

ORDINANCE NO. 94-0-02

AN ORDINANCE OF THE CITY COUNCIL OF EDGEWATER, FLORIDA, REGARDING THE CROSS-CONNECTION CONTROL POLICY FOR THE CITY'S UTILITY SYSTEM; AMENDING SECTIONS 19-27 (CROSS-CONNECTION -- GENERAL POLICY; DEFINITIONS) AND 19-27.1 (SAME -- REQUIREMENTS) OF ARTICLE II (WATER) OF CHAPTER 19 (UTILITIES AND SERVICES) OF THE CODE OF ORDINANCES OF THE CITY OF EDGEWATER, FLORIDA; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND FOR ADOPTION.

WHEREAS, the City Council of the City of Edgewater, Florida, has determined that pursuant to a recommendation from the Florida Department of Environmental Protection regarding the City's cross-connection policy it is necessary to amend Sections 19-27 and 19-27.1 of Article II (Water) of Chapter 19 (Utilities and Services) of the Code of Ordinances.

NOW, THEREFORE, BE IT ENACTED by the People of the City of Edgewater, Florida:

PART A. AMENDMENT OF SECTION 19-27 (CROSS-CONNECTION--GENERAL POLICY; DEFINITIONS) OF ARTICLE II (WATER) OF CHAPTER 19 (UTILITIES AND SERVICES) OF THE CODE OF ORDINANCES, CITY OF EDGEWATER, FLORIDA.

Section 19-27 (c)(11) is amended as follows:

Section 19-27. Cross-connection--General policy; definitions.

(c) Definitions

(11) "Hazard, degree of": The 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.

c. *Hazard, pollutional*: 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. Reclaimed water is included in this category.

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PART B. AMENDMENT OF SECTION 19-27.1 (SAME--REQUIREMENTS) OF ARTICLE II (WATER) OF CHAPTER 19 (UTILITIES AND SERVICES) OF THE CODE OF ORDINANCES, CITY OF EDGEWATER, FLORIDA.

Section 19-27.1 (b) is amended as follows:

Section 19-27.1. Same--Requirements.

(b) Policy

(4) The type of protective device required under section 19-27(c)(6)a, b and c shall depend upon the degree of hazard which exists as follows:

b. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, such as reclaimed water, the public water system shall be protected by an approved double check valve assembly.

(6) It shall be the duty of the ~~customer-user~~ utilities department 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 supervisor 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, by department personnel or by~~ a certified utilities department tester ~~approved by the supervisor~~. It shall be the duty of the supervisor to see that these timely tests are made. ~~The customer-user shall notify the department 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 said devices are found to be defective.

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Records of such tests, repairs, and overhaul shall be kept and made ~~available to~~ by the utilities department.

PART C. CONFLICTING PROVISION.

All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.

PART D. SEVERABILITY AND APPLICABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances, such holding shall not affect its applicability to any other person, property, or circumstance.

PART E. CODIFICATION.

Provisions of this ordinance shall be incorporated in the Code of Ordinances of the City of Edgewater, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts C through F shall not be codified.

PART F. EFFECTIVE DATE.

This Ordinance shall take effect upon February 7, 1994.

PART F. ADOPTION.

After Motion by Councilwoman Martin and Second by Councilman Hays, the vote on the first reading of this ordinance held on January 24, 1994, was as follows:

Mayor Jack H. Hayman, Sr.	AYE
Councilman Kirk Jones	AYE
Councilwoman Louise A. Martin	AYE
Councilman Mike Hays	AYE
Councilman David L. Mitchum	AYE

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After Motion by Councilman Mitchum and Second by Councilwoman Martin, the vote on the second reading of this ordinance was as follows:

Mayor Jack H. Hayman, Sr.	AYE
Councilman Kirk Jones	AYE
Councilwoman Louise A. Martin	AYE
Councilman Mike Hays	AYE
Councilman David L. Mitchum	AYE

PASSED AND DULY ADOPTED this 7th day of February, 1994.

ATTEST:



Susan J. Wadsworth
City Clerk

CITY COUNCIL OF THE
CITY OF EDGEWATER, FLORIDA

By: 

Jack H. Hayman, Sr.
Mayor

APPROVED FOR FORM
AND CORRECTNESS:



Krista A. Storey
City Attorney

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