David Balland GEDDIS In GEORGIA AVENDE Palm Harbon

### **BOCC Pinellas County OCTOBER 31, 2023**

Published in 1972, Maloney's Water Code, Chapter 1:13 States that every person shall be subjected to an *Annual User-Surveilance Fee* for the use of water. And, failure to pay such *Annual user-surveillance Fee* shall constitute (statute 373.715) grounds to revoke a person's consumptive-use permit, disallowing water to such persons.

Maloney's Water Code Chapter 5:10 states that the powers of the Water Board shall have the right to enter our property to investigate the character of how we use water, analyzing the condition of water used and to inspect for contamination both <u>Biological and Chemical</u> in nature.

Claiming Eminent Domain in Chapter 1:23 of Maloney's Water Code.

Pinellas County "Reclaimed water" Resolution #95-286 section III-k, makes reference to this Inspection of such, to be done *Without Notice* ~ day or night. And, we must submit to this Inspection fee in order to maintain the privilege of having the opportunity to access our water ~ Privileges!

## Soldiering us in our homes!

The 3<sup>rd</sup> Amendment states that "No soldier shall be quartered in our home, without the consent of the owner, but in a manner prescribed by law.

Waylaying our consent, The Reclaimed Water 'Variance' Application was used to capture our consent to under the 3<sup>rd</sup> Amendment "tricking" us into forfeiting our property rights.

In effect this occupation has claimed Eminent Domain of our property in statute 153.03(5), taking all lands, all our rights, in statute 170.03, Claiming rights to take our liberty, property and life of Christianity as "so-called" Due Process under the 14<sup>th</sup> Amendment, to include our labor, Enslaving us as based on Federalist Paper #54.

Our current constitution/THIS Constitution (Hamilton's first Constitution) is a Bill of Attainder, it's a Medium, a Letter of Marque seen as Reprisal and is EXPRESSLY PROHIBITED in Article 1 section 9 and section 10.

THIS Government is in violation of its own Hypocrisy in/of its own Hypocritical Constitution.

# CONSTITUTION ANNOTATED Analysis and Interpretation of the U.S. Constitution

# **Constitution of the United States**

## Third Amendment

Third Amendment Explained

prescribed by law. the consent of the Owner, nor in time of war, but in a manner to be No Soldier shall, in time of peace be quartered in any house, without

RECLAIMED WATER WARIANCE "Application

Eminent Domain ~ 153,03(5)

