

ORDINANCE NO. 80-3

AN ORDINANCE PROVIDING FOR MINIMUM LOT SIZES FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS; PROVIDING FOR A SHORT TITLE; OUTLINING PURPOSES, GOALS AND BENEFITS; DEFINING CERTAIN TERMS THAT ARE UTILIZED IN THE ORDINANCE; ESTABLISHING REGULATIONS FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS; PROVIDING AN APPLICABILITY CLAUSE; ESTABLISHING REMEDIES AND PENALTIES; ESTABLISHING SEPARABILITY AND VALIDITY OF THE ORDINANCE; PROVIDING AN EFFECTIVE DATE

BE IT HEREBY ORDAINED BY THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

SECTION 1. This ordinance shall be known and may be referred to as the Sewerage and Water Ordinance of Hernando County, Florida.

SECTION 2. Purpose, Goals and Benefits This ordinance is promulgated for the purpose of protecting the ground water supplies from contamination by individual sewage disposal systems.

SECTION 3. Definitions

A. Acre: 43,560 square feet

B. County: The unincorporated area of Hernando County, Florida

C. Development: The splitting or division of property into two or more parcels

D. Developer: Any person, persons, partnership, firm, corporation or cooperative enterprise undertaking or participating in the development of land or the construction of buildings on lots.

E. Individual Sewage Disposal System: A system of piping, one or more tanks or treatment devices and one or more subsurface absorption fields for handling treating and disposing of sewage wastes.

F. Lot: Tract or parcel of land under one ownership duly recorded and having been created by inclusion in a record plat or by execution of a deed, contract for sale or other legal document.

G. Planned Development Project: A complex of structures and uses planned as an integral unit of development rather than as single principle structure or use on a single lot.

SECTION 4. Regulations for Individual Sewage Disposal Systems

A. In residential developments where a central water supply system is utilized, a maximum of one individual sewage disposal system per 21,500 square foot lot is allowed.

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B. In residential developments where individual wells are utilized, a maximum of one individual sewage disposal system per each one (1) acre lot is allowed.

C. In any non-residential development, current state regulations will be enforced.

D. In Planned Development Projects on a central water supply, the minimum lot size requirements per individual sewage disposal may be modified provided the overall density of the project does not exceed one septic tank per 21,500 square feet and is subject to approval by the county Planning and Zoning Commission.

E. In a residential development utilizing individual disposal systems, the developer will provide the Hernando County Health Department with a site plan delineating detailed soil information. The Hernando County Health Department will review the information and indicate septic tank suitability of the site. This evaluation will indicate any lots which have a high probability of limitations for septic tank use.

Setbacks, soil conditions, water table elevations and other related requirements generally applicable to the use of individual disposal systems will be met.

SECTION 5. Applicability All lots created and all distribution and collection systems constructed after the effective date of this ordinance shall comply with the requirements contained herein.

SECTION 6. Remedies and Penalties

A. The Administrative Official shall issue notice to all violators of this ordinance and shall order that such violations cease. If necessary, the Governing Body or any appropriate official of the Governing Body may institute appropriate action in court to eliminate the existence of any violation of this ordinance.

B. Any person or entity violating any provision of this ordinance shall, upon conviction, be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00), or by imprisonment for a term not to exceed sixty (60) days or both such fine and imprisonment for each conviction. Each day of violation after written notice shall constitute a separate offense.

SECTION 7. Validity If any provision of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance.

SECTION 8. Hardship Variances If a strict application of this ordinance creates an undue hardship on any property owner and the hardship was not as the result of the property owner's own making, the property owner may apply to the Hernando County Board of Adjustments and Appeals for a hardship variance from the strict application of this ordinance.

SECTION 9. Effective Date This ordinance shall take effect as provided by law.

ADOPTED in Regular Session this 25th day of March, 1980,


A.D.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

By

  
JOHN H. MAGNER, CHAIRMAN

Attest

  
HAROLD WILLIAM BROWN, CLERK

