

ORDINANCE NO. 24- ____

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY REVISING SECTION 126-302 OF SAID CODE; PROVIDING FOR ADJUSTMENTS TO THE PROCEDURE FOR CONVERTING SEPTIC SYSTEMS TO SANITARY SEWER CONNECTIONS; PROVIDING AUTHORITY FOR THE COUNTY ADMINISTRATOR TO GRANT EXCEPTIONS; PROVIDING FOR ADMINISTRATION OF THE ORDINANCE; PROVIDING FOR SEVERABILITY AND AREAS EMBRACED; PROVIDING FOR FILING, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a septic system is a type of simple onsite sewage facility that processes wastewater from homes that are not connected to a public sewer system; and

WHEREAS, aging or failing septic systems often do not fully treat the wastewater; and

WHEREAS, this untreated wastewater harms the quality of natural water systems as it migrates into nearby bays, rivers, lakes, and drinking water wells; and

WHEREAS, in extreme cases, failed septic systems can also result in untreated wastewater in yards, creating a major human health hazard; and

WHEREAS, the revisions provided for herein will increase the accessibility of sewer connections for parcels wishing to connect to the County sewer system, which will aid and encourage the removal of septic systems and increase connections to advanced wastewater treatment, thereby improving and protecting the health of residents and visitors and valuable waterways;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, that:

SECTION 1. Section 126.302 of the Pinellas County Code is hereby amended to read as follows:

The owner or occupant of any house, building or property used for human occupancy, employment, recreation, or other purposes situated within the county and abutting on any street, alley, easement, or right-of-way in which there are located available sanitary sewers is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities directly with the available sanitary sewer in accordance with the provisions of this article, within 365 days after sewer service is available, provided that the available sewer is within 100 feet of the property line. In those cases where a parcel owner applies to abandon a septic tank on a parcel located within 100 feet of the County sanitary sewer and a service connection is not available at the boundary of the parcel and the utility easement or right of way, the County will at its own cost

construct a service connection up to the boundary of the utility easement or right of way and the parcel. The parcel owner will remain responsible for other costs associated with connecting to the sanitary sewer. In those cases where there is an available sewer within 100 feet of the property line, but connection would cause undue hardship for such reasons as the topography of the property or the length of pipe necessary to connect with the sewer, the County Administrator is authorized to grant exceptions to this requirement provided that the property meets applicable federal, state and local regulations for the alternate wastewater disposal method to be used. At such time as a sanitary sewer becomes available to a property served by a private individual wastewater disposal system (such as a septic tank or sand filter), a direct connection shall be made to the sewer in compliance with this article within 365 days and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be abandoned and their further use for any purposes prohibited. An abandoned septic tank, when declared to be a hazard by the county health department, shall be pumped out; have the bottom suitably opened or ruptured so as to prevent the tank from retaining water; and be filled with clean sand or other suitable material; the actions being taken in the order listed.

SECTION 2. Administration of Article. Except as otherwise provided in this article, the County Utilities Department, as may be renamed or reorganized from time to time, is hereby designated as the County agency responsible for administration and enforcement of this article.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 4. Areas Embraced. This Ordinance will be effective in the incorporated as well as unincorporated areas of the County.

SECTION 5. Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pinellas County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to section, article or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. Filing of Ordinance; Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.