Eminent Domain - Maloneys Water Code

Eminent Domain ~ 170,03

Select Year: 2023 ✔ Go

## The 2023 Florida Statutes

MUNICIPALITIES SUPPLEMENTAL AND ALTERNATIVE METHOD OF MAKING LOCAL 4th Americanist MUNICIPAL IMPROVEMENTS Chapter 170

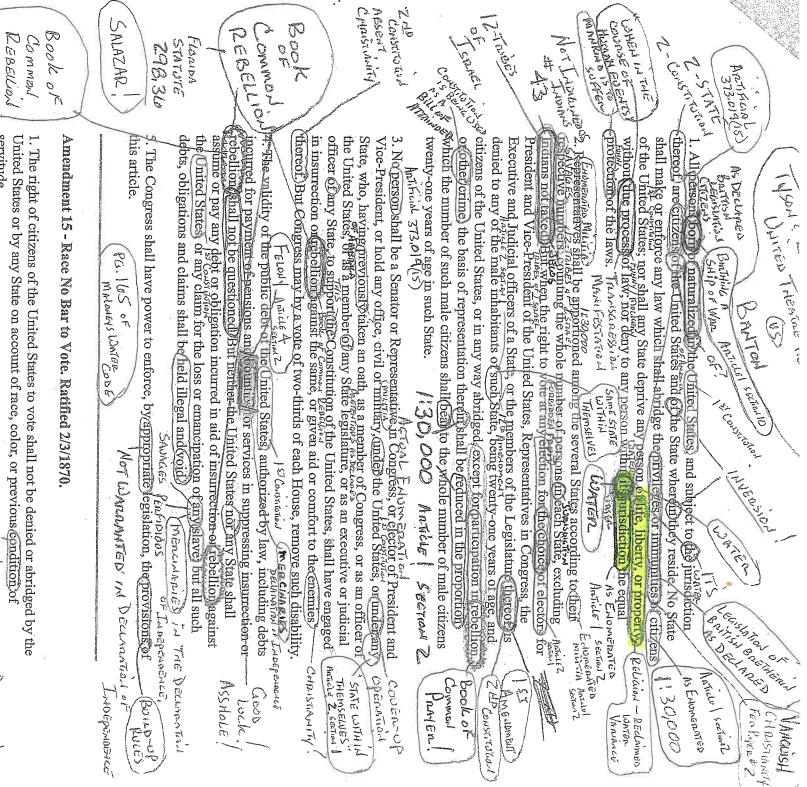
<u>View Entire</u> <u>Chapter</u>

part of the expense thereof by special assessments, said governing authority shall so declare by resolution stating the nature of the proposed improvement, designating the street or streets or sidewalks to be so improved, the location of said sanitary sewers, storm sewers, and drains, the location of said water mains water laterals, and municipality may determine to make any public improvement authorized by s. 170.01 and defray the whole or any Resolution required to declare special assessments.—When the governing authority of any

and said resolution shall also designate the lands upon which the special assessments shall be levied, and in describing said lands it shall be sufficient to describe them as fall lots and lands adjoining and contiguous or bounding and abutting upon such improvements or specially benefited thereby and further designated by the other water distribution facilities, the location of the utilities, the location of the recreational facilities, the location of the recreational facilities, the location of the recreation of assessment bonds, cost of plans and specifications, surveys of estimates of costs and of revenues, cost of prior to and during construction and for 1 year after completion of construction, discount on the sale of special materials, the cost of all lands property rights easements and franchises acquired, financing charges, interest improvement. Such estimated cost may include the cost of construction or reconstruction, the cost of all labor and assessment plat hereinafter provided for." Such resolution shall also state the total estimated cost of the be paid, what part, if any, shall be apportioned to be paid from the general improvement fund of the municipality; districts or nationally recognized historic districts to be improved, and the part or portion of the expense thereof to be paid by special assessments, the manner in which said assessments shall be made, when said assessments are to necessary or incident to the financing herein authorized. practicability of such construction or reconstruction, administrative expense, and such other expense as may be engineering and legal services, and all other expenses necessary or incident to determining the feasibility or

92-156; s. 3, ch. 94-344. History.—s. 3, ch. 9298, 1923; CGL 3024; s. 2, ch. 59-396; s. 2, ch. 67-552; s. 1, ch. 78-330; s. 2, ch. 87-103; s. 40, ch. 91-45; s. 2, ch.

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servitude. United States or by any State on account of race, color, or previous condition of MERCINARY 1.0 カデ DELLARATIO

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2. The Congress shall have power to enforce this article by appropriate legislation

DECLARED DHO HMENDMENT ? 豆豆 AS AN FELON "UNLUMBROANTED WINTER ₹0 E UnispicTion URISDICTION Š DECLARED

Conservation 

Application for Variance

From Pinellas County Code 82-3

County Reclaimed Water Shortage Conservation Measures

English Boy 7 DOMAIN

153.03(5)

STATOTE

3RD AMENDMENT CONSENI

PUBLIC PALVUATE

Important Instructions and Information > Decisioned water Freility (Not Utility)

VIOLATION PARTHERSHIP

Hatels | Section 3

Violation HomeRule

contrary to the public interest and where oxing to special conditions, a literallenforcement of the provisions of the ordinance would result in hardship, irrigation system limitations, County Reclaimed Water Shortage Conservation Measures, when such variance will not be Pinellas County may grant a variance from the terms of Pinellas County Code 82-3 religious convictions or the health and safety of the applicant

Violation 7.67(1) 1 SIA MENDMENT Conservation Department. Written application for a variance shall be submitted to the Pinellas County Utilities

Uris, Constitutions The application for variance shall demonstrate that:

The variance shall not be in conflict with any other applicable ordinance or state law

The variance will not adversely affect the reclaimed water supply

inconsistent with the County Comprehensive Plan The variance will not violate the general spirit and intent of the ordinance nor will it be

Conservation Measures as soon as possible after submittal of the written application. Pinellas County shall consider a variance from the County Reclaimed Water Shortage

FEE (Sumple)

97-103 SECTION!

