ORDINANCE NO. 2021-____

AN ORDINANCE OF CITRUS COUNTY, FLORIDA, PERTAINING TO CHAPTER 102 UTILITIES, AMENDING ARTICLE III, SECTION 102-101 ENTITLED "WASTEWATER CONNECTIONS: WHEN REQUIRED: PROHIBITED CONSTRUCTION: INSTALLATION": PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR INCLUSION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Citrus County Board of County Commissioners ("Board") is the legislative and governing body of Citrus County, Florida, a political subdivision of the State of Florida, authorized to exercise governmental powers pursuant to Article VIII of the Constitution of the State of Florida and Section 125.01, Florida Statutes; and

WHEREAS, the Board adopted Section 102-101 of the Code of Ordinances requiring connection to an available publicly owned or investor-owned sewage system in Citrus County;

WHEREAS, the County is subject to certain Basin Management Action Plan (BMAP) requirements, Section 373.811(2), F.S., pertaining to mandatory connection.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The provisions of Article III, Section 102-101 are amended as follows:

It is unlawful for any person to construct, install or repair septic tanks or other similar wastewater treatment systems in or upon any property where a publicly owned or investor-owned sewage system is available. For purposes of this section, the term "available" shall have the same definition as the definition contained in Section 381.0065 (2)(a), F.S. or any successor statute. Owners of onsite sewage treatment and disposal systems are required to connect to an available publicly owned or investor-owned sewerage system within one (1) year in accordance with Section 381.00655(1)(a), F.S., and to abandon the existing system(s) in accordance with all applicable laws, rules and regulations; these requirements shall be enforced in accordance with the provisions of this Article III and chapter 19 of the Citrus County Code. In addition, activities described in Section 373.811(2), F.S. are prohibited within the Priority Focus Area (PFA) delineated in the Crystal River/Kings Bay Basin Management Action Plan and the Homosassa/Chassahowitzka Basin Management Action Plan dated June 2018 preventing new onsite sewage treatment and disposal systems from being constructed on lots less than one (1) acre unless the new system includes enhanced treatment of nitrogen as approved by the necessary agency as described in Chapter 64E-6, Florida Administrative Code (FAC) or the publicly owned or investor-owned utility provider demonstrates a sewerage system will become available within five (5) years.

36 **Section 2. Severability**. If any section, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or 37 unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining 38 39 provisions of this Ordinance. **Section 3. Modification**. The provisions of this Ordinance may be modified as a result of 40 considerations that may arise during public hearings. Such modifications shall be incorporated 41 into the final version of the ordinance adopted by the Board and filed with the Clerk. 42 43 Section 4. Codification. The publisher of the County's @ Ordinances, the Municipal Code 44 Corporation, is directed to incorporate the amendments to the provisions of Chapter 102 of the 45 Citrus County Code of Ordinances. **Section 5. Effective Date**. This Ordinance shall take effect as provided by law. 46 PASSED AND DULY ADOPTED, in open session, with a guorum present and voting, this day 47 of , 2021. 48 **BOARD OF COUNTY COMMISSIONERS** 49 OF CITRUS COUNTY, FLORIDA 50 51 ATTEST: 52 53 ANGELA VICK, Clerk SCOTT CARNAHAN, Chairman APPROVED AS TO FORM FOR THE 54 RELIANCE OF CITRUS COUNTY ONLY: 55 56

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DENISE A. DYMOND LYN

County Attorney