



LT1-2-436822-1

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ORDINANCE
NUMBER 2004-05



LT2-916-665-7

AN ORDINANCE OF LEVY COUNTY, FLORIDA, PROVIDING THAT THE LEVY COUNTY CODE BE AMENDED BY AMENDING SECTION 74-1 OF SUCH CODE; PROVIDING FOR ADDITIONAL PROVISIONS GOVERNING CONSTRUCTION, MONITORING AND MAINTENANCE OF SEWAGE SYSTEMS; PROVIDING FOR EXHIBITS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on August 19, 2003, the Board of County Commissioners of Levy County, Florida ("the Board"), adopted Ordinance 2003-11, codified in the Levy County Code as Section 74-1; and

WHEREAS, the Board desires to amend Section 74-1 of the Levy County Code to provide for clarification of terms and provisions of such section; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Levy County, Florida, that:

Section 1. Amendment of Code. Section 74-1, Levy County Code, is hereby amended to read as follows (deletions shown as ~~stricken through~~, additions shown as underlined):

Sec. 74-1. Regulation of type of on-site sewage treatment and disposal systems in coastal zones.

(a) As of September 1, 2003, there shall be no permits for new on-site sewage treatment and disposal systems issued by the county health department in the area

1 designated by the attached map entitled Boundary Map
2 Coastal Protection Zone which is attached hereto as Exhibit
3 "A", and legal description which is attached hereto as Exhibit
4 "B", which is an exhibits are incorporated herein by this
5 reference and form integral parts hereof, except permits for
6 systems that meet the requirements set forth in this section.
7 except for advanced secondary treatment performance based
8 systems. Said systems must meet the state department of
9 health advanced secondary treatment standards and must also
10 meet the current county code setback requirements. Permits
11 may be issued by the county health department in the
12 designated area for advanced secondary treatment
13 performance based systems that meet the definition of such
14 systems contained in Chapter 64E-6, Florida Administrative
15 Code, as such chapter may be amended from time to time
16 (any such advanced secondary treatment performance based
17 system shall be referred to herein as an "AST system"). Any
18 AST system shall be constructed in accordance with the
19 requirements of Chapter 64E-6, Florida Administrative Code,
20 as the same may be amended, for such AST system, except
21 as otherwise provided herein. Drain field size, setbacks, and
22 sewage flow allowances for any AST system shall meet the
23 requirements for drain field size, setbacks, and sewage flow
24 allowances for a standard anaerobic on-site sewage disposal
25 and treatment system contained in Chapter 64E-6, Florida
26 Administrative Code, and shall not be permitted any reduction
27 in drain field size or setbacks or any increase in sewage flow
28 allowances that otherwise may be permitted under certain
29 circumstances pursuant to Chapter 64E-6, Florida
30 Administrative Code, for an AST system. In addition, the
31 construction of any AST system shall meet any other
32 applicable requirements of the Levy County Code. In the
33 event of any conflict between the requirements of this Code
34 and any applicable regulation governing construction or
35 placement of an AST system, the more restrictive shall apply

36
37 (b) As of September 1, 2003, any existing
38 conventional septic tank on-site sewage treatment and
39 disposal system which fails may only be replaced by an
40 advanced secondary treatment performance based system, as
41 such system is defined in Chapter 64E-6, Florida
42 Administrative Code, and only in accordance with the
43 requirements of such Chapter 64E-6, as the same may be
44 amended, and this section.
45

1 (c) Any owner of an AST system in the area
2 designated on Exhibits "A" and "B" shall perform an annual
3 routine monitoring of the AST system for detection of nutrient
4 reduction and bacteriological analysis. In order to perform
5 such required monitoring, the owner shall provide a sample
6 from the owner's AST system, at the owner's expense,
7 collected by an individual or entity licensed and certified to
8 collect such sample, that will be sufficient to show nutrient and
9 bacteria levels for the AST system. The sample shall be
10 delivered to the county health department for testing. The
11 owner shall pay the applicable county health department fee
12 for the testing. In the event the testing of the sample indicates
13 that maintenance or repair to the AST system is required to
14 retain proper nutrient or bacteria levels for the AST system, the
15 owner shall perform such maintenance or repair promptly.

