involved.

**9.03.2.4** Name of owner of proposed work or structure, and address.

**9.03.2.5** Area proposed to be served.

**9.03.2.6** Date of commencement of work contemplated in application, and date of completion of work.

#### **9.03.3 PREPARATION OF THE SKETCH**

**9.03.3.1** Drawings are to be submitted on letter size paper (8 1/2" X 11"), in duplicate.

**9.03.3.2** The sketch should locate the installation or construction by referencing it to a section line, a road, or some obvious and/or permanent land mark.

**9.03.3.3** The sketch should clearly portray the construction in its relationship to the channel and/or right-of-way. Elevations must be indicated.

#### **9.04 EMERGENCY PERMITS**

A letter of authorization for emergency use of the District's facilities can be obtained prior to the issuance of a permit at the Board's discretion, if the delay of normal permit procedure would cause extreme hardship, or endanger lives or property; provided, however, an application for permit is regularly filed.

#### **9.05 TEMPORARY PERMITS**

Installation based upon seasonal requirements such as irrigation, pump connections, or semi-permanent facilities subject to relocation or modification such as temporary power lines, may be authorized under a temporary permit. Said temporary permits are to be issued for the use of District facilities for a period not exceeding ninety (90) days. However, should a use of installation approved under temporary status be desired for a period in excess of the maximum period allowed under the temporary status, a reasonable time extension may be applied for, or an application for regular permit may be made.

#### **9.06 MODIFICATION OR RELOCATIONS OF WORK UNDER PERMIT**

Modifications to existing works under permit can be made without applying for a new permit; this also applies to the relocation of structures or facilities to a new site; provided, however, that the Board shall be advised in writing of the intent to do so, and shall consent thereto by a letter of approval.

A letter of request to amend the existing permit, in duplicate, accompanied by adequate drawings, also in duplicate, should be submitted to the District. Approval of the requested change will be granted in the form of a letter of acceptance.

## **9.07 TRANSFER OF PERMITS**

By a separate agreement, the holder of a District permit may allow a third party the use of his permitted facility; but such agreement must be made known to the District in writing. Permits are not assignable without the specific consent of the District. A valid permit, upon request, can be transferred from one owner to a new owner. Request must be made in a letter form by the new owner, with the consent of the previous owner shown therein.

## **9.08 CONDITIONS UPON WHICH PERMITS ARE ISSUED ARE AS FOLLOWS:**

- 9.08.1** Abidance by the terms and conditions of the permit issued to the holder.
- 9.08.2** The maintenance of any work or structures, the title to which remains with the permittee, in good and safe conditions.
- 9.08.3** The holding and saving of the District and its successors harmless from any and all damages, claims, or liabilities, which may arise by reason of the construction, operation, maintenance, of the use, of the work or structure involved in the permit.
- 9.08.4** Permitting inspection at any time by the District, its agents, servants, or employees, of any works and structures established under the permit.
- 9.08.5** The prevention of the discharge of debris and/or aquatic growth into any District works should the construction be a culvert, open channel, or pump connection.
- 9.08.6** Conformance with any alterations of, or amendments to the requirements of minimum standards of construction that may be deemed necessary by the District.
- 9.08.7** If in the event the Board requires our Engineer's approval, said costs shall be fully reimbursed by the applicant.

**9.08.8** The granting of a permit does not convey to the permittee any property rights, nor any rights or privileges other than those specified in the permit.

**9.09 BOND**

Where deemed necessary by the District, a bond in an amount to be set by the District, may be required to insure compliance with the terms of the permit.

**9.10 FEE**

A fee will be charged for the issuance of the permit, which shall cover the cost of one inspection if necessary.

You are cautioned to call the District Secretary/Manager at 954-432-5110 for current fee scheduled as the Board of Commissioners dictates.