

31-3.021 Collection Line Construction and Availability in Established Neighborhoods.

The Loxahatchee River Environmental Control District shall construct and declare available, sewerage collection lines and related appurtenances comprising a localized District sewer system in Established Residential Neighborhoods based upon the Governing Board's determination of any of the following:

- (1) that 50% or more of the record owners of property to be served by such localized sewerage system shall desire and consent to the construction of said system; or**
- (2) that a reasonable alternative to the septic tanks exists for the treatment of the sewerage, taking into consideration factors such as cost; or**
- (3) the discharge from the septic tanks is adversely affecting the health of the user or the public, or the groundwater or surface water is degraded; or**
- (4) to enhance the environmental and scenic value of surface waters.**

Cross Reference: See 31-3.002(2) for definition of Established Residential Neighborhoods.

Specific Authority F.S. 373.451, F.S. 381.0065, Chapter 71-822, Special Acts of Florida, 1971, as amended. Law Implemented Chapter 71-822, Section 6(10), 6(16), 6(17) and 6(23); Section 6(9) (d) as amended by Chapter 76-429; and Section 6(3) and 6(19) as amended by Chapter 76-429; and Section 6(3) and 6(19) as amended by Chapter 78-559. History-new 1-9-85, Formerly 31-3.21, Amended 2-2-94, 6-15-2000.

Annotation: Village of Tequesta v. Loxahatchee River Environmental Control District, Case No. 97-4367AD, 15th Judicial ordered August 6, 1987, affirmed in Village of Tequesta v. Loxahatchee River Environmental control District, 714 So. 2d 1100, (Fla 4th DCA 1998).