

RESOLUTION 5-2012

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, SUPPORTING THE FLORIDA LEAGUE OF CITIES ADVOCACY ON OPPOSING THE PROPOSED LEGISLATION CS/SB 820 and HB 999 THAT WOULD REQUIRE THE COUNTY OR MUNICIPALITY TO ADOPT AN ORDINANCE REQUIRING ONSITE SEWAGE TREATMENT INSPECTION EVERY FIVE YEARS; OPPOSING THE PROPOSED LEGISLATION THAT ESTABLISHES FEES FOR THE EVALUATION PROGRAM THAT WOULD PLACE A FINANCIAL BURDEN ON RURAL PROPERTY OWNERS; OPPOSING THE UNFUNDED MANDATE TO DEVELOP A DATABASE TO TRACK SEPTIC SYSTEMS; OPPOSING THE PROPOSED REQUIREMENT FOR AUTOMATIC UPGRADE OF SEPTIC SYSTEM IF ONE BEDROOM IS ADDED TO A HOME; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State legislature proposes to further amend Florida Statute 381 relating to onsite sewage treatment; and

WHEREAS, the State legislature proposes to require inspections of onsite sewage treatment systems every five years causing a financial burden to most of Malabar property owners; and

WHEREAS, the State legislature proposes further requirements for database tracking, inspection criteria and inspector certification and mandatory system upgrades if one bedroom is added to a home that would all ultimately be an added cost to rural property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA as follows:

- Section 1.** The above stated Whereas clauses are true and correct and are hereby ratified and confirmed.
- Section 2.** That the Town of Malabar hereby requests the Brevard Delegation to oppose the committee substitute for CS/SB 820 and HB 999.
- Section 3.** That the Malabar Clerk is directed to transmit a copy of this resolution to Governor Rick Scott, the Florida Legislature, and the Florida League of Cities, Inc.
- Section 4.** That this resolution shall be effective upon adoption.

This Resolution was moved for adoption by Council Member Rivet. The motion was seconded by Council Member Acquaviva and, upon being put to a vote, the vote was as follows:

Council Member Carl Beatty	<u>Aye</u>
Council Member David White	<u>Excused</u>
Council Member Steven (Steve) Rivet	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>

Council Member Marisa Acquaviva

Aye

This Resolution was then declared to be duly passed and adopted this 6th day of February, 2012.

TOWN OF MALABAR

By:

Thomas M. Eschenberg

Mayor Thomas M. Eschenberg, Chair

ATTEST:

Debbie K. Franklin

Debby K. Franklin, CMC

Town Clerk/Treasurer

(seal)

Approved as to form and content:

Karl W. Bohne, Jr.

Karl W. Bohne, Jr., Town Attorney