

FEB 12 1991

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RESOLUTION NO. 91-SW-03

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS PROVIDING LEGISLATIVE DETERMINATIONS NECESSARY TO ALLOCATE PHASE IV SEWER SERVICE CAPACITY WITHIN THE EASTERN WASTEWATER SERVICE AREA; ENLARGING SERVICE AREA; DESIGNATING SALE DATES; PROVIDING AN ECONOMIC IMPACT DETERMINATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

PREMISES

1. The Board of County Commissioners allocates sewer service capacity within the Eastern Wastewater Service Area pursuant to the Eastern Wastewater Service Area Allocation Rules (hereinafter "EWSAAR").

2. The Board had previously sold Eastern Phase IV capacity on November 1, 1990 and not all capacity was sold. Additional Phase IV treatment capacity was permitted beyond the amount offered on September 20, 1988.

3. The Board had determined that it has available Phase IV sewer service capacity to allocate within the Eastern Wastewater Service Area.

4. Capacity release for this sale is expected on the Allocation Day. Capacity to individual properties may be delayed until adequate wastewater transmission facilities are available.

5. The EWSAAR requires the adoption of a resolution to implement certain terms and conditions of the allocations for this sewer service capacity within the Eastern Wastewater Service Area.

ACCORDINGLY, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

Section 1. Legislative Determination by the Board. In its legislative, governmental capacity, the Board hereby makes the following findings and determinations:

(1) The Board hereby determines pursuant to Section 5, EWSAAR, that seven hundred eighty-six thousand, six hundred and eighty-seven gallons per day (786,687 gpd) is available for allocation and sale within the Eastern

1 Wastewater Service Area. Capacities for subsequent
2 sales as listed in Section 3 herein will be less any
3 capacity sold in the preceding sales.

4 (2) The Board had previously set aside one hundred
5 fifty thousand gallons per day (150,000 gpd) of said
6 total capacity pursuant to Subsection 5(a) of EWSAAR.
7 The Board hereby determines that no further additional
8 allocation of this capacity beyond 150,000 is needed at
9 this time.

10 Section 2. Service Area Enlargement. The Board hereby
11 declares the Eastern Wastewater Service Area to include those
12 lands depicted as eligible for capacity sales in the map
13 attached hereto and incorporated in this resolution as
14 Exhibit "A".

15 Section 3. Designation of 1991 Allocation Days. The
16 Board hereby designates February 28, April 18, June 20,
17 August 15, October 17 and December 19 between the hours of
18 9:00 A.M. to 5:00 P.M. as the Allocation Days pursuant to
19 Section 4, EWSAAR, and authorizes and directs the Clerk to
20 the Board to publish a notice of said Allocation Days in a
21 newspaper of general circulation in the County in accordance
22 with Section 4, EWSAAR. Pursuant to Section 5, EWSAAR, the
23 Board hereby authorizes the appropriate County staff to make
24 available for allocation on February 28, 1991 seven hundred
25 eighty-six thousand, six hundred and eighty-seven gallons per
26 day (786,687 gpd) of sewer service capacity to owners (or
27 authorized agents thereof) of property within the Eastern
28 Wastewater Service Area pursuant to Section 2 in this
29 Resolution as Exhibit "A". Capacities for the remaining
30 Allocation Days will be as described in Section 1. The Board
31 authorizes the appropriate County staff to accept correct
32 applications two weeks prior to each Allocation Day until
33 5:00 p.m. on the day before the Allocation Day.

34 Section 3. Economic Impact Determination. The Board does
35 hereby determine and find, pursuant to Section 1-27 (2)(b),
36

1 Orange County Code, that sufficient information has been pro-
2 vided for the Board to assess the economic impact of this
3 resolution on the development of real property in Orange
4 County. The Board does hereby determine and find that no
5 further economic impact statement or economic impact inform-
6 ation is required in this matter.

7 Section 4. Severability. If any provision of this
8 resolution or the application thereof to any person or
9 circumstance is held invalid, the invalidity shall not affect
10 other provisions or applications of this resolution which can
11 be given effect without the invalid provision or application,
12 and to this end the provisions of this resolution are
13 declared severable.