16
17 (d) A modification permit may be issued by the
18 county health department for a properly operating existing
19 standard anaerobic on-site sewage treatment and disposal
20 system, without the need for the installation of an AST system;
21 provided that the existing standard anaerobic on-site sewage
22 treatment and disposal system is properly operating at the time
23 of application for the modification permit, that such system was
24 properly installed in accordance with the requirements of all
25 applicable permits at the time of installation, that the property
26 improvements giving rise to the need for such modification
27 actually require the modification proposed, that the
28 modification entails only an increase in the drain field for the
29 system, and that the modification does not entail the
30 installation of a new tank for the system. In the event any
31 proposed modification to a standard anaerobic on-site sewage
32 treatment and disposal system would entail the installation of a
33 new tank for such system, such modification shall require the
34 installation of an AST system in accordance with the provisions
35 of this section.

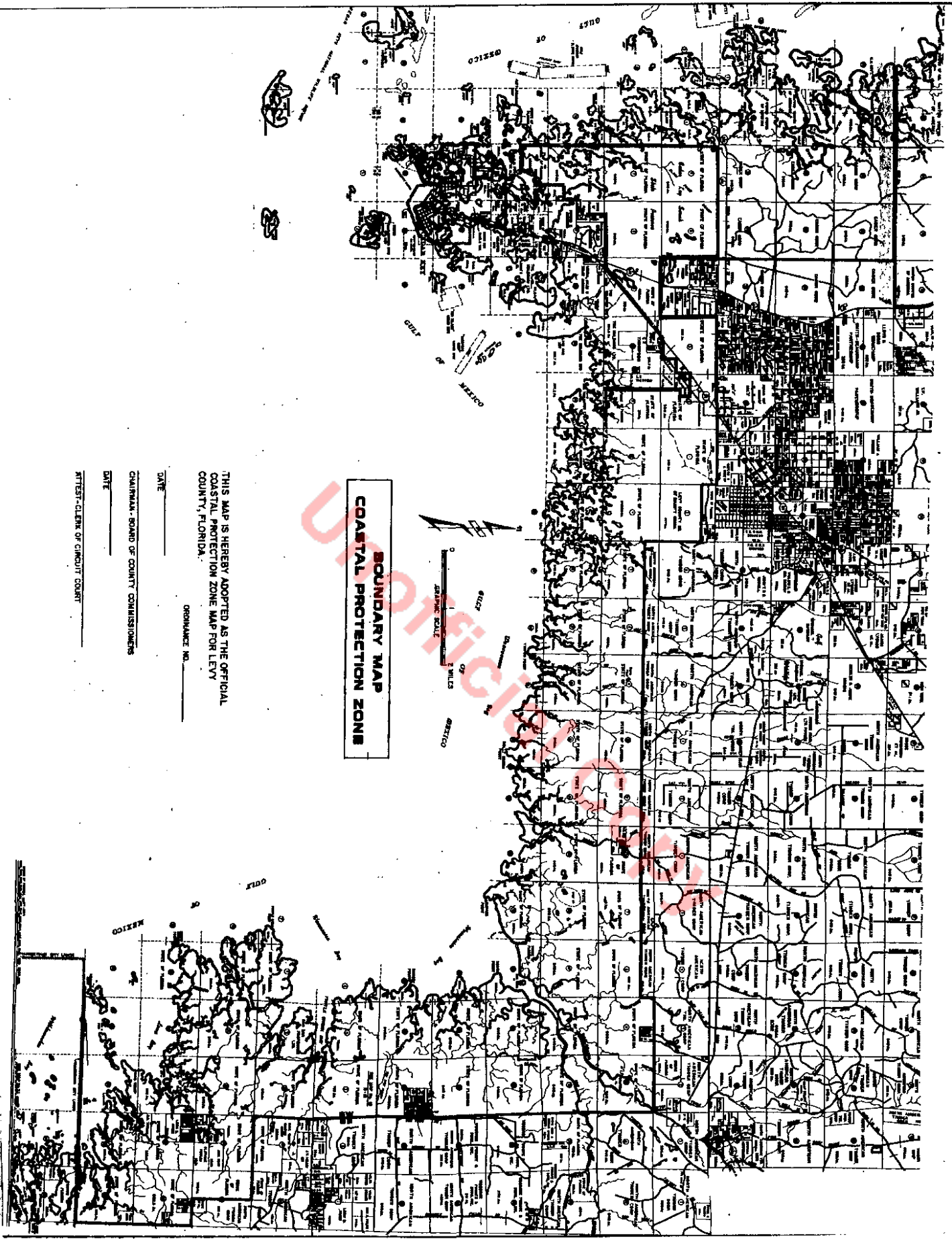
36
37 Section 2. Exhibits. Exhibits "A" and "B" referred to in the revisions to Section 74-

