tems, mains, lines and equipment running to the various privately owned parcels of land within such subdivision shall become the property of the county and shall become a part of the county water system or sewage disposal system.

(10) To restrain, enjoin or otherwise prevent any person or corporation, public or private, from contaminating or polluting (as defined in F.S. § 387.08) any source of water supply from which is obtained water for human consumption to be used in any water supply system or water system improvement as authorized by this article, and to restrain, enjoin or otherwise prevent the violation of any provision of this article or any resolution, rule or regulation adopted pursuant to the powers granted by this article.

(11) To acquire by gift or purchase, at such price and upon such deferred or other terms as may be mutually agreed upon, all the capital stock of any domestic or foreign corporation which, prior to such acquisition, shall have owned or operated any of the facilities or portions thereof provided for by this article; to pledge the revenues from the facilities as security for payment of the purchase price for such stock; and to operate the facilities through the corporation so acquired or to dissolve such corporation and operate the facilities in any other manner authorized by law.

(Code 1980, § 22-1)

Sec. 18-28. Authorization to operate public water and sewage disposal systems.

(a) *County sole authority.* The county has determined that it will be the sole local governmental entity to authorize the planning, construction and operation of water systems and sewage disposal systems within the unincorporated area of the county and will provide such services when it deems it appropriate. No authorization for the construction or operation of any water or sewage disposal system within the unincorporated area of the county shall be granted unless the county specifically determines that it is in the best interest of the citizens of the county.

(b) *Nature of authorization.* An authorization under this section:

(1) Shall be granted for such time as may be established by the county.

(2) Unless specifically stated otherwise by the county, shall grant to the water or sewage disposal system owner the exclusive right within a specific geographical area to own, acquire, construct, operate and maintain the system specified in the authorization. The owner of such authorized system shall be required to serve upon request any owner, tenant, occupant on each parcel of land within the authorized area which abuts upon a public easement or right-of-way wherein is constructed, or pursuant to the terms of the authorization, will be constructed a public water or sewage disposal system.

(3) May be made nonexclusive upon such reasonable terms and conditions as are established by the county.

(4) Acceptance by the owner of the authorization for the system from the county conveys to the county, in the event of default by the owner, the right to enter upon the premises, possess, keep and maintain all system records, operate the system and perform such repairs and maintenance of the system as are necessary to provide the services required by the system. At such time as the county assumes the operation of the system, it shall become the owner of the system and thereafter shall receive all revenues from the system.

(Code 1980, § 22-3)

Sec. 18-29. Application procedure for construction, operation, etc., of system.

(a) *Submission of preapplication.* Any person who desires to construct, operate or own a water system or sewage disposal system within the unincorporated area of the county shall first submit a preapplication to the county administrator.

(b) *Required information.* The following data shall be submitted with the preapplication:

(1) A boundary description on a copy of the county property appraiser's map of the geographical area for which authorization to operate such system is sought.

(2) A copy of the most recent assessment roll of the county property appraiser showing the name, address, item number and description of all property within the area for which authorization is sought.

(3) Conceptual drawings indicating tentatively the system to be constructed, plant location, location of collection system, implementation schedule and any other general information that will determine when and where services will be supplied within the area described.

(4) Information as to the proposed method of financing the water or sewage system for which authorization to construct or operate such system is sought.

(c) *Submission of application, fee.* Upon completion of the preapplication procedure and upon receiving approval of the conceptual plans by the county administrator, the applicant may proceed to submit an application for authorization to construct and operate a water or sewage disposal system in the area for which a preapplication has been approved or any portion thereof in the unincorporated area of the county along with an application fee in the amount of $150.00 plus $2.00 per proposed tap.

(d) *Required information.* The following data shall be submitted with the application:

(1) Legal descriptions of all properties upon which treatment facilities, wells, life stations, pump stations or other portions of the water or sewage disposal systems will be located other than mains and lines.

(2) A description of the facilities to be provided, including a construction schedule showing dates upon which the facilities will be constructed in each portion of the geographical area for which authorization is sought.