(ABOS-921

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safeguards to assure conformance. In granting any variance, Pinellas County 1524 prescribe appropriate conditions and Emideut. 153,0365 STATUTE

the variance is granted, shall be deemed a violation of this section. Violations of such conditions and safeguards, when made a part of the terms under which DOMANI RESOLUTIONS

982-286 (6-2)

Application shall be mailed to the following location

Clearwater, FL 33756 Pinellas County Utilities Conservation Department 14 South Fort Harrison Avenue, 4th Floor

For personal assistance, please call the Reclaimed Hotline at (727) 464-4273

777 PRIMALLE 97-103 SECTION 126-509. IT is PAINT OF A LAND AQUISITION アエン ECLAIMED WATER TAKES TITLE Your property, Both Pensonal and REAL property, is BEING Taken AS ENTITY OF INTENEST IS ATTEMPTING EMINENT DOMAIN CONTRACT IN To your property in REsolution 95-286 STATUTE 153.03 (5 TUC-2) HAD Appropriation

6 Pefition for Variance County Reclaimed Ordinance PC 82-3 USE THE 11 + Revised 101/6/2009 AMENDMENT

Usurp your property, LIBERTY, HENTH AND SAFETY, Literally.

ENFORCEMENT INSPECTION I N-SCONTONION ON THE PROPERTY OF THE PROPERTY O ROLLEY Report A CONTROL OF THE PROPERTY OF T Z Z OBEYED Property DECLINATION OF LIDEPENDENCE FT-UP & E-2829 W.5. GOVERNMENT 77.00 IRRIGATION CONTROL VALVE 153:03(7)(11) dispection) Attempts will be made to limit such dispection to day light hours. Failure of the County to obtain such a written waiver shall not affect the County's right to proceed with the dispection 3000-1005 for the light halosopy water Cope fill dow-Decearres House for the Cope fill dow-Decearres House control valves LOCKED VAULTED WYE STRAINER enclosed with an appropriate valve box and/or meter box as required SERVICE AND MAINTENANCE customer's line after the irrigation control valve South County System are encouraged to install connections, All customers observed with the premises. To include Essential AAD POTABLE PRINCESES Refusing to permit an authorized County representative or Pinellas County Public Health Unit fepresentative to enter onto the premises for the purpose of charge the customer's reclaimed water system pursuant reclaimed water service, give prior written premises Contlow thereby waive any other inspection, Attempts will be made to limit reclaimed Connection Control Ordinande 77-11 CROSS CONNECTION CONTROL prevention device installed on the potable water system at the meterä wye strainer and/or pressure reducing valve, wye strainer and/or inspecting, (removing and/ be required to do accordance with flowmeter all premises where reclaimed water service is provided the Qublic connections these regulations, customer master and and maintenance Pinellas County RIMIN ON BISE water the County reserves the right and privilege water customer the reclaimed water <u>Ascillaties</u> shall water <u>System Policy Manual</u> Resolute Shall the that the contact control valve. TE DECLAIMED WHY CHANGE IS UNEXTENDUS BONKER HA with on the North County System will be required to provide a with a self-clossisc Fig. - er (gate which connect for irrigation control valves are to supply a Gelf-cleaning blow off outlet ENSMENTS the reclaimed water valve) installed b requirements of the FDEP and/or Pinellas County Cross 100 irrigation control (valves) are to be located prior America de la contrado de la contrad non-residential County's so. pressure reducing valve, as required, and after and shall authorized County shall, give prior written consent PLUMMING /or procedures to, A11 Locker 410 securing any (MINE SHOT OFF.) be regulations or control the ed to install a wye strainer by mye strainer (is) to be located irrigation control Not A Courter protected BACK FLOWER by tike r system shall have an trimproble by the customer after the customer a connections. shall be grounds AR DISTORUM AND LAND Doc process CLA WINE RY or all and Bows Ection & ď as reclaimed water. On's Eller Costomen an INDEPENDANT County be located prior required, and after tial application for Resolution 87to valves FORM SHED IS Revised approved dackflow For residential CONTRACT 153.11 FOSUED BUTTY & enter 0 for ON PRINCE L NEWS are to be the master FRYEMBUT the Subject 520d Spot upon their (Frigation) are 10/4/95 3 NALVES TOTAL Opportuni being such CABINI. Comporate Sparkenon SUBMISSION NOO! DISTRIBUTION GAME VALUE Ball Hos. Contract 是太 MAJY

