

RESOLUTION NO. 2000- 162

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, PROMOTING CONSUMER CONNECTION TO THE COUNTY'S WASTEWATER SYSTEM; WAIVING SEWER UNIT CONNECTION FEES WHEN COUNTY WASTEWATER COLLECTION INFRASTRUCTURE IS EXPANDED INTO THE ST. AUGUSTINE BY THE SEA SUBDIVISION UNDER STATE OF FLORIDA GRANT NO. SP828030; PROVIDING FOR A TIME PERIOD FOR HOMEOWNERS TO CONNECT; AND PROVIDING AN EFFECTIVE DATE.

Recitals

WHEREAS, the St. Johns County Utility Department, in collaboration with the St. Johns River Water Management District and the St. Johns County Health Department, commissioned Camp, Dresser & McKee to conduct an Environmental Impact Study in 1999, which identified areas where private septic systems are failing;

WHEREAS, private septic system failures are of great public health, safety, welfare, and environmental concern;

WHEREAS, the results of the Environmental Impact Study illustrate the necessity for expansion of centralized wastewater systems in areas where failing septic systems have been identified;

WHEREAS, to assist in funding the expansion and installation of the wastewater collection infrastructure, the County has received, and continues to pursue, grants from the State of Florida and other available sources. Under Grant No. SP828030, the County will receive \$175,000 from the State of Florida to assist in expanding the County wastewater collection infrastructure into the St. Augustine by the Sea Subdivision;

WHEREAS, Section 381.00655(1)(a) of the Florida Statutes provides that the owner of a properly functioning onsite sewage treatment and disposal system must connect to an available publicly owned sewerage system within 365 days after written notification that the system is available for connection;

WHEREAS, Section 381.00655(1)(b) of the Florida Statutes provides that the owner of an onsite sewage treatment and disposal system that needs repair or modification to function in a sanitary manner must connect to an available publicly owned sewerage system within 90 days after written notification, and if there is a hardship, an extension for an additional 90 days may be granted;

WHEREAS, waiving the unit connection fees for effected property owners in St. Augustine by the Sea after expansion of the County's wastewater system will encourage timely connection and improve public health, safety, welfare, and the environment.

WHEREAS, Section 17 and 23 (B) of St. Johns County Ordinance No. 97-62 gives the Board of County Commissioners the authority to modify all rates, fees, and charges at any time by Resolution of the Board.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida, that:

- Section 1. The above Recitals are incorporated by reference and made a part hereof.
- Section 2. The St. Johns County Wastewater Unit Connection Fees will be waived for effected property owners in St. Augustine by the Sea for 90 days or 365 days, as provided in Section 3, whenever the County expands its sewer lines pursuant to State of Florida Grant No. SP828030, which provides \$175,000 in assistance for the cost of the sewer infrastructure installation into St. Augustine by the Sea.
- Section 3. The Utility Department will notify effected property owners in St. Augustine by the Sea upon completion of the sewer project. The notice shall: (1) identify whether the property owner has a properly functioning wastewater system or a failing wastewater system; (2) state that the property owner of a failing wastewater system has 90 days in which to connect to the County system and have the wastewater unit connection fee waived or the property owner of a functioning wastewater system has 365 days in which to connect to the County system and have the wastewater unit connection fee waived; (3) state that if not connected within the required time, the property owner will have to pay the required wastewater unit connection fee; and (4) state that Florida Law requires the property owner to abandon their system and connect to the County system.
- Section 4. This resolution shall not relieve any property owner in St. Augustine by the Sea of their responsibility for costs other than timely paid wastewater unit connection fees associated with connection to the County sewer laterals, nor shall the property owner be relieved from the costs of abandoning their onsite sewage treatment and disposal system.
- Section 5. This resolution shall take effect upon its passage by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 24th day of October, 2000.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Patricia DeGrade
Deputy Clerk