

RESOLUTION NO. 26-R-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE VOLUNTARY CONNECTION TO MARION COUNTY UTILITIES WATER SYSTEM; PROVIDING CERTAIN FINDINGS; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE DESIGNATION OF PROGRAM AREA; PROVIDING GRANT FUNDING FOR DEVELOPED PROPERTIES WITHIN THE PROGRAM AREA; ESTABLISHING A WATER SURCHARGE FOR UNDEVELOPED PROPERTIES WITHIN THE DESIGNATED PROGRAM AREA; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 11, 2021, the President of the United States signed the American Rescue Plan Act (“ARPA”), which provided specific funding allocations directly to state, local, and municipal government agencies to support, among other things, investments in water, sewer, and broadband infrastructure; and

WHEREAS, the Marion County Board of County Commissioners (“Board”) dedicated \$63,509,435 of the ARPA funds for Utilities Water and Sewer Extensions, a portion of which was approved by the Board on August 17, 2021, to use for extending Marion County Utilities’ (“MCU”) potable water system in a section of Marion Oaks to provide access to safe, clean drinking water to approximately 2,243 lots; and

WHEREAS, to address ecological and economic concerns, on October 18, 2022, the Board approved the Short Water Line Extension Program, enacted as Sections 19-215 through 19-218 of the Marion County Code of Ordinances (the “Code”), which among other things, encourages the voluntary water connection program; and

WHEREAS, the Board encourages voluntary connection to MCU’s System in discrete geographical areas of unincorporated Marion County designated by Board resolution as “Program Areas,” where grant funding is available to cover the cost to the property owners of such connection to Developed Properties within the Program Area and a surcharge is imposed for undeveloped properties; and

WHEREAS, on January 17, 2023, the Board enacted Resolution 23-R-11, which established, among other things, that surcharges should be the pro-rata share based on construction cost (established by bid), not to exceed \$5,000 for connection to the System when the projects are entirely funded by grants.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. RECITALS. The above recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. DEFINITIONS. For purposes of this section and the foregoing recitals, the following definitions shall apply:

- (A) ***Developed Property/Properties*** shall mean a parcel of land located within Marion County, that has on-site wells and that, as of March 19, 2026, construction plans for improvements in the Program Area were submitted to the Florida Department of Environmental Protection, has received from Marion County Building Safety a permit with: (1) a final inspection status; (2) certificate of occupancy (“CO”); or (3) are presently allowed to be occupied, having on-site wells.
- (B) ***Developed Property Owner*** shall mean the Owner of a Developed Property/Properties.
- (C) ***MCU*** shall mean the Marion County Utilities department.
- (D) ***Program Area*** shall mean the specific subdivision of other geographic area defined herein wherein owners of Developed Properties are subject to voluntary connection to the MCU System.
- (E) ***System*** shall mean MCU’s central utility system and may refer to either water or sewer, as applicable.
- (F) ***Undeveloped Property/Properties*** shall mean any parcel of land located within Marion County which does not meet the definition of Developer Property/Properties above.
- (G) ***Undeveloped Property Owner*** shall mean the Owner of an Undeveloped Property/Properties.

SECTION 3. AUTHORITY. This Resolution is adopted pursuant to the provisions of Chapter 19 – Water and Sewers, Article III. – Water and Wastewater Facilities, Division 2. – Service Availability and Extension; and more specifically, Section 144 – Mandatory Connection to Marion County Utility System Facilities, as well as Chapter 19 - Water and Sewers, Article III - Water and Wastewater Facilities, Division 5 - Short Water Line Extension Program of the Code.