14 Section 5. Effective Date. This resolution shall take
15 effect immediately upon adoption.

16 ADOPTED THIS 12th DAY OF February, 1991.

17 BOARD OF COUNTY COMMISSIONERS

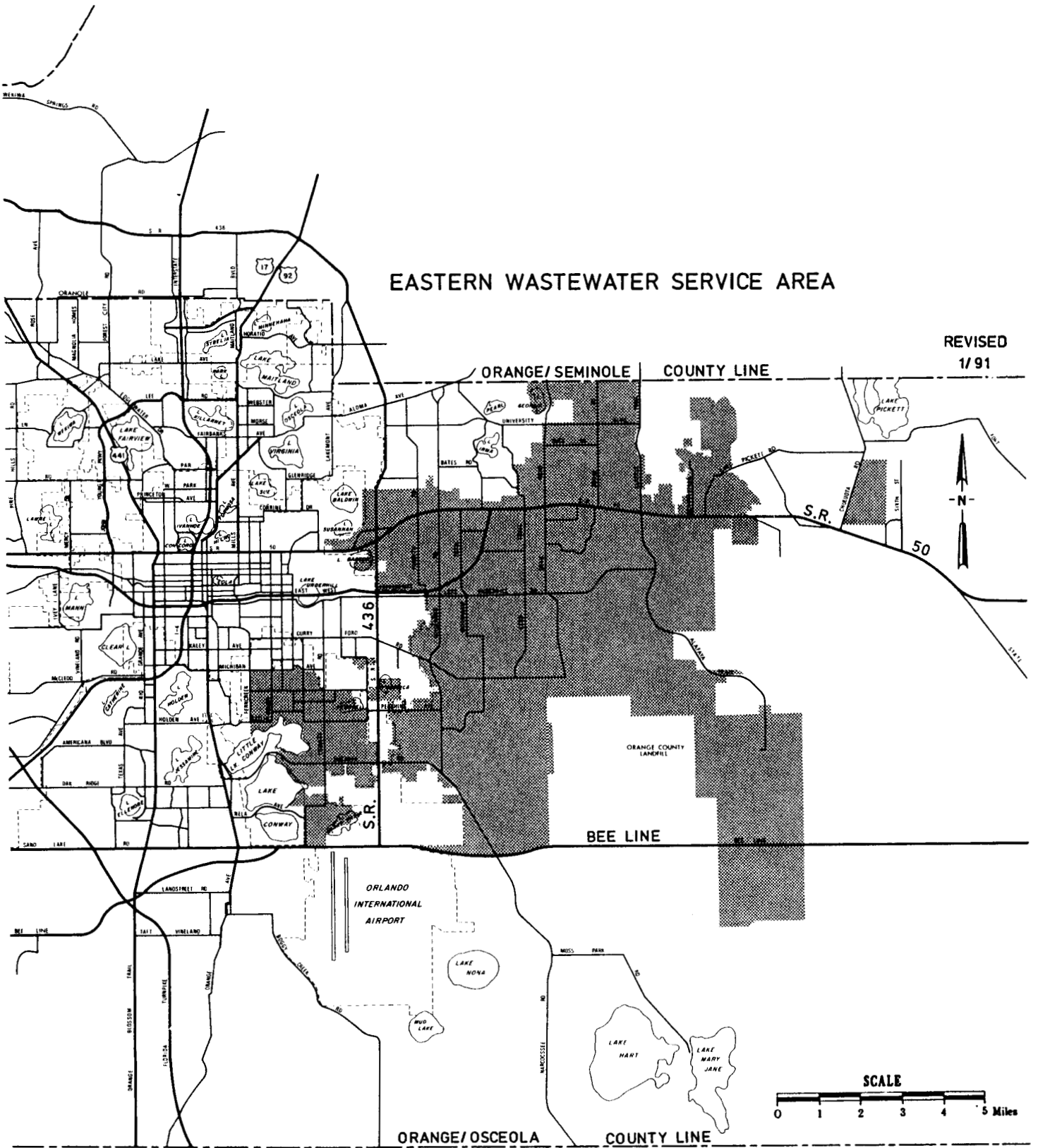
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20 By: Linda Chapin
21 Chairman, Board
22 of County Commissioners

23 ATTEST: MARTHA O. HAYNIE,
24 Comptroller as Clerk to the
25 Board of County Commissioners

26 By: Mary Jo Garrison
27 Deputy Clerk

EASTERN WASTEWATER SERVICE AREA

REVISED
1/91



ORANGE/OSCEOLA COUNTY LINE

BEE LINE

ORANGE/SEMINOLE COUNTY LINE

SCALE
0 1 2 3 4 5 Miles