

RESOLUTION NO. 2003- 155

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, PROMOTING CONSUMER CONNECTION TO THE COUNTY'S WASTEWATER SYSTEM; PROVIDING AN ADDITIONAL 90 DAYS FOR WAIVING SEWER UNIT CONNECTION FEES IN THE ST. AUGUSTINE BY THE SEA SUBDIVISION FOR EXISTING SINGLE-FAMILY RESIDENCES; PROVIDING ENFORCEMENT ACTION; AND PROVIDING AN EFFECTIVE DATE.

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; and

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

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

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 resources. Under Grant No. SP828030, the County received \$175,000 from the State of Florida to assist in expanding the County Wastewater collection infrastructure into the St. Augustine by the Sea Subdivision; and

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; and

WHEREAS, for various reasons, only 69 (sixty-nine) of 78 (seventy-eight) homes have connected to the central wastewater system; and

WHEREAS, waiving the unit connection fees for an additional 90 (ninety) days for the remaining effected property owners in St. Augustine by the Sea who must connect to the County central wastewater system will encourage timely connection and improve public health, safety, welfare and the environment; and

WHEREAS, Section 35(B) of St. Johns County Ordinance No. 2001-25 gives the Board of County Commissioners the authority to modify all rates, fees and charges at any time upon Resolution by 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.** St. Johns County Wastewater Unit Connection Fees will be waived for affected property owners in St. Augustine by the Sea for 90 days, as provided in Section 3.
- Section 3.** The Utility Department will notify affected property owners in St. Augustine by the Sea who have not connected to the central wastewater system. Such Notice shall: (1) identify the property as not being connected to the central wastewater system; (2) state that the property owner has 90 days from the date of the Board's approval of the Resolution, in which to connect to the County system and be eligible for waiver of the wastewater unit connection fee; (3) state that if the property is not connected to the central wastewater system not within the 90-day time frame, the property owner may receive a citation from County Code Enforcement, and will further have to pay the required wastewater unit connection fee upon connection; and (4) state that under Chapter 64E-6.011 Florida Administrative Code (FAC), the property owner is required to abandon his or her onsite system once the property owner connects to the County's central wastewater system.
- Section 4.** This Resolution shall not relieve any property owner of their responsibility for costs other than timely paid wastewater unit connection fees associated with connection to the County central wastewater system, nor shall the property owner be relieved from the costs of abating any public sanitary nuisance or abandoning their onsite sewage treatment and disposal system as required by the St. Johns County Health Department.
- 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 19th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Patricia A. Grande
Deputy Clerk

RENDITION DATE 8-20-03