Trainmon REPLEMENT HAVE AN Care par EASMEAT AMOUNT T333 Constro H H STRONG E-2829 Ħ meters for the reclaimed water installed by the County at the a and replacement facilities, applicant installation cost Customers (may) be (required to provide an appropriately sized meter. METER REQUIREMENT COMPORAL WARTS TO (receive) reclaimed water service chaired water service chaired facilities (accepted) by the County, acquire any interest (acilities of any portion (thereof pother than the Drumer property Connected for reclaimed water services in this manual and any amendments thereto. OWNERSHIP which is on his PROPERTY OWNER'S SERVICE REC PUBLIC EASEMENT REQUIREMENT approved in writing by connections that could considered County-provided. customer must have a Suitable irrigation system? health, inadequate supply of reclaimed water, lack of required fees, both for any other reason which in the jud Director will cause the extension not to benefit the payment of any costs, submittal of any petition or any RIGHT TO REFUSE SERVICE The County JOD BOLLSAN MICE Not Utility Continues of Description of the rectained water tacilities except his of his project of the rectained beauty beauty to the rectained shall its of the rectained beauty to the rectained shall its of the rectained beauty to the rectained shall its of the rectained beauty to the rectained beauty to the rectained by the the reclaimed water <u>lacilities</u> and <u>Appurtenances</u> in lities, when constructed or <u>accepted</u> by the Cour PETITION system shall not include devices, above ground faucets, or other consist with will an application for (actual other than A PPURMAPICÉ for charges insure permanent (Co for shall Opportunity Compone ьé Ø e following: payment WELEK ? morenty Z Z τo cost of installation. 15 4 dol-usen REHUMENATED MORK-UP connection to the reclaimed water cross-connection to below will provided herekny Lew by Causing have an The C-2 (Applants access) for operation agention. ould permit the reclaimed water to be us <u>(irrigation unless</u> such uses and systems by the Director HB 634 Lauren/Tolder II Coex 9 underground system provided the right at the prior be PRIVATE ATTOS OB (APPROXIMENTS) ground hose bib 97-103 (1's (Service) shall not YEP To The Facility TRANSLUCEMIT REQUIREMENTS prepared by Ŋ Director. SUPLE ARLE! DEFINITION OF PLUMMING Y to installation. NOMMATERIAL applicant's expense. シスキアこ system (176-50B) except the custome reclaimed water, Alack of Sayment (detrimental) LAND TO MAL 1 ELIMIANTE PROPERTY the インシンメ OVERNEEDY the times to FREELY GIOGH required by the contained BE and The buent potable (installed (in) guarantee) Such X 8 Service Service rson shall payment of any Causing any construction of any any interest of right in such County and submitted F PLUMMED Nowmanana the County shall become MATURE A refund or additional refuse 126, 509 For Tapping in to water in a (locked box system. The reclaimed AND NOT TO EXCECT r to be used for by the customer NUMBER The irrigation system that other than plumbing HUBICES , TOU ON PETHOD ON PETHOD stic ( Estimate Fr by 🖭 TO STOP OF LUMBING irrigation to E PAGE AWAY YOUR 153,40(R)(B) system shall be PRINCIPLE MANNETHING adequate USE(日大 judgment of accoundance the applicant THE extend service COMPANY approved, BOCAUSE KUNDOURT REQUIRED he Director maintenance, CAND other act to NUMBERLAGE have THESTATE system (public having public The CHATET With bed and A11 been or a ,the CITIZEN PRIMILEGE and the ъe No Application buny four SALARCHOLD これる England MENT. عموس REFUSE reputer EASMENT PREPERTY -THOORAT WE BENEHMAL "Bires/Awens OPPORTUNITY WELFARE . HEALTH power TRIBUTIO-1/14 804 1b MS ICH

for a substantial failure to comply with the provisions of this code. lation of the state board may be declared invalid, in/whole or in part,

the time and manner prescribed by the state appellate rules. of such order by petition for certiorari to the [appropriate] court within the state board under sections 1.10 or 1.22 may seek judicial review (2) Any party aggrieved by a final order in any/proceedings before

