

ORDINANCE NO. 01 - 2018

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, AMENDING CHAPTER 18 UTILITIES ARTICLE I. IN GENERAL TO CREATE A NEW SECTION 18-1 CONNECTION TO SANITARY SEWER REQUIRED; PENALTIES; PROVIDING AUTHORITY TO CODIFY, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town of Jupiter Inlet Colony, in conjunction with the Loxahatchee River Environmental Control District (hereinafter “District”) and the Village of Tequesta, has commenced a Neighborhood Redevelopment Project wherein District has installed a new sanitary sewer system throughout the Town, the Village of Tequesta has replaced the Town’s existing potable water system, and the Town has made substantial improvements to its storm-water drainage system; and

WHEREAS, Section 381.00655, Florida Statutes, requires property owners to connect to an available sanitary sewer system within 365 days after written notification by the owner of the publicly owned sewer system that the system is available for connection; and

WHEREAS, Section 31-3.003 of the Rules governing the operation of the District requires owners of property to connect to an available sanitary sewer system within one (1) year of the availability of the system; and

WHEREAS, on November 21, 2017, the Palm Beach County Health Department certified that the sanitary sewer system located within the Town is operational and available for connection; and

WHEREAS, on November 27, 2017, the District sent a Notice of Availability of Sewer Service to each property owner within the Town advising of the availability of the sanitary sewer

system and the requirement of the property owner(s) to connect thereto within one (1) year of such notification.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, THAT:

SECTION 1. Chapter 18 UTILITIES, Article I. In General is hereby amended by creating a new Section 18-1 that shall read as follows:

Section 18-1. Connection to sanitary sewer system required; Penalties

1. Every owner of improved real property within the Town shall connect to the sanitary sewer system on or before November 27, 2018.
2. Every new home constructed in the Town following the effective date of this Ordinance or this Section shall connect to the existing sanitary sewer system.
3. A violation of this Section of the Town Code shall be punished by a fine of five hundred (\$500.00) dollars per day for each day that a property continues to remain unconnected to the sanitary sewer system following November 17, 2018.
4. In addition to the daily fine, the Town may pursue injunctive or other relief in order to compel compliance with this Section.

SECTION 2. Specific authority is hereby granted to codify and incorporate this Ordinance into the existing Code of Ordinances of the Town of Jupiter Inlet Colony.

SECTION 3. That all Ordinances or parts or Ordinances, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

SECTION 5. This Ordinance shall become effective upon its passage and adoption.

FIRST READING this 12th day of February, 2018.

SECOND READING and FINAL PASSAGE this 12th day of March, 2018.

TOWN OF JUPITER INLET COLONY, FLORIDA

MAYOR DANIEL J. COMERFORD, III

VICE-MAYOR MILTON J. BLOCK

COMMISSIONER JEROME A. LEGERTON

COMMISSIONER SAEED A. KHAN

COMMISSION RICHARD D. BUSTO

ATTEST:

TOWN CLERK JUDE M. GOUDREAU