(3) A set of plans and specifications prepared under the direction and supervision of a registered professional engineer for the system to be built, together with a copy of the operating procedures for such system.

(4) A list of the proposed rates and fees to be charged to users of the system.

(5) An estimate of operating costs and revenues on an annual basis for the first three years of operation.

(6) An estimate of the total capital requirements of the system and the amount of anticipated indebtedness, terms for the repayment of the indebtedness, and the security required therefor.

(7) Copies of any agreements between the system owner and other persons relating to the construction or operation of the system.

(8) Instruments of transfer in the event the system is to be transferred to the county at the end of the authorization period.

(9) Such other data as the county may deem appropriate.

(e) *Fee.* A preapplication fee of $200.00 shall be paid to the county prior to the scheduling of a public hearing on the preapplication.

(f) *Service of notice by mail.* All property owners within the area for which authorization is sought shall be notified of such preapplication and of the time and place set for public hearing thereon at least ten days prior to the date of the hearing by mail to the address shown on the property appraiser's assessment roll.

(g) *Public notice of hearing.* Public notice of the hearing on the preapplication shall be published once each week for two successive weeks in a newspaper of general circulation published in the county, the first publication to be no sooner than 20 days prior to the hearing and in substantially the following form:

Notice is hereby given that _____ has applied to the Board of County Commissioners of Leon County, Florida, for authorization to operate a water/sewage dis-

posal system, embracing the following described lands in Leon County, Florida, to wit:

(Description of area by public road, street, or landmark)

Said Board of County Commissioners will hold a public hearing at _____ o'clock _____.m., on said application in the meeting room of the Board of County Commissioners of Leon County, Florida, on the _____ day of _____, 19___, and all persons affected or interested in such application are invited to be present at said time and place to voice their approval or disapproval of said application.

Dated this _____ day of _____, 19___.

_____
Chairman, Board of County Commissioners, Leon County, Florida

(Code 1980, § 22-4)

Sec. 18-30. Construction plans.

(a) All construction must be in accordance with the approved application. No substantial deviation shall be authorized unless approved in advance in writing by the county.

(b) Prior to the commencement of construction, the owner shall obtain and deliver to the county a performance bond in an amount to be determined by the county and with a surety approved by the county or other acceptable security which shall guarantee the completion of all construction and the payment for all labor and materials used in such construction. The county may waive the requirement for a performance bond upon the receipt of other adequate assurance of the owner's ability to perform its obligations under the authorization.

(c) Within 90 days following completion of any construction authorized by the county, the owner shall submit as-built plans certified by the owner that the system as installed is in substantial compliance with the approved application and meets or exceeds the minimum construction standards set forth in section 18-35.

(d) When all of the requirements hereof are met, the county shall issue a written authorization to place the system in service. No system shall be placed in service until such authorization is obtained.

(Code 1980, § 22-5)

Sec. 18-31. Operation of system, generally.

(a) *Office.* Each water or sewage disposal system owner shall maintain an office in the county, in which shall be kept the following:

(1) A current record of customer accounts.

(2) A record of all interruptions of service affecting ten percent or more of its system users, including the date, time, duration and cause of the interruption and the steps taken to prevent its recurrence.

(3) A record of each complaint received showing the name and address of the complainant, the telephone number, nature of the complaint, date received, the disposition of the complaint and the date thereof.

(4) A telephone through which the system owner is able to respond to emergency situations on a 24-hour-a-day basis.

(b) *Bookkeeping.* Each system owner shall maintain its records in accordance with generally accepted accounting principles.

(Code 1980, § 22-6; Ord. No. 03-25, § 1, 8-26-03)

Sec. 18-32. Reserved.

Editor's note—Ord. No. 03-25, § 2, repealed § 18-32 in its entirety. Formerly, said section pertained to annual fees, as enacted by Code 1980, § 22-7.

Sec. 18-33. Default.

(a) The following shall constitute default by the owner of an authorized system:

(1) The failure to meet or exceed the minimum construction or operation standards set forth in sections 18-35 and 18-36.

(2) The violation of the lawful order of the county or other applicable regulatory agency pertaining to the operation and maintenance of such system.