

RESOLUTION NO. 2012-

A RESOLUTION OF THE ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS OPTING ALACHUA COUNTY OUT OF THE NEW STATUTORY REQUIREMENT TO IMPLEMENT A LOCAL SEWAGE TREATMENT AND DISPOSAL SYSTEM EVALUATION AND ASSESSMENT PROGRAM BY ORDINANCE; INFORMING THE FLORIDA SECRETARY OF STATE OF SAME; PROVIDING FOR THE TRANSMISSION OF A CONFORMED COPY OF THIS RESOLUTION TO THE FLORIDA SECRETARY OF STATE; AUTHORIZING THE CHAIR TO SIGN THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 27, 2012, Governor Rick Scott signed CS/CS/CS/HB 1263 into law as Chapter 2012-184, Laws of Florida; and

WHEREAS, the Act creates a new statute, Fla. Stat. § 381.00651, governing local government septic tank inspection programs; and,

WHEREAS, subpart (2) of the newly-enacted Fla. Stat. § 381.00651 requires counties that contain a “first magnitude spring” to “develop and adopt by local ordinance an onsite sewage treatment and disposal system evaluation and assessment program” (i.e., a septic tank inspection program) on or before January 1, 2013; and,

WHEREAS, Fla. Stat. § 381.00651(2), however, allows counties to opt-out of the above-stated mandate if a supermajority of the county’s governing body adopts “a resolution that indicates intent on the part of such local government not to adopt an onsite sewage treatment and disposal system evaluation and assessment program”; and,

WHEREAS, Alachua County contains three first magnitude springs, Hornsby Springs, Treehouse Spring and Santa Fe River Rise within its geographic boundaries; and,

WHEREAS, a supermajority of the Alachua County Board of County Commissioners desires to exclude Alachua County from Fla. Stat. § 381.00651's mandate to enact an onsite sewage treatment and disposal system evaluation and assessment ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:

1. The recitals above are incorporated herein by reference and made a part hereof.
2. The Alachua County Board of County Commissioners hereby notifies the Florida Secretary of State that a supermajority of its members has voted to opt Alachua County out of Fla. Stat. § 381.00651's mandate to enact an onsite sewage treatment and disposal system evaluation and assessment ordinance.
3. The Chair is hereby authorized to sign this Resolution.

4. The Clerk of the Court shall send a true and correct copy of this Resolution to the Florida Secretary of State as required by Fla. Stat. § 381.00651.

5. This Resolution shall take effect immediately upon its adoption.

ADOPTED IN REGULAR SESSION THIS _____ DAY OF _____, 2012, IN GAINESVILLE, ALACHUA COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA

By: _____
Paula M. DeLaney, Chair

ATTEST:

APPROVED AS TO FORM:

J.K. IRBY, Clerk
(SEAL)

Alachua County Attorney