38 1, Levy County Code, contained in Section 1 of this Ordinance are attached hereto and
39 incorporated herein by this reference. The Chair of the Board is hereby authorized to
40 execute any mylar or paper copy constituting Exhibit "A" to Section 74-1, Levy County
41 Code, on behalf of the Board.

ORDINANCE 2004-05

**PLEASE SEE ORDINANCE
BOOK TO REVIEW HARD
COPY OF EXHIBIT "A"**

EXHIBIT 'A'



**BOUNDARY MAP
COASTAL PROTECTION ZONE**

THIS MAP IS HEREBY ADOPTED AS THE OFFICIAL
COASTAL PROTECTION ZONE MAP FOR LEVY
COUNTY, FLORIDA.

ORDINANCE NO. _____

DATE _____

CHAIRMAN - BOARD OF COUNTY COMMISSIONERS

DATE _____

ATTEST - CLERK OF CIRCUIT COURT

EXHIBIT "B"

All lying Southerly and Westerly of the following described line: For a point of beginning commence at the NW corner of Section 23, Township 14S, Range 12E; thence run Easterly along the North line of Sections 23 and 24 to the NE corner of Section 24, Township 14S, Range 12E; thence continue along the North line of Sections 19 and 20, Township 14S, Range 13E to the NE corner of Section 20, Township 14S, Range 13E; thence run Southerly along the East lines of Sections 20, 29, and 32, Township 14S, Range 13E to the SE corner of Section 32, Township 14S, Range 13E; and the NE corner of Section 5, Township 15S, Range 13E; thence continue Southerly along the East of Section 5, Township 15S, Range 13E; thence to the SE corner of said Section 5; thence run Easterly along the South line of Section 4, Township 15S, Range 13E to the SE corner of said Section 4, Township 15S, Range 13E; thence run Northerly along the East line of said Section 4 to the NE corner of said Section 4; thence run Easterly along the North line of Sections 3, 2 and 1, Township 15S, Range 13E to the NE corner of said Section 1, Township 15S, Range 13E; thence South to the NW corner of the S 3/4 of Section 6, Township 15S, Range 13 1/2 E; thence East along North line of said S 3/4 of said Section 6 to the West line of Section 6, Township 15S, Range 14E; thence South along West line of Sections 6 and 7, Township 15S, Range 14E to the SW corner of the NW 1/4 of the NW 1/4 of said Section 7 and the North line of the Waccasassa Bay State Preserve; thence Easterly along said North line to the SE corner of the NE 1/4 of the NE 1/4 of Section 8, Township 15S, Range 15E; thence North along East line of said Section 8 to the NE corner of said Section 8; thence Easterly along the North line of Sections 9 and 10, Township 15S, Range 15E to the NE corner of said Section 10; thence Southerly along the East line of Sections 10, 15, 22, 27 and 34 to the SE corner of Section 34, Township 15S, Range 15E; thence continue Southerly along the East line of Sections 3 and 10, Township 16S, Range 15E to the SE corner of said Section 10; thence Easterly along the North line of Sections 14 and 13, Township 16S, Range 15E to the N 1/4 corner of said Section 13; thence Southerly to the S 1/4 corner of said Section 13; thence East along South line of said Section 13 to the SE corner of said Section 13; thence Southerly along the East line of Sections 24 and 25, Township 16S, Range 15E to the SE corner of said Section 25 and the North line of the Town of Yankeetown corporate limits, And the terminus of said described line.