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SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the first reading and public hearing on the 16th day of August, 2018.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second and final reading and public hearing on the 11th day of September, 2018.

Public hearing advertised on the City’s website on July 6, 2018 and advertised in the Riverland News on August 9, 2018 and September 6, 2018 and in the Ocala Star Banner on August 10, 2018 and September 6, 2018. Final draft ordinance posted on the City’s website on August 14, 2018.

ATTEST:

CITY OF DUNNELLON

Amanda L. Roberts, CMC
City Clerk

Richard Hancock, Vice-Mayor

Approved as to Form:

Andrew J. Hand, City Attorney

CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida, this 15th day of August, 2018 and on the City’s Official Website the 14th day of August 2018.

ARTICLE I. - IN GENERAL

Sec. 70-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Available means a water or sewer line is located within 100 feet of a property line.

Commercial customer means:

(1)—A customer of the city water and/or sewer utility whose property being served by such utility is a permitted use (but not a nonconforming use) in an R-5, RBO, NBR and PUD (when conducting retail sales and service activities), B-2 B-3, B-4, B-5 or B-6 zone and is not a permitted use in an R-1, R-1A, R-1B, R-2, R-3, ~~R-3A, R-4~~, RBO (when not conducting retail sales and service activities), MH or A-1 zone; and

(2)—Notwithstanding the zoning of the customer's property, any customer operating a master meter.

Notwithstanding the zoning of the customer's property, an industrial discharge shall be subject to all the controls, charges and limitations of this chapter.

~~Industrial customer means a customer of the city water and/or sewer utility whose property being served by such utility is a permitted use in an M-1, M-2 or other zone not otherwise provided for herein and is not a permitted use in an R-1, R-1A, R-2, R-3, R-3A, R-4, R-5, RBO, MH, A-1, B-3, B-4, B-5, B-6, or PUD zone. Notwithstanding the location of the customer's property, an industrial discharge shall be subject to all the controls, charges and limitations of this chapter.~~

Monthly sewer service charge means that monthly charge set by the city council from time to time by resolution. This charge may include surcharges for line and infrastructure maintenance, a charge per gallon, and a minimum charge.

Residential customer means a customer of the city water and/or sewer utility whose property being served by such utility is a permitted use (but not a nonconforming use) in an R-1, R-1A, R-2, R-3, R-4, 3A and RBO (when not conducting retail sales and service activities), MH or A-1 zone. Notwithstanding the zoning of the customer's property, a customer of the utility operating a master meter shall be a commercial customer. Notwithstanding the zoning of the customer's property, an industrial discharge shall be subject to all the controls, charges and limitations of this chapter.

Water rates means the monthly rates set by the city council from time to time by resolution. These rates may include surcharges for meter, line and infrastructure maintenance. These rates may include a minimum charge and charge per gallon. These rates may include a charge for unmetered fire hydrants on private property utilized for private fire protection.

(Code 1985, § 24-1)

Cross reference— Definitions generally, § 1-2.

Secs. 70-2—70-30. - Reserved.

ARTICLE II. - CONNECTIONS TO WATER AND SEWER SYSTEM

DIVISION 1. - GENERALLY

Sec. 70-31. - Connection required; waivers and exceptions.

(a)—~~Connection required—two notifications. Pursuant to F.S. § 381.00655, the city shall notify owners of onsite septic systems that the city's sewer system will be available for connectivity. This initial notification shall occur no less than one year prior to the anticipated date when the city's sewer system will be available. The city shall provide a second notification to the owner that the owner will be required to connect to the city's sewer system within 90 days of the actual date of availability.~~ Connection required. Except as set forth in this section, when a city water and/or sewer main is made available and operative in a public right-of-way or easement abutting property within the city limits or within the city's water or wastewater utility service areas, any existing individual potable water supply and/or

sewage disposal system, device or equipment shall, within 90 days from ~~the second~~ notification of availability by the city clerk ~~or designee~~, be abandoned and the source of potable water and sewage disposal for the residence or building shall be from the city water and/or sewer main.

