

ORDINANCE NO. 555

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF SPRINGFIELD, FLORIDA AMENDING AND RESTATING THE CITY OF SPRINGFIELD'S CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION REGULATIONS; REPEALING, AMENDING AND RESTATING CHAPTER 82, ARTICLE III, DIVISION 2, OF THE CODE OF ORDINANCES; TO ADOPT A NEW DIVISION 2 – CROSS-CONNECTION CONTROL AND BACKFLOW PROTECTION; ADOPTING DEFINITIONS, PROHIBITING CROSS-CONNECTIONS, ADOPTING A CROSS-CONNECTION CONTROL AND BACKFLOW PROTECTION PLAN, PROVIDING FOR MINIMUM BACKFLOW PROTECTION, PROVIDING FOR FEES AND ENFORCEMENT; PROVIDING FOR CODIFICATION; SEVERABILITY; AND AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, a community water system is responsible for supplying its customers with water that meets Federal and State drinking water standards; and

WHEREAS, a community water system is responsible for the protection of its water distribution system from contamination or pollution due to backflow of contaminants or pollutants through water service connections; and

WHEREAS, Rule 62-555.360, Florida Administrative Code, requires that each community water system shall establish and implement a cross-connection control program utilizing backflow protection at or for service connections in order to protect the community water system from contamination caused by cross-connections on customer's premises.

NOW, THEREFORE, BE IT ENACTED by the people of the City of Springfield, Florida that:

SECTION 1. From and after the effective date of this ordinance, CHAPTER 82, ARTICLE III, DIVISION 2 of the Code of Ordinances for the City of Springfield is hereby repealed.

SECTION 2. From and after the effective date of this ordinance, CHAPTER 82, ARTICLE III, DIVISION 2 of the Code of Ordinances for the City of Springfield is hereby restated and amended to read as follows (new text bold and underlined):

DIVISION 2. - CROSS-CONNECTION CONTROL AND BACKFLOW PROTECTION

Sec. 82-91. - Short title.

This division shall be known as the "City of Springfield Cross-Connection Control and Backflow Protection Code."

Sec. 82-92. - Definitions.

The following 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:

"Backflow" shall mean the undesirable reversal of flow of a liquid, gas, or other substance in a potable water distribution piping system as a result of a cross-connection.

"Backflow preventer" shall mean an assembly, device, or method that prohibits the backflow of water into potable water supply systems.

"Cross-connection" shall mean any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage or other waste, or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as the result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeable devices, and other temporary or permanent devices through which or because of which backflow could occur are considered to be cross-connections.

"Plan" shall mean the "City of Springfield Cross-Connection Control and Backflow Protection Plan."

Sec. 82-93. - Cross-connections prohibited: cross-connection control program.

- (1) Cross-connections prohibited. Cross-connections are prohibited unless appropriate backflow protection is provided to prevent backflow through the cross-connection into the city's public water system.
- (2) Cross-connection control program. The utility services director is authorized to establish and implement a cross-connection control program through adoption of a written plan in accordance with this division. The "City of Springfield Cross-Connection Control and Backflow Protection Plan" promulgated by the utility services director, as may be amended from time to time, is hereby adopted and incorporated by reference as part of this division.

Sec. 82-94. - Discontinuation of water service: notice to customer.

- (1) Discontinuation of water service. Upon discovery of a prohibited or inappropriately protected cross-connection, water service may be immediately discontinued until the cross-connection is eliminated or appropriate backflow protection is installed in accordance with the plan to prevent backflow through the cross-connection into the city's public water system.
- (2) Notice to customer. The city shall notify the customer in writing of a prohibited or inappropriately protected cross-connection. This subsection shall not prohibit the city

from immediately discontinuing water service upon discovery of a prohibited or inappropriately protected cross-connection.

Sec. 82-95. - Minimum backflow protection.

- (1) Categories of customers. The plan shall identify categories of customers and shall establish the minimum required backflow protection for each category of customer. Required backflow preventers shall be installed and maintained in accordance with the plan.
- (2) Design and performance standards. The plan shall establish design and performance standards for required backflow preventers. Required backflow preventers shall be installed and maintained in accordance with the design and performance standards specified in the plan.

Sec. 82-96. - Installation, inspection and testing, maintenance, repair, and replacement of backflow protection devices.

- (1) Installation. The plan shall establish installation criteria for required backflow preventers. Required backflow preventers shall be installed in accordance with the installation criteria specified in the plan.
- (2) Inspection and testing. The plan shall establish the frequency and test criteria for the inspection and testing of a required backflow preventer. Required backflow preventers shall be inspected and tested in accordance with the frequency and test procedures specified in the plan.
- (3) Maintenance, repair, and replacement. The plan shall establish the maintenance, repair and replacement criteria of a required backflow preventer. Required backflow preventers shall be maintained, repaired and replaced in accordance with the maintenance, repair and replacement criteria specified in the plan. A required backflow preventer shall be repaired or replaced if it fails to meet the design and performance standards specified in the plan or if it fails to meet any other criteria specified in the plan.
- (4) Qualifications of persons installing, inspecting, testing, maintaining, repairing or replacing backflow preventers. The plan shall establish the minimum qualifications for persons installing, inspecting, testing, maintaining, repairing or replacing required backflow preventers.
- (5) Recordkeeping. Records of the installation, inspection, testing, repair and replacement of required backflow preventers shall be provided to the city in accordance with the plan.
- (6) Inspection by city. The customer shall permit the city to inspect and evaluate the customer's premises to determine compliance with this article and the plan. If inspection is refused by the customer, the city may apply for an administrative search warrant to inspect the premises or initiate enforcement action pursuant to section 82-98.

Sec. 82-97. - Fees.

Fees for the administration of this division and the plan shall be set forth in the City's utility fee schedule.

Sec. 82-98. - Enforcement.

In addition to the discontinuation of water service as provided in section 82-94, this division may be enforced by any other means authorized by law.

SECTION 3. It is the intent of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Springfield's Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.


SECTION 5. This ordinance shall take effect immediately upon passage.

PASSED and ADOPTED in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 3rd day of June, 2019.

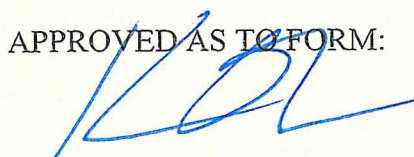
City of Springfield, Florida


Ralph Hammond, Mayor

ATTEST:


D. Lee Penton, City Clerk - Acting

APPROVED AS TO FORM:


Kevin Obos, City Attorney