

Escambia County  
Clerk's Original

10/7/2010 white A/O#1

RESOLUTION 2010 - 188

**A RESOLUTION OF THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS URGING THE FLORIDA LEGISLATURE TO REPEAL THOSE SECTIONS OF CHAPTER 2010-205, LAWS OF FLORIDA, THAT IMPOSE NEW INSPECTION AND REPLACEMENT REQUIREMENTS FOR ON-SITE SEWAGE TREATMENT SYSTEMS (SEPTIC TANK SYSTEMS); PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR DELIVERY TO THE LEGISLATIVE DELEGATION.**

**WHEREAS**, on June 4, 2010, Governor Charlie Crist approved Senate Bill 550, now enrolled as Chapter 2010-205, Laws of Florida, which directs the Florida Department of Health to create and administer a statewide five-year cycle evaluation program for on-site sewage treatment systems ("septic tank systems"); and

**WHEREAS**, Chapter 2010-205 requires Florida citizens owning septic tank systems to have their systems inspected, and possibly pumped-out, at a minimum of every five (5) years; and

**WHEREAS**, Chapter 2010-205 additionally requires the replacement of entire septic tank systems and/or drainfields which do not meet an established statewide standard, regardless of whether the septic tank system functions satisfactorily for its owner and otherwise does not pose a public health or safety risk; and

**WHEREAS**, the septic tank system owner shall bear the costs of these inspections, pump-outs, and system replacements; and

**WHEREAS**, these inspections and pump-outs will cost the septic tank system owner hundreds of dollars, and a septic tank system replacement will cost the septic tank system owner thousands of dollars; and

**WHEREAS**, a substantial number of Escambia County residents utilize septic tank systems; and

**WHEREAS**, many of these residents do not have the capability to connect to existing sewage treatment facilities and must instead rely on septic tank systems; and

**WHEREAS**, the fees, inspections, pump-outs, and replacements mandated by Chapter 2010-205 will therefore place a severe, unfair, and undue economic hardship on these Escambia County residents; and

**WHEREAS**, the State of Florida and Escambia County have each adopted regulations to prevent, minimize, and mitigate any damages caused by septic tank system failure; and

Verified By: K. Macarthur

Date: 10/11/10

**WHEREAS**, the Board of County Commissioners finds that these existing regulations sufficiently protect the public health, safety, and welfare without causing the same degree of economic hardship to Escambia County residents as Chapter 2010-205.

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

**Section 1.** That the Escambia County Board of County Commissioners finds the above recitals to be true and correct and incorporates them herein by reference.

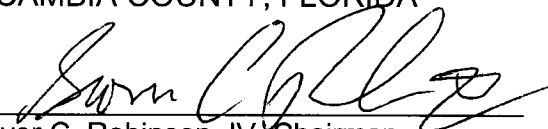
**Section 2.** That the Escambia County Board of County Commissioners urges the Florida Legislature to repeal those sections of Chapter 2010-205, Laws of Florida, that amend, establish, impose, or modify any regulations relating to on-site sewage treatment systems.

**Section 3.** That this Resolution shall take effect immediately upon its adoption by the Board of County Commissioners.

**Section 4.** That the Clerk shall forward a copy of this Resolution to The Honorable Don Gaetz, The Honorable Durell Peaden, The Honorable Greg Evers, The Honorable Clay Ford, and The Honorable Dave Murzin.


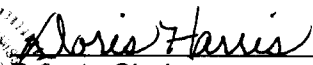
ADOPTED this 7th day of October, 2010.

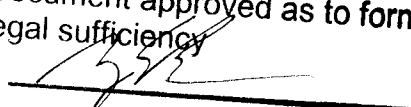
BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

  
\_\_\_\_\_  
Grover C. Robinson, IV, Chairman  
Date Executed

10/7/2010

ATTEST: Ernie Lee Magaha  
Clerk of the Circuit Court

  
  
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Doris Harris  
Deputy Clerk

This document approved as to form  
and legal sufficiency  
By   
\_\_\_\_\_  
Title ASST. COUNTY ATTORNEY  
\_\_\_\_\_  
Date OCT. 1, 2010  
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