- (b) ~~Waiver of mandatory water hookup.~~ The city council may by majority vote waive the mandatory requirement for individual residential property owners to hook up to the water system and mandatory hookup fees as set forth in subsection (a) of this section when the water system has been constructed through a special assessment district, pursuant to F.S. § 170.01 et seq., and where the specially benefitted property owners have paid 100 percent of the construction costs through payment of the special assessments.
- (c) ~~Waiver of mandatory sewer hookup.~~ The city council may by majority vote waive the mandatory requirements for individual residential property owners to hook up to the sewer system as set forth in subsection (a) of this section when the sewer system has been constructed through a special assessment district, pursuant to F.S. § 170.01 et seq., and where the specially benefitted residential property owners have paid 100 percent of the construction costs through payment of the special assessment. The waiver of hookup fees shall be limited to 365 days from the date of notification of the availability to hook up to the sewer system, or as otherwise established by state law. When required to hook up to the sewer system as set forth in this section, the residential property owner shall also be required to hook up to available city water.
- (d) ~~Restrictions on waivers.~~ The city council may not waive the hookup requirements and fees associated therewith under the following circumstances:
- (1) ~~No waiver of hookup fees shall be allowed for commercial, industrial, business or other nonresidential property owners.~~
 - (2) ~~No waiver of hookup fees shall be allowed if such waiver will jeopardize or otherwise be contrary to any funding source requirements, rules or regulations.~~
 - (3) ~~No waiver of such hookup fees shall be allowed if such waiver shall violate any local, state or federal law.~~
- (e) ~~Termination of waiver.~~ The waiver of water and/or sewer hookup granted shall be terminated under the following conditions:
- (1) ~~When unimproved land is improved by the construction of a residence or other improvements requiring a water and/or sewer system, the residential property owner shall be required to hook up to the water and/or sewer system within the 90 days set forth in subsection (a) of this section and pay the appropriate fees.~~
 - (2) ~~When residential property which is otherwise entitled to a waiver is sold or transferred, the new property owner must hook up to the water and/or sewer system within 90 days as set forth in subsection (a) of this section and pay the appropriate fees.~~
 - (3) ~~When the residential property owner is required to hook up to the available sewer system as required in this section, the residential property owner shall also be required to hook up to the available city water system and pay the appropriate fees.~~
- (f) ~~Buildings more than 500 feet from line. Mandatory connection to the water and/or wastewater system and discontinuance of the prior water or wastewater system shall not be required if the building or structure is more than 500 feet from the closest point of the 100 feet from a water or sewer line. Notwithstanding Sections 70-136 and 70-163, an existing or proposed development located on a river, spring or other natural water body shall be required to connect to a water or sewer line located within 500' of the property line of the existing or proposed development, except for existing or proposed single family structures that are located more than 500' from the ordinary high water or sewer line of the waterbody.~~
- (g) ~~Property on opposite side of roadway from line.~~ Mandatory connection and discontinuance as described in this section shall not be required if the available and operative water and sewer line is in the right-of-way on the opposite side of a county or state roadway.

(h)—*Use of private wells after connection.* The property owner may continue to utilize the property's well for nonpotable drinking water uses such as watering livestock, vegetation, or lawns, washing vehicles and similar purposes.

(Code 1985, § 24-16; ~~Ord. No. 2016-11, § 2, 12-12-2016~~)

Sec. 70-32. - Establishment of fees; disposition of fees.

(a)—Hookup fees to the public water and/or sewer main and the method of payment of fees shall be established by resolution of the council from time to time and are on file in the city clerk's office. In addition to the established hookup fees and the monthly water and/or sewer service charge, there shall be a one-time connection fee per each new connection to the city sewer system and water system in an amount set from time to time by resolution of the city council.