SECTION 4. PROGRAM AREA. Pursuant to Section 19-144 of the Code, the Board hereby designates the following subdivision or other geographic area wherein owners of Developed

Properties will be subject to the voluntary water connection provisions of the Code, and where grant funding is provided to property owners to cover the cost of such connection:

- (A) **Certain Portions of Marion Oaks Units 1 and 9**, as described and shown by **Exhibit A**; and
- (B) Parcel Account Number listing as **Exhibit B**, identifying Developed Properties as of the date construction plans for improvements in the Program Area were submitted to the FDEP; and
- (C) Parcel Account Number listing as **Exhibit C**, identifying Undeveloped properties as of the date construction plans for improvements in the Program Area were submitted to the FDEP.

SECTION 5. GRANT FUNDING FOR DEVELOPED PROPERTIES. Water Grant Funding for Developed Properties. Developed Properties within the Program Area are herewith provided with a unique opportunity to voluntarily connect to the MCU System using grant funds to pay for specific costs as provided for by this Resolution. To receive this benefit, the Developed Property Owner must enter into a service agreement with MCU within ninety (90) days of the date the Developed Property Owner receives notification from MCU that the System is available for connection. Any Developed Property Owner failing to sign a service agreement within the stated time will no longer be eligible for grant funding and any subsequent connection would then be subject to all applicable fees at time of connection to the System.

SECTION 6. SURCHARGE FOR UNDEVELOPED PROPERTIES AND DEVELOPED PROPERTIES THAT DO NOT ENTER INTO A SERVICE AGREEMENT WITHIN NINETY (90) DAYS OF NOTIFICATION THAT CONNECTION TO THE WATER SYSTEM IS AVAILABLE.

- (A) Water. Pursuant to Section 19-217 of the Code, for Undeveloped Properties and Developed Properties not connected pursuant to Section 5 of this Resolution that are located within the Program Area, there shall be a surcharge per parcel due and payable before connection is made to the System, the amount and basis for the surcharge is established below.
- (B) Owner shall not pay more than \$5,000 per parcel as established by the Board in the exercise of its discretion and in accordance with Section 19-217(b) of the Code during review of this Resolution. Payment of this capped surcharge does not include:
 - 1. The cost of all On-site facilities as defined in Section 19-122 of the Code.
 - 2. All applicable costs and fees for the requested service which may include, without limitation, tap fees and system development fees as required by MCU.
 - 3. The service connection is subject to all applicable federal, state, and local permits and requirements and any required encroachments.

SECTION 7. REPEAL OF ANY PORTIONS OF RESOLUTIONS IN CONFLICT. Any portions of past Resolutions of the Board of County Commissioners in conflict with this Resolution are hereby repealed.

SECTION 8. SEVERABILITY. If any clause, section or other part of this Resolution 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 Resolution.

SECTION 9. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

DULY ADOPTED in regular session this _____ day of _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

CARL ZALAK, III
CHAIRMAN

ATTEST:

GREGORY C. HARRELL
CLERK

FOR THE USE AND RELIANCE OF
MARION COUNTY ONLY,
APPROVED AS TO FORM AND LEGAL
SUFFICIENCY.


