

ORDINANCE NO. 2023-16

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AMENDING CHAPTER 58 (UTILITIES), ARTICLE I (IN GENERAL), SECTION 58-4 (SEPTIC TANKS) OF THE CODE OF ORDINANCES TO ESTABLISH APPROVAL PROCEDURES FOR DRAIN FIELD LOCATIONS, GRANT THE TOWN THE AUTHORITY TO INCLUDE CONDITIONS FOR SEPTIC TANK APPROVALS, MANDATE AFFIDAVITS FOR DRAIN FIELD BOUNDARY COMPLIANCE, AND REQUIRE POST-CONSTRUCTION SURVEYS PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapters 166 and 163, Florida Statutes, include authority to enact regulations to protect the health, safety, and welfare, and in the interest of the citizens of the Town; and

WHEREAS, there have been issues regarding septic tanks and drain fields being constructed within the corporate limits of the Town and sometimes on Town property; and

WHEREAS, it is the desire of the Town to ensure the health, safety, and welfare of its residents by ensuring that septic systems are properly located; and

WHEREAS, the Town seeks to prevent future occurrences by establishing clearer guidelines and responsibilities for developers and landowners; and

WHEREAS, for purposes of this ordinance words with underlined (underlined) type shall constitute additions to the original text and words with strikethrough (~~strikethrough~~) type shall constitute deletions from the original text.

NOW, THEREFORE, BE IT ORDAINED this 16th day of November, 2023, by the Town Council of the Town of Hilliard, Florida, that Ordinance No. 2023-16 be enacted as follows:

Section 1. Recitals. The foregoing recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein, and adopted as findings of the Town Council of the Town of Hilliard.

Section 2. Amendment. The Town Council of the Town of Hilliard hereby amends Section 58-4 of the Town of Hilliard Code of Ordinances to read as follows:

Sec. 58-4. – Septic Tanks.

- (a) No septic tank, without exception from the Town Council upon good cause shown and approved by the county health department, shall be constructed within the corporate limits of the Town. The Town Council is more likely to grant an exception if the

applicant can show that the boundary line of any lot containing a building or trailer is more than 1,000 feet from the sewer line.

- (b) The Town reserves the right to apply conditions to the approvals of septic tanks.
- (c) Before soil testing, the proposed location of the drain field must be approved by the Public Works Director of the Town. If the location needs to be moved due to test results, a second location approval is required prior to the installation of the drain field.
- (d) As a condition of approval, the developer or landowner will be required to sign an affidavit that is acceptable to the Town in its sole discretion, guaranteeing that the entire drain field will be located within the boundaries of their property. If it is found that a drain field is not within the said boundary, the developer or landowner will be held financially responsible for its relocation.
- (e) Prior to the issuance of a Certificate of Occupancy, the Town, in its sole discretion, may require the developer or landowner to provide a post-construction survey detailing the dwelling unit and the drain field's location.


Section 3. Effective Date. This ordinance shall become effective upon its passage.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction such portion shall not affect the validity of the remaining portion of this Ordinance.

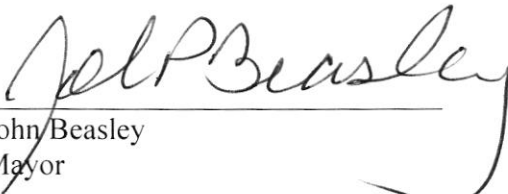
ADOPTED this 16th day of November, 2023, by the Hilliard Town Council.


Kenny Sims
Council President

ATTEST:


Lisa Purvis
Town Clerk

APPROVED:



John Beasley
Mayor

First Reading:	October 19, 2023
Publication:	November 1, 2023
Public Hearing:	November 16, 2023
Second/Final Reading:	November 16, 2023