(b)—These connection fees shall be deposited into a sewer improvement fund and a water improvement fund, which shall be created and maintained by the city for the purpose of funding capital improvements to the city sewer system and water system, respectively.

(Code 1985, § 24-17)

Sec. 70-33. - Deferred payment of fee.

If a deferred method of payment of the hookup fee is made available to and elected by the property owner, a lien shall exist on the property in favor of the city for the unpaid balance of the hookup fee and the city clerk shall immediately cause the lien to be recorded in the public records of the county. All fees and charges for the recording and enforcement of the liens and for the satisfaction thereof, including reasonable attorneys' fees, shall be borne by the property owner.

(Code 1985, § 24-18)

Sec. 70-34. - Failure to connect.

Any property owner who fails to connect to the city water and/or sewage system shall be deemed guilty of a violation of this article, and shall, upon conviction, be punished as provided in section 1-12. Any property owner who disconnects from the city water and/or wastewater system, once connected, for the purpose of utilizing any other potable water or sewer system shall likewise be deemed guilty of a violation of this article and shall, upon conviction, be punished as provided in section 1-12. Nothing contained in this section shall prohibit the city from seeking injunctive relief to compel the property owner to connect to the public water and/or sewer system. If the action is initiated, the property owner shall be liable for all costs, including reasonable attorneys' fees, and that sum shall constitute a lien on the property.

(Code 1985, § 24-19)

Sec. 70-35. - Installment payment of fee.

(a)—All existing homestead residential property owners, as of the effective date of the ordinance from which this article is derived, who shall be mandated by ordinance of the city or by state law to connect to the municipal utility system, be it either water, sewer or both, shall have the option of paying all required connection fees in installments as a surcharge upon utility bills as provided in this section and shall connect and be a user of the city utility services within 90 days of such required connection.

(1)—*Sewer connections.* Sewer connection fees shall be amortized as follows:

a.—Two-year period of time, payable monthly at a rate of six percent interest per annum, until paid.

b.—Three-year period of time, payable monthly at a rate of seven percent interest per annum, until paid.

- c.—Four-year period of time, payable monthly at a rate of eight percent interest per annum, until paid.
- (2)—*Water connections.* Water connection fees shall be amortized as follows:
 - a.—Two-year period of time, payable monthly at a rate of six percent interest per annum, until paid.
 - b.—Three-year period of time, payable monthly at a rate of seven percent interest per annum, until paid.
 - c.—Four-year period of time, payable monthly at a rate of eight percent interest per annum, until paid.
- (b)—Installment payments for connection fees shall be included upon the normal billing invoice to the homestead residential property owner as an additional surcharge to the rates for such services established by the city, and subject to the collection provisions currently established by the city as subsequently amended for utility services, including but not limited to the discontinuance of service for failure of payment. There shall be no partial payment of the monthly utility service charge or surcharge. If any partial payment is made, it shall first be credited to utility services and thereafter to the surcharge.
- (c)—The ability of a homestead residential property owner to avail himself of the installment provisions as to connection fees shall terminate upon any transfer in ownership of the property or the discontinuance of the property as homestead property.
 - (1)—Transfers of ownership shall be considered conclusive upon recording of a deed of conveyance. A rebuttable presumption shall exist that a transfer has occurred upon execution of a written document transferring either equitable or legal interest in real property filed with the property appraiser's office to establish a homestead exemption to the transferee.
 - (2)—Transfers made to heirs because of the death of a property owner, either intestate or testate, shall be excluded from the definition of transfers. Transfers to family members wherein the grantor retains an ownership interest or like estate shall not be considered as a transfer for purposes of this section.
 - (3)—For purposes of this section, homestead property shall be defined as those properties receiving homestead real estate tax exemptions under the laws of the state. Owners of property participating in the installment payment provisions of this section shall maintain continuous homestead exemption. The denial of homestead exemption by the property appraiser's office shall create a rebuttable presumption that the property is not homestead and not eligible to participate in the installment payment provisions of this article.
- (d)—Transfers of properties previously entitled to installment payments under this section shall result in the outstanding balance for the connection fees becoming due and owing. Property owners becoming ineligible for installment payments shall be notified by the city of the outstanding balance due. The outstanding balance shall be added to the next billing invoice to the property owners subject to the collection provisions currently established by the city and as subsequently amended for utility services, including but not limited to discontinuance of service for failure of payment.
- (e)—Any homestead residential property owner desiring to participate in the installment connection fee program shall apply to the city on prescribed forms attesting to his homestead residential ownership of the applicable property which is required to be connected to the municipal system and subject to such other administrative or legal provisions therein for enforcement and lien provisions.
- (f)—Nothing in this section shall prevent the city from enforcing connections to the municipal utility system as otherwise established by state law or ordinance. Remedies in this section shall be concurrent with all other enforcement remedies allowable by law and equity, including injunctive relief.
- (g)—Nothing in this section shall prevent a homestead residential property owner from paying in full the outstanding connection fee, and no prepayment penalty is intended or applied.