# \$1.12 Appropriation of Funds to Water Management Districts

erning boards shall submit annual budgets to the state board. be necessary for the administrative expenses of such districts. The govfrom funds appropriated to the state board such part (thereof) as may The state board shall allocate to the water management districts The state of the s

## \$1.13 Annual User-Surveillance Fee-Fee Scale--Collection

95-286

Amendment

PHELLAS COUNTY, RESOLUTIONS

an annual fee based on a schedule established by the state board. this code shall be subject to a user-surveillance fee. This fee shall be (1) Every person who requires a permit under chapters 2 or 5 of

and administration. ten (10) per cent of such monies shall be used for the cost of collection appropriation bill; provided, however, that an amount not exceeding and shall be in addition to monies otherwise appropriated in the general earmarked and allocated for the use of the water management districts, by the state board or an appropriate agency designated by the legislature. All monies received under the provisions of this section shall be (2) The user-surveillance fee shall be collected on an annual basis WATER (ESSENTIAL) IS DENIED

ACTORY 1350 12150

(3) The failure of any person to pay the user-surveillance fee established hereunder shall constitute grounds for revocation of his permit.

fund in the state treasury to be known as the water resources development account. State treasury to be known as the water resources development account. \$1.14 Water Resources Development Account Applional (1) There is hereby established a continuing fund in the general

posed by law, receive and accept in the name of the state (any) funds priations, private gifts, donations, or bequests. Such funds shall be which may be offered or become available from federal grants or appro-The state board may, subject to any limitations otherwise im-

to the water resources development account. for the administration of this code by the state board, shall be credited deposited in the water resources development account.
(3) (Legislative appropriations) other than annual appropriations

(4) In accord with the powers granted to the state board, it may

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MALONEYS CODE

SHARP. T.A.

ground water, it was felt that it should be expressly included. However, since many pollution control statutes exclude or ignore covers ground water, all provisions of chapter 5 are applicable to it. themselves regularly. 166 Since the definition of waters of the state remain in that condition for years, whereas surface water sources flush correct. 165 Once a ground water source becomes contaminated it may but, of the two, ground water pollution is much more difficult to ground water sources. Both of these sources are subject to pollution, COMMENTARY. Water demands are satisfied from both surface and

which establishes a salt water barrier line and through the various provisions of chapters 2 and 3. board's powers over salt water intrusion are exercised through \$1.24 from water quality insofar as chapter 5 is concerned. The governing It should be emphasized that salt water intrusion is distinguished  $C_{P'} \cap \mathcal{E}$ 

This section is taken, with minor changes, from a Florida statute. 167

MALONEYS

CONE

\$5.10 Inspections SURVEILANCE FEET

adwelling places for the purpose of inspecting and investigating Variance conditions relating to water quality.

Dictated 163.3167 reasonable times upon any private or public property other than Reclaimes (1) The governing board shall have the power of enter at

Ameroment,

REclaimed VATERLE Shuthern

LIADE

CAPABILITIES Just physics / fing board in \$1.17 (2). However, subsections (2) The govern- ΕΚΟΡΑΘΙΑ ing board in §1.17 (2). However, subsections (2) and (3) provide  $\#_{12893}$ IMPOSED 197,363

provision in the Suggested State Act. 168 This subsection is a somewhat modified form of the inspection

tion as may be necessary. CHENNICAL AND Biolocical and location and character of the source or sources of contaminabacteriological, biological, and chemical analyses of the water, (2) Such investigation shall include such engineering studies, FUNNY! WEAPON

It indicates the extent to which studies and investigations may be COMMENTARY. This subsection was taken from an lowa statute. 169

<sup>165.</sup> Murphy, supra note 150, at 14, 15. 166. Wright, supra note 1, at 114-55. 167. Fla. Stat. §387.02, .03 (1971). 168. Suggested State Act §9 (a) (1965). 169. Iowa Code Ann. §455B.12 (Supp. 1971).

