

The Florida Agricultural Handbook of Solid and Hazardous Waste Regulation: Local Government Structuring¹

Michael T. Olexa and Ian Goldfarb²

What do I need to know about local governments?

The laws of local governments are called ordinances. These local laws have the authority of the state behind them and you can be prosecuted for violating them, much the same as with state laws. Local governments have procedural protections similar to those of the state, but these may vary among the local governments. The legislature can also affect local policy and issues through the passage of special laws that apply only to a certain locale.

What is the structure of local government?

The structure of local government varies. Elected commissions usually head counties and cities. These commissions are the authority of the local

government and just as the state and federal legislatures delegate the details, so do local commissions. Usually, running the day-to-day aspects of government is delegated to a professional manager and/or local agencies. As a result, these agencies may have the power to make decisions that would otherwise be made by the commission.

How are local governments involved in waste management?

Local governments are very involved in waste management. They frequently administer collection and disposal facilities. In addition, each county

- has a resource recovery and management program;

1. This is EDIS document FE774, a publication of the Food and Resource Economics Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL. Published November 2008. Please visit the EDIS website at <http://edis.ifas.ufl.edu>.

Disclaimer: This handbook is distributed with the understanding that the authors are not engaged in rendering legal or other professional advice and that the information contained herein should not be regarded or relied upon as a substitute for professional advice. This handbook is not all-inclusive in providing information to achieve compliance with laws and regulations governing the practice of agriculture. For these reasons, using these materials constitutes an agreement to hold harmless the authors, the Center for Agricultural and Natural Resource Law, the Institute of Food and Agricultural Sciences, and the University of Florida for any liability claims, damages, or expenses that may be incurred by any person or party as a result of reference to or reliance upon the information contained in this handbook.

2. Michael T. Olexa, professor, Food and Resource Economics Department; director, Center for Agricultural and Natural Resource Law, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL; and member, Florida Bar and Agricultural Law Committee of the Florida Bar; and Ian Goldfarb, graduate student, Levin College of Law and Hough Graduate School of Business, University of Florida, Gainesville, FL.

- performs hazardous waste assessments on a regular basis;
- maintains records of small quantity generators;
- is involved with a Regional Planning Council, or RPC (RPCs coordinate on many issues, including waste management).

While Local Emergency Planning Committees are not directly involved with local governments, they do play an important part in waste management by being responsible for

- developing emergency plans for dealing with spills;
- coordinating local and state authorities under federal and state right-to-know laws.