(Code 1985, § 24-20)

Secs. 70-36—70-50. - Reserved.

DIVISION 2. - CROSS CONNECTION CONTROL

Sec. 70-51. - Purpose.

The purpose of this division is to:

- (1)—Protect the public water supply against actual or potential cross connections, backflow and backsiphonage by isolating within the premises or private property contamination or pollution that has occurred or may occur because of some undiscovered or unauthorized cross connection on the premises or private property.
- (2)—Protect the water supply system within the premises or private property against actual or potential cross connections, backflow and backsiphonage by requiring such air gaps, vacuum breakers, backflow preventers, and special devices as required by this division or other applicable regulations.
- (3)—Eliminate cross connections, backflow and backsiphonage on any other source of water or process water used for any purpose whatsoever which may jeopardize the safety of the water supply or which may endanger the health and welfare of the public.
- (4)—Establish a cross connection, backflow and backsiphonage control program.
- (5)—Provide a phasing-in of backflow preventers.

(Code 1985, § 24-21)

Sec. 70-52. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved means accepted by the city manager, or his designee, as meeting an applicable specification stated or cited in this division as suitable for the proposed use. In no event shall the term "approved," in reference to a backflow preventer, mean a device which the state department of environmental protection has not approved.

Auxiliary water supply means any water supply on or available to the premises other than the purveyor's approved public potable water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source such as a well, spring, river, stream, harbor, etc., or used water or industrial fluids. These waters may be polluted or contaminated or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

Backflow means the flow of water or other liquids, mixtures or substances under pressure into the distributing pipe of a potable water supply system from any source other than its intended source.

Backflow preventer means a device or means designed to prevent backflow or backsiphonage.

- (1)—*Air gap* means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the vessel. An approved air gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel, and in no case less than one inch. When an air gap is used at the service connection to prevent the contamination or pollution of the public potable water system, an emergency bypass shall be installed around the air gap system and an approved reduced pressure principle device shall be installed in the bypass system.
- (2)—*Double checkvalve assembly* means an assembly of two independently operating approved checkvalves with tightly closing shutoff valves on each side of the checkvalves, plus properly located test cocks for the testing of each checkvalve. The entire assembly shall meet the design and performance specifications and approval of a recognized and city-approved testing agency

for backflow prevention devices. To be approved, these devices must be readily accessible for in-line maintenance and testing.

