

# MEMORANDUM

Agenda Item No. 11(A)(11)

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**TO:** Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners

**DATE:** July 8, 2021


**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution directing the County Mayor to compile data regarding properties that are served by septic systems or private water wells; directing the Commissioner Auditor to review and verify such data; urging the Office of the Property Appraiser to include a link to such septic system and private water well information on the Property Appraiser’s website

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**This item was amended at the 6-10-21 County Infrastructure, Operations and Innovations Committee to remove the request that the Office of the Property Appraiser mail certain notices to Miami-Dade County property owners with septic systems and make conforming changes to the title.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.

  
Geri Bonzon-Keenan  
County Attorney

GBK/uw



**MEMORANDUM**  
(Revised)

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Gen Bonzon-Keenan  
County Attorney

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(11)  
7-8-21

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMPILE DATA REGARDING PROPERTIES THAT ARE SERVED BY SEPTIC SYSTEMS OR PRIVATE WATER WELLS; DIRECTING THE COMMISSIONER AUDITOR TO REVIEW AND VERIFY SUCH DATA; URGING THE OFFICE OF THE PROPERTY APPRAISER TO INCLUDE A LINK TO SUCH SEPTIC SYSTEM AND PRIVATE WATER WELL INFORMATION ON THE PROPERTY APPRAISER'S WEBSITE

**WHEREAS**, in Miami-Dade County (the "County"), approximately 108,000 properties are served by septic systems and are not connected to the County's or a municipal sanitary sewer system; and

**WHEREAS**, what is colloquially referred to as a "septic tank" involves the treatment and disposal of wastewater in a tank and an underground drainfield, and the tank, drainfield, and associated infrastructure are also referred to as a "septic system"; and

**WHEREAS**, in the December 2020 report from the County Mayor, entitled "Plan of Action Report: A Risk-Based Approach to Septic Systems Vulnerable to Sea Level Rise," the administration estimated that Miami-Dade County has 120,000 septic systems, which are located in both residential and commercial areas; and

**WHEREAS**, septic systems need to be properly maintained, including regular pump-outs and other periodic maintenance; and

**WHEREAS**, homeowners and potential homeowners or renters may not be aware that a property is served by a septic system, the age of the septic system, or the necessary maintenance and other requirements to ensure the system's proper functioning, including, for example, what

materials should and should not be placed into drains and toilets that discharge to a septic system, the type and frequency of recommended maintenance, and how to address an improperly functioning septic system; and

**WHEREAS**, an improperly functioning septic system may need expensive repairs or replacement, and may damage the home or other structures connected to it; and

**WHEREAS**, the location of a septic tank and drainfield may limit the use of a property; and

**WHEREAS**, an improperly functioning septic system may also create health risks and environmental contamination, such as to the underground Biscayne Aquifer, which is the County's primary source of drinking water; and

**WHEREAS**, through proper maintenance of septic systems, property owners may be able to avoid or lessen financial, environmental, and health risks; and

**WHEREAS**, on May 4, 2021, the Board of County Commissioners passed a resolution directing the County Mayor or County Mayor's designee of Miami-Dade County to conduct an educational campaign as to septic system maintenance; and

**WHEREAS**, similarly, many properties within Miami-Dade County are served by private water wells, and homeowners, potential homeowners, and renters may not be aware that a property is served by a private water well, and they also may not know what maintenance or testing may be recommended for private water wells; and

**WHEREAS**, many residents of Miami-Dade County rely on the Office of the Property Appraiser's website to obtain information about their properties; and

**WHEREAS**, residents of Miami-Dade County trust the Office of the Property Appraiser with information regarding their properties, and are likely to share information about the condition of their properties with the Office of the Property Appraiser; and

**WHEREAS**, as such, this Board wishes to request the assistance of the Office of the Property Appraiser in providing all Miami-Dade County residents with information about septic tanks including, but not limited to, links to information regarding septic systems and private water wells ~~[[and sending initial notices to such property owners to verify the accuracy of such information]]~~<sup>1</sup>,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Directs the County Mayor or County Mayor's designee to compile data of all properties that are served by septic systems or private water wells, including but not limited to permit information when available. The County Mayor or County Mayor's designee is further directed to maintain an updated database with such data in a format accessible to the Office of the Property Appraiser.

**Section 2.** Directs the Commissioner Auditor to review and verify the data compiled pursuant to section 1 above.

**Section 3.** Urges the Office of the Property Appraiser to link to the database maintained pursuant to section 1 above on its website profile for each property served by a septic system or private water well.

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<sup>1</sup> Committee amendments are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ are deleted, words underscored and/or >>double arrowed<< are added.

~~[[Section 4. Urges the Office of the Property Appraiser to send notices to each property owner whose property is served by a septic system or private water well to verify that the information is accurate and the septic system or private water well, as applicable, is actively in use.]]~~

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 8<sup>th</sup> day of July, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

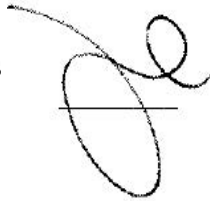
MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Jorge Martinez-Esteve

A handwritten signature in black ink, appearing to read 'Jorge Martinez-Esteve', written over a horizontal line.