

RESOLUTION NO. 91-76

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA INSTRUCTING THE ST. JOHNS COUNTY DIRECTOR OF UTILITIES AND HIS STAFF - WHEN REQUESTED BY AN OWNER OR DEVELOPER - TO USE GALLONAGES BASED UPON ONE BEDROOM SINGLE FAMILY RESIDENCES (AS SUCH GALLONAGES ARE SET FORTH IN THE THEN CURRENT SCHEDULE "A" OF ORDINANCE 89-21 AS AMENDED - WATER FLOWS) FOR EACH SINGLE FAMILY RESIDENTIAL UNIT PROJECTED BY A DEVELOPER TO BE SERVED BY THE DEVELOPER'S WATER AND/OR SEWER LINE EXTENSION TO A COUNTY WATER AND/OR SEWER LINE; THIS "ONE BEDROOM" GALLONAGE INSTRUCTION IS TO BE FOLLOWED BY COUNTY STAFF FOR THE SOLE PURPOSE OF DETERMINING WHETHER OR NOT STAFF MAY SIGNIFY TO THE DEPARTMENT OF ENVIRONMENTAL REGULATION THAT THE COUNTY HAS ADEQUATE CAPACITY TO SERVE SUCH DEVELOPER'S PROPOSED EXTENSION TO THE COUNTY WATER AND/OR SEWER LINE AND SUCH "ONE BEDROOM" GALLONAGES SHALL BE USED ONLY IF AND WHEN THE USE OF HYPOTHETICAL ONE BEDROOM SINGLE FAMILY RESIDENCES TO COMPUTE SUCH CAPACITY AVAILABILITY IS COMPATIBLE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL REGULATIONS; THIS RESOLUTION ALSO REQUIRES THAT A CONNECTION COMMITMENT BE PURCHASED BY THE DEVELOPER PRIOR TO THE COUNTY SIGNIFYING ADEQUATE CAPACITY TO THE DEPARTMENT OF ENVIRONMENTAL REGULATIONS; AND PROVIDES AN EFFECTIVE DATE.

WHEREAS, the Department of Environmental Regulations (the "DER") may require a developer to obtain a DER permit for the construction of an extension to a County water and/or sewer line; and

WHEREAS, the Department of Environmental Regulations may require as a condition to the issuance of such permit a written determination from the County utility department that the County utility system will have adequate capacity to serve such extension

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA as follows:

Section 1. When the County is requested by an owner or developer to signify to the Department of Environmental Regulations, as part of the owner's or developer's application for a DER permit, that the County has adequate capacity to serve the owner's or developer's proposed extension to a County water and/or sewer line, the Director of Utilities and his staff are directed to use gallonages based upon one bedroom single family residences and the County's then current Schedule A (County ordinance 89-21 as amended) Water

Flow for each single family residential unit projected by the developer to be served by the water and sewer line extension as a basis for calculating whether the County has adequate capacity to serve the developer's proposed extension. This instruction to use "one bedroom" gallonage is only applicable if (i) the developer provides the written request described in section 2 below, and (ii) if and only when the use of such "one bedroom" gallonage is compatible with the rules and regulations of the Department of Environmental Regulations. This instruction to use "one bedroom" gallonage is limited to and applies solely and only to the calculations necessary for the Director of Utilities and his staff to determine whether or not to signify to DER adequate County capacity to serve the DER permitted extension.

Section 2. Prior to signifying adequate capacity to the Department of Environmental Regulations based upon gallonages attributable to one bedroom single family residences as described above, the Director of Utilities or his staff shall obtain a written request from the developer requesting County staff to make their determination of adequate capacity based upon gallonages attributable to a one bedroom single family residence for each single family residential unit projected by the developer to be served by the proposed water and/or sewer line extension.

Section 3. Prior to signifying to the Department of Environmental Regulations that the County has adequate capacity to serve an owner or developer's extension to a County water and/or sewer line, the Director of Utilities or his staff shall require the owner or developer to purchase a Connection Commitment (as described in section 28 of St. Johns County ordinance 89-21 as amended) to reserve, at a minimum, the projected gallonages used by the Director of Utilities or his staff in determining adequate County capacity.

PASSED AND ADOPTED this 23rd day of April, 1991
by the Board of County Commissioners of St. Johns County, Florida.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *Ronald H. Arnold*
Its Chairman

ATTEST:

BY: *Patricia DeGrande*
Deputy Clerk

COPY OF ADVERTISEMENT

NOTICE OF INTENT TO CONSIDER ENACTMENT OF RESOLUTION
NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON TUESDAY, APRIL 23, 1991, AT 9:00 O'CLOCK A.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, 4020 LEWIS SPEEDWAY (COUNTY ROAD 14-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING RESOLUTION:

RESOLUTION NO. 91-
A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA INSTRUCTING THE ST. JOHNS COUNTY DIRECTOR OF UTILITIES AND HIS STAFF - WHEN REQUESTED BY AN OWNER OR DEVELOPER - TO USE GALLONAGES BASED UPON ONE BEDROOM SINGLE FAMILY RESIDENCES (AS SUCH GALLONAGES ARE SET FORTH IN THE THEN CURRENT SCHEDULE "A" OF ORDINANCE 89-21 AS AMENDED - WATER FLOWS) FOR EACH SINGLE FAMILY RESIDENTIAL UNIT PROJECTED BY A DEVELOPER TO BE SERVED BY THE DEVELOPER'S WATER AND/OR SEWER LINE EXTENSION TO A COUNTY WATER AND/OR SEWER LINE; THIS "ONE BEDROOM" GALLONAGE INSTRUCTION IS TO BE FOLLOWED BY COUNTY STAFF FOR THE SOLE PURPOSE OF DETERMINING WHETHER OR NOT STAFF MAY SIGNIFY TO THE DEPARTMENT OF ENVIRONMENTAL REGULATION THAT THE COUNTY HAS ADEQUATE CAPACITY TO SERVE SUCH DEVELOPER'S PROPOSED EXTENSION TO THE COUNTY WATER AND/OR SEWER LINE AND SUCH "ONE BEDROOM" GALLONAGES SHALL BE USED ONLY IF AND WHEN THE USE OF HYPOTHETICAL ONE BEDROOM SINGLE FAMILY RESIDENCES TO COMPUTE SUCH CAPACITY AVAILABILITY IS COMPATIBLE WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL REGULATION; THIS RESOLUTION ALSO REQUIRES THAT A CONNECTION COMMITMENT BE PURCHASED BY THE DEVELOPER PRIOR TO THE COUNTY SIGNIFYING ADEQUATE CAPACITY TO THE DEPARTMENT OF ENVIRONMENTAL REGULATION; AND PROVIDES AN EFFECTIVE DATE.

The proposed Resolution is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing.

All parties having any interest in said Resolution will be afforded an opportunity to be heard at the public hearing.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
Carl "Bud" Markel, Its Clerk
By Amy B. Mulligan
Deputy Clerk
L867 April 17, 1991.

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

SHERRY L. RAUCH who on oath says that she is

ACCOUNTING CLERK of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida: that

the attached copy of advertisement, being a _____

NOTICE OF INTENT

_____ in the matter of _____

Ordinance No. 89-21

_____ in the _____ Court,

was published in said newspaper in the issues of _____

April 17, 1991

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sherry L. Rauch
Zoe Ann Johns

Sworn to and subscribed before me _____

this 17th day of April

A.D. 19 91

Zoe Ann Johns
(SEAL) Notary Public
8/22/93