- (3)—*Reduced pressure principle device* means an assembly of two independently operating approved checkvalves with an automatically operating differential relief valve between the two checkvalves, and tightly closing shutoff valves on either side of the checkvalves, plus properly located test cocks for the testing of the check and relief valves. The entire assembly shall meet the design and performance specifications and approval of a recognized and city-approved testing agency for backflow prevention assemblies. The device shall operate to maintain the pressure in the zone between the two checkvalves at a level less than the pressure on the public water supply side of the device. At cessation of normal flow the pressure between the two checkvalves shall be less than the pressure on the public water supply side of the device. In case of leakage of either of the checkvalves the differential relief valve shall operate to maintain the reduced pressure in the zone between the checkvalves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these devices must be readily accessible for in-line maintenance and testing and be installed in a location where no part of the device will be submerged.

City manager. The city manager, or his designee, in charge of the water department of the city, is invested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this division.

Backsiphonage means the flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply system from any source other than its intended source caused by the reduction of pressure in the potable water supply system.

Contamination means an impairment or violation of the quality of the potable water by sewage, industrial fluids or waste liquids, or gases, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning, the spread of disease, or violation of state department of environmental protection or U.S. Environmental Protection Agency quality standards now and as subsequently modified.

Cross connection means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other nonpotable water or industrial fluids of questionable safety, through which, or because of which, backflow or backsiphonage may occur into the potable water system. A water service connection between a public potable water distribution system and a customer's water distribution system which is cross connected to a contaminated fixture or industrial fluid system, or with a potentially contaminated supply or auxiliary water system, constitutes one type of cross connection. Other types of cross connections include connectors such as swing connections, removable sections, four-way valves, spools, dummy sections of pipe, swivel or change-over devices, sliding multiport tubes, solid connections, etc.

Cross connection, controlled, means a connection between a potable water system and a nonpotable water system with an approved backflow prevention device properly installed that will continuously afford the protection commensurate with the degree of hazard.

Cross connection control by containment means the installation of an approved backflow prevention device at the water service connection to any customer's premises where it is physically and economically unfeasible to find and permanently eliminate or control all actual or potential cross connections which the customer's water system, or it shall mean the installation of an approved backflow prevention device on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross connections which cannot be effectively eliminated or controlled at the point of cross connection.

Hazard, degree of. This term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

- (1)—*Hazard, health,* means any condition, device or practice in the water supply system and its operation which could create a threat of contamination or pollution of a physical or toxic nature to

the public potable water system or the consumer's potable water system to such a degree of intensity that there would be a danger to health.

- (2)—*Hazard, plumbing*, means a plumbing type cross connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air gap separation, or backflow prevention device. Unprotected plumbing type cross connections are considered to be a health hazard.
- (3)—*Hazard, pollutional*, means an actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.
- (4)—*Hazard, system*, means an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

Industrial fluids systems means any system containing a fluid or solution which may be chemical, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply. This may include, but shall not be limited to, polluted or contaminated waters; all types of process waters and used waters originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulated cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural water such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; and oils, gases, glycerin, paraffins, and caustic and gaseous fluids used in industrial or other purposes or for firefighting purposes.

Pollution means the presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

Water, nonpotable, means water which is not safe for human consumption or which is of questionable potability or in violation of Florida Safe Drinking Water Act (F.S. § 403.850 et seq.) standards now existing and as subsequently modified.

Water, potable, means any water which, according to recognized standards, is safe for human consumption.

Water purveyor means the owner or operator of the public potable water system supplying an approved water supply to the public. As used in this division, the terms "water purveyor" and "city" may be used synonymously.

Water service connection means the terminal end of a service connection from the public potable water system, i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter or backflow prevention device located at the point of delivery to the customer's water system. The term "service connection" shall also include a water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

Water, used, means any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

(Code 1985, § 24-23)

Cross reference— Definitions generally, § 1-2.

Sec. 70-53. - Water system components.

- (a)—*Water system*. The water system shall be considered as made up of two parts: the utility system and the customer system.
- (b)—*Utility system*. The utility system shall consist of the source facilities and the distribution system, and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.
- (c)—*Source*. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of the water to the distribution system.
- (d)—*Distribution system*. The distribution system shall include the network used for the delivery of water from the source to the customer's system.
- (e)—*Customer's system*. The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system which are utilized in conveying utility-delivered domestic water to points of use.