//MATTHEW GUY MINTER
COUNTY ATTORNEY

Exhibit A Program Area

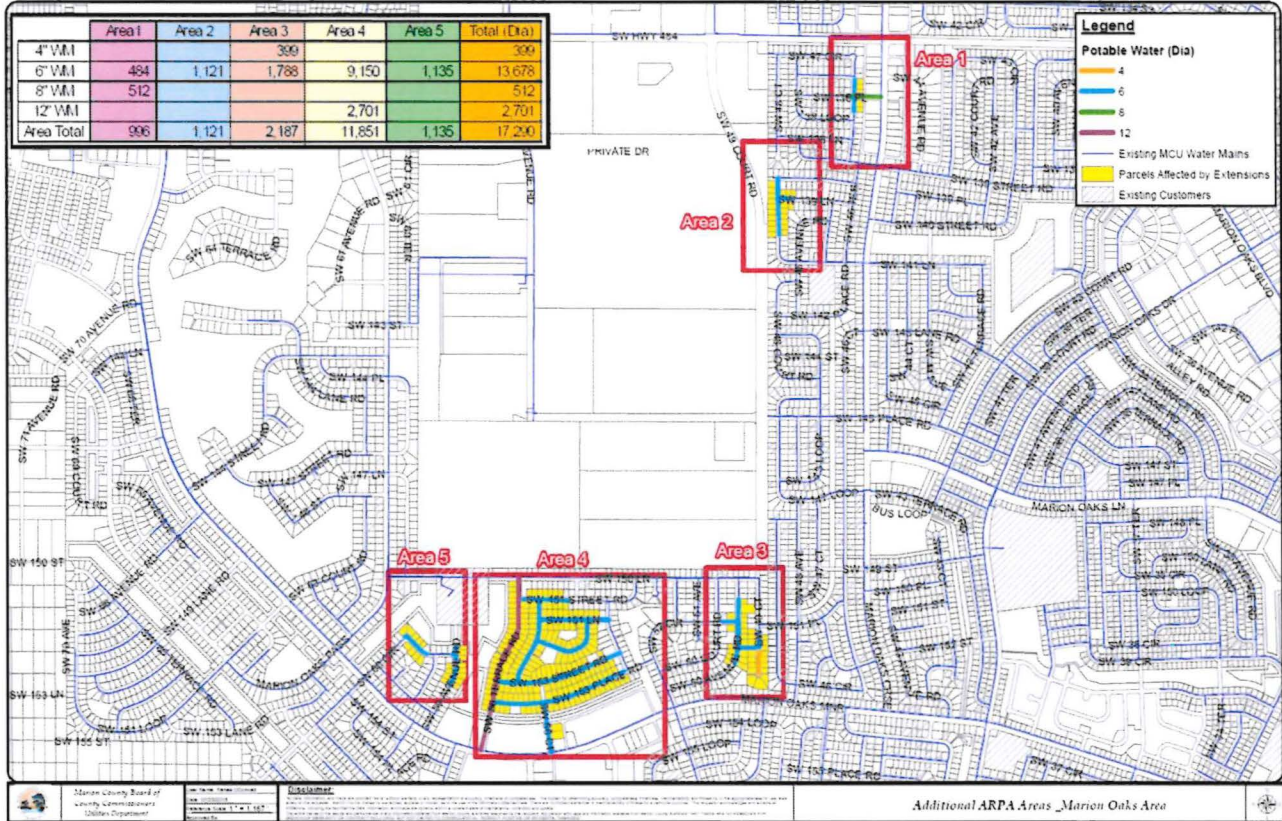


Exhibit B

Developed Properties within Program Area

PARCEL ID			
8001-0172-21	8009-1165-13	8009-1170-11	8009-1172-12
8001-0176-01	8009-1165-14	8009-1171-03	8009-1172-18
8001-0166-29	8009-1166-12	8009-1171-09	8009-1172-19
8009-1181-27	8009-1166-24	8009-1171-10	8009-1172-20
8009-1185-17	8009-1166-25	8009-1171-13	8009-1172-23
8009-1164-10	8009-1167-11	8009-1171-17	8009-1172-28
8009-1164-12	8009-1168-04	8009-1171-18	8009-1173-04
8009-1164-19	8009-1168-05	8009-1171-19	8009-1173-16
8009-1164-21	8009-1170-01	8009-1171-21	8009-1174-05
8009-1164-22	8009-1170-02	8009-1171-22	
8009-1164-23	8009-1170-08	8009-1171-28	
8009-1164-24	8009-1170-10	8009-1172-10	