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Enumeration herein before directed to be takend (Section in parentheses clarified by the 16th Amendment.) other direct, Tax shall be laid, unless in Proportion to the Census or

AS A DIMBGT TAX CAMER ESPIONANTE BETH'S 14 th HAMENDMENT Duck-YARD SHIP OF WAR CARROTAGE Anticle | Section B TOO LATE MAN ( Aug. be subject to the Revision and Control of the Congress. Exports, shall be for the Use of the Treasury of the United States, and all such Laws shall be subject to the Revision and Controll of the Congress. Aprile | section & Charle | The State | S No State shall without the Consent of Congress, lay any duty of Tonnage, keep Troops, or Ships of War/in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War unless actually invaded, or in such No Money shall be drawn from the Treasury, but m consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

Secretal Mariet Conserved chosen for the same Term, be elected, as follows: The executive Powershall be vested in a President of the United States of America (Her President of Shall hold his Office during the Term of four Years, and, together with the Vice-President (EVI) of Declare, impairing the Obligation of Contracts or grant any Title of Nobility. - Business? of the Contracts of the Contracts of the Contracts of the Contract of the Congress, Insert of India Date Janus, British Contract of the Congress, Insert of India Date Janus, British Contract of the Congress, Insert of India Date Janus, British Contract of the Congress, Insert of India Date Janus, Inspects of Duties on No State shall enter into any Treaty, Alliance, or Confederation) grant Letters of Marque and Reprisad coin Money; emit Bills of Credit; make any Thing but gold and sityes Coin a Tender in Payment of Debts; pass any Bill of Attainder ex post facto Law, of Law Section 1 - The President imminent Danger as will not admit of delay. Article. II. - The Executive Branch Imports or Exports, except what may be absolutely necessary for executing it synspection. Enumeration Headily Section 10 - Powers prohibited of States Buy Not (A) THE foreign State. Holaina No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of One State over those of another: nor shall Vessels bound to or from one State, be obliged to enter, clear, or pay Duties in another. CONSTITUTION FUMMY! SHIP OF 7 DELLMINETER TO MANINALE FULLY! 154 COMSTITUTION STATE ALL OF IT IS BLASPHEME ON THE HIGH SEAS TREASON BRITTISH AS CAROTAGE LAGS To made #2 CONSTITUTION British Leaglation, DIRPOPALITY AND ASSOMIAGE Haricle I cectuale
Hasewale Jock-Ymos Jonston Tools WATER JUDISSICTIONS BIRTH 4th Ameromant Due Process Amedomed 14EH MANGARAT 144 Ameroment ALT THE

IMDEPENDENCE

S. Harrola W. CODE EXECUTIVE 153.90 0 x STATIONE #1300 and watercourses, parks and recreation areas, beaches, submerged Delicio Price OMBEN before the governing board and any other relevant evidence which, and implement the policies of this code.

(3) The state 1. JAMAHUE ! authorized to acquire real property and easements therein by purchase, efficiency lease, eminent domain or otherwise for flood control, water management, or water and water-related resource conservation. LATCHING quired for this purpose shall include, but not be limited to streams constitute a public purpose for which public funds may be expended. Vision (2) The state board and the governing boards are empowered and and welfare that water and water-related resources be conserved and \$1.23 Acquisition of Real Property Part of a decision or order of a governing board. of this section, the state board may stay in whole or in part the effect ment districts, the state board shall decide the issue on its own motion or on the motion of one of the districts. of the governing board granted under this code.
(4) In the event of a dispute between two of more water manage-In taking any such action, the state board is vested with all the powers Distract (3) | Lands, water afeas, and related resources which may be acinaction to be appropriate and proper. Upon a finding that the action was inappropriate or improper, the state board may: of the governing board, or the failure of the governing board to act, (1) The legislature declares it to be necessary for the public health tion, the state board shall at any time review any action or failure to (5) In the case of review by the state board under the provisions board, exercise in its name any and all of the powers enumerated in this section. \$ 1 P (3) The state board may find the governing board's action or n the letate Frank chall at aggrieved person or upon its own mo-(c) take the appropriate action itself, or (b) refer the matter to any other state agency having jurisdiction (a) direct that the appropriate action be taken by the governing.

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1 γος φωναίς Εντική? any combination of the foregoing. STATUTE 153.03(5) 170.03 HORACY Most-Pascacette CHAPTER 1 GOUGHAMENT STATUTE 153.03 (5) Carponet and Meride VARIANCE EMINENT DOMANY RECLAIMED WATER SECTION 2 153,03(5) (170,03 Confortes, 019(15) 15 AN CEN WALDWAY JUDISANTON of an ng no yment ATTA BEE ative; signor ent k and nclu-it for 25214 rpose outh 10

MALONEYS CODE