(Code 1985, § 24-24)

Sec. 70-54. - Applicability.

- (a)—Within 30 days of the effective date of the ordinance from which this division is derived, backflow preventers, as specified in this division, shall be installed on the following premises:
 - (1)—All new construction permitted after such effective date.
 - (2)—Any premises which creates a system hazard as defined in section 70-52.
 - (3)—Any premises requiring a protective device for conditions defined in subsection 70-56(c)(1) or (2).
 - (4)—Any premises requiring backflow preventers pursuant to section 70-57.
 - (5)—Any improvement to an existing structure which necessitates a modification to the distribution system, including installation of a new meter.
- (b)—Upon the state department of environmental protection approving and passing regulations which require additional backflow preventers for additional premises, this division shall automatically and without further action by the city council require additional backflow preventers for additional premises in accord with such department of environmental protection regulation.

(Code 1985, § 24-27)

Sec. 70-55. - Duties of city manager or designee; notice to install backflow protection device.

The city manager, or his designee, shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollutants through the water service connection. If an approved backflow prevention device is required at the city's water service connection to any customer's premises, for the safety of the water system, the city manager, or his designated agent, shall give notice in writing to the customer to install such an approved backflow prevention device at each service connection to his premises. The customer shall, within 30 days of the date of the notice, install such approved device at his own expense. Failure, refusal, or inability on the part of the customer to install the device within such time period shall constitute a ground for discontinuing water service to the premises until such device has been properly installed.

(Code 1985, § 24-22)

Sec. 70-56. - Enforcement generally; inspection of customer's system; standards for backflow prevention devices.

- (a)—*Enforcement generally.* No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state laws and regulations and this division. Service of water to any premises shall be discontinued by the water purveyor if a backflow prevention device required by this division is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed or bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- (b)—*Inspection of customer's system.* The customer's system should be open for inspection at all reasonable times to authorized representatives of the city to determine whether cross connections or other structural or sanitary hazards, including violations of this division, exist. Water service may be discontinued after reasonable notice to the consumer if a violation of this division exists on the premises, and such other precautionary measures may be taken as are deemed necessary to eliminate any danger to the potable water. Water service shall not be restored until the danger has been eliminated in compliance with the provisions of this division.
- (c)—*Backflow prevention requirements.* An approved backflow prevention device shall also be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served, but, in all cases, before the first branch line leading off the service line, wherever the following conditions exist:
- (1)—In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not maintained by the same or similar testing and methodology as is the city public water system, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.
 - (2)—In the case of premises on which any industrial fluid or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system which have been subject to deterioration in quality.
 - (3)—In the case of premises having internal cross connections that cannot be permanently corrected and controlled, or intricate plumbing and piping arrangements, or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impractical or impossible to ascertain whether or not dangerous cross connections exist, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line. In the case of premises having cross connections that cannot be permanently corrected, or when continuous flow may be required even during times of servicing or testing, two backflow prevention devices shall be required.
- (d)—*Type of protective device required.* The type of protective device required under subsections (c)(1), (2), and (3) of this section shall depend upon the degree of hazard which exists as follows:
- (1)—In the case of any premises where there is an auxiliary water supply as stated in subsection (c)(1) of this section and it is not subject to any rules, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention device.
 - (2)—In the case of any premises where there is water or a substance that would be objectionable but not hazardous to health if introduced into the public water system, the public water system shall be protected by an approved double checkvalve assembly.
 - (3)—In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention device. Examples of premises where these conditions will

exist include, without limitation, sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries and plating plants.