Exhibit C

Undeveloped Properties within Program Area

PARCEL ID			
8001-0172-20	8009-1164-25	8009-1169-03	8009-1173-01
8001-0172-22	8009-1165-12	8009-1170-03	8009-1173-02
8001-0176-02	8009-1165-15	8009-1170-04	8009-1173-03
8001-0166-01	8009-1165-16	8009-1170-05	8009-1173-05
8001-0166-02	8009-1165-17	8009-1170-06	8009-1173-06
8001-0166-26	8009-1165-18	8009-1170-07	8009-1173-07
8001-0166-27	8009-1165-19	8009-1170-09	8009-1173-08
8001-0166-28	8009-1166-01	8009-1170-12	8009-1173-09
8001-0166-30	8009-1166-02	8009-1170-13	8009-1173-10
8001-0167-01	8009-1166-03	8009-1170-14	8009-1173-11
8001-0167-02	8009-1166-04	8009-1170-15	8009-1173-12
8001-0167-03	8009-1166-05	8009-1170-16	8009-1173-13
8001-0167-04	8009-1166-06	8009-1171-01	8009-1173-14
8001-0167-05	8009-1166-07	8009-1171-02	8009-1173-15
8001-0167-06	8009-1166-08	8009-1171-04	8009-1173-17
8001-0167-07	8009-1166-09	8009-1171-05	8009-1174-01
8001-0167-08	8009-1166-10	8009-1171-06	8009-1174-02
8001-0167-09	8009-1166-11	8009-1171-07	8009-1174-03
8001-0167-10	8009-1166-13	8009-1171-08	8009-1174-04
8001-0168-20	8009-1166-14	8009-1171-11	8009-1174-14
8001-0168-21	8009-1166-15	8009-1171-12	8009-1174-15
8001-0168-22	8009-1166-16	8009-1171-14	8009-1174-16
8009-0000-04	8009-1166-17	8009-1171-20	8009-1174-17
8009-1179-05	8009-1166-19	8009-1171-23	8009-1174-18
8009-1180-11	8009-1166-20	8009-1171-24	8009-1174-19
8009-1180-12	8009-1166-21	8009-1171-25	8009-1174-20
8009-1180-13	8009-1166-22	8009-1171-26	8009-1174-21
8009-1180-14	8009-1166-23	8009-1171-27	8009-1174-22
8009-1180-15	8009-1166-26	8009-1171-29	8009-1174-23
8009-1180-16	8009-1166-27	8009-1171-30	8009-1174-24
8009-1180-17	8009-1166-28	8009-1172-07	8009-1160-07

8009-1181-26	8009-1166-29	8009-1172-08	8009-1160-08
8009-1181-28	8009-1166-30	8009-1172-09	8009-1160-09
8009-1181-29	8009-1167-01	8009-1172-11	8009-1161-11
8009-1181-30	8009-1167-02	8009-1172-13	8009-1161-12
8009-1185-16	8009-1167-03	8009-1172-14	8009-1161-13
8009-1185-18	8009-1167-04	8009-1172-15	8009-1161-14
8009-1164-02	8009-1167-05	8009-1172-16	8009-1161-15
8009-1164-03	8009-1167-06	8009-1172-17	8009-1162-02
8009-1164-04	8009-1167-07	8009-1172-21	8009-1162-03
8009-1164-05	8009-1167-08	8009-1172-22	8009-1162-04
8009-1164-06	8009-1167-09	8009-1172-24	8009-1162-05
8009-1164-07	8009-1167-10	8009-1172-25	8009-1163-10
8009-1164-08	8009-1167-12	8009-1172-26	8009-1163-11
8009-1164-09	8009-1167-13	8009-1172-27	8009-1163-12
8009-1164-11	8009-1167-14	8009-1172-29	8009-1163-13
8009-1164-13	8009-1167-15	8009-1172-30	8009-1163-14
8009-1164-14	8009-1168-01	8009-1172-31	8009-1163-15
8009-1164-15	8009-1168-02	8009-1172-32	8009-1163-16
8009-1164-16	8009-1168-03	8009-1172-33	8009-1163-17
8009-1164-17	8009-1168-06	8009-1172-34	
8009-1164-18	8009-1168-07	8009-1172-35	
8009-1164-20	8009-1169-02	8009-1172-36	