- (4)—In the case of any premises where there are uncontrolled cross connections, either actual or potential, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention device at the service connection.
- (5)—In the case of any premises where, because of security requirements or other prohibitions or restrictions it is impossible or impractical to make a complete in-plant cross connection survey, the public water system shall be protected against backflow or backsiphonage from the premises by the installation of a backflow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air gap separation or an approved reduced pressure principle backflow prevention device shall be installed in each service to the premises.
- (e)—*Standards for backflow prevention devices.* Any backflow prevention device required in this division shall be of a model and size approved by the city manager or his designee. For purposes of this section, the term "approved backflow prevention device" shall mean a device that has been manufactured in full conformance with the standards established by the American Water Works Association entitled "AWWA C506-69 Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices," as well as the standards set forth by the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California established by "Specifications of Backflow Devices, #69-2," dated March 1969, or the most current issue, and has been approved for general use by the state department of environmental protection. All backflow prevention devices shall be installed in accordance with reasonable requirements promulgated by the city manager or his designee.
- (f)—*Inspection and testing of backflow prevention devices.* It shall be the duty of the city at any premises where backflow prevention devices are installed to have certified inspections and operational tests made at least once per year. In those instances where the city manager or his designee deems the hazard to be great enough, he may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by the device manufacturer's representative, or by a certified tester approved by the city manager or his designee. The city shall charge the customer-user the actual costs incurred by the city for these inspections and tests. The costs shall be billed to the customer on the next water bill following the inspection and test. The costs for inspection and testing shall be deemed water charges and shall be subject to this chapter, including but not limited to section 70-86. It shall be the duty of the city manager, or his designee, to see that these timely tests are made. The customer-user shall notify the city manager, or his designee, in advance when the tests are to be undertaken so that he or his representative may witness the tests if it is so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever the devices are found to be defective. Records of such tests, repairs and overhaul shall be kept and copies sent to the water distribution office, utilities department of the city.
- (g)—*Use of existing backflow prevention devices.* All presently installed backflow prevention devices which do not meet the requirements of this section but were approved devices for the purposes described in this division at the time of installation and which have been properly maintained shall, except for the inspection and maintenance requirements under subsection (f) of this section, be excluded from the requirements of these rules so long as they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than minimum maintenance, or when the city manager or his designee finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this section.
- (h)—*Responsibility of consumer to monitor water use practices.* Nothing in this section shall relieve the consumer of the responsibility for conducting, or causing to be conducted, periodic surveys of water use practices on his premises to determine where there are actual or potential cross connections in the consumer's water system through which contaminants or pollutants could flow back into a public water system or consumer's potable water system.

(i)—*Protection of equipment from freezing.* All backflow preventers, valves and piping must be protected from freezing.

(Code 1985, § 24-25)

Sec. 70-57. - Facilities for which backflow preventer is required.

Backflow preventers, as specified by the city, shall be required on the following type of facilities:

- (1)—Beverage bottling plants.
- (2)—Carwashes.
- (3)—Chemical plants.
- (4)—High-rise buildings.
- (5)—Canneries, packing houses and reduction plants.
- (6)—Dairies.
- (7)—Film and other laboratories.
- (8)—Commercial laundries and dye works.
- (9)—Wastewater facilities.
- (10)—Metal manufacturing, cleaning, processing and fabricating plants.
- (11)—Oil and gas production, storage and transmission facilities.
- (12)—Plating plants and facilities.
- (13)—Radioactive materials research, production and utilization plants.
- (14)—Restricted, classified and other facilities closed to inspection.
- (15)—Steam generating facilities.
- (16)—Schools and colleges, with or without laboratories.
- (17)—Sand and gravel plants.
- (18)—Hospitals, medical buildings, doctors' offices, veterinarians' offices, sanitariums, morgues, mortuaries, autopsy facilities, and nursing and convalescent homes and clinics.
- (19)—Meat packing plants or related facilities.
- (20)—Firefighting systems, including reservoirs which are subject to contamination with antifreeze solutions, Foamite, or other chemicals or compounds used in fighting fires.
- (21)—Auxiliary water systems.
- (22)—Irrigating systems.