

DIVISION 2. CROSS-CONNECTION CONTROL PROGRAM

Sec. 90-81. Cross-connection control program established.

- (a) The city hereby establishes a cross-connection control program pursuant to, and in conformance with, Rule 62-555.360, Florida Administrative Code, "Cross-Connection Control for Public Water Systems," as may be amended from time to time and which is incorporated herein by reference. If any conflicts exist between the city's cross-connection control program and the Florida Administrative Code, the more restrictive regulations shall govern.
- (b) The requirements of this cross-connection control program are intended to meet or exceed the relevant requirements contained in the Florida Building Code, as well as the technical specifications and the installation, repair and maintenance requirements contained in the American Water Works Association (AWWA) M14 Manual, Third Edition, 2004, entitled, "Recommended Practice for Backflow Prevention and Cross-Connection Control."

(Ord. No. 2018-01, § 2, 1-16-2018)

Sec. 90-82. Cross-connection Control Manual adopted; compliance required.

The city manager or designee shall promulgate a manual which shall be known as the "City of West Melbourne Cross-Connection Control Manual" (the "manual"), which manual is hereby adopted and incorporated by reference herein, and which may be updated and amended by the city manager or designee from time to time. Compliance with the manual and the cross-connection control program set forth therein is hereby required, and it is prohibited and unlawful to act in any manner that is inconsistent therewith.

(Ord. No. 2018-01, § 2, 1-16-2018)

Sec. 90-83. Inspections.

The city manager or designee is granted the authority to inspect any and all water service connections served by the public potable water supply, and to take appropriate action to insure the integrity of the potable water system. The frequency of inspections and re-inspections based on potential health hazards involved shall be established in the manual, and in accordance with applicable state regulations. Duly authorized representatives of the city shall be permitted to enter any building, structure, or property served by a connection to the public potable water supply system of the city to inspect for actual or potential cross-connections or water quality, to test backflow preventers, to conduct health hazard assessments, to inspect reclaimed water or reuse water systems, and to identify hazards that could contaminate the public potable water supply system. Granting reasonable access to the city and its agents to enter private property for such inspections in order to administer the cross-connection control program is a condition of receiving city utility service.

(Ord. No. 2018-01, § 2, 1-16-2018)

Sec. 90-84. Discontinuance of service.

The city manager or designee is hereby authorized and directed to discontinue potable water service to any property, wherein any connection in violation of the cross-connection control program exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination to the public potable water supply system. Water services to such property shall not be restored until the actual or potential cross-connection has been eliminated or until an appropriate backflow prevention device has been installed in compliance with the provisions of this cross-connection control program.

(Ord. No. 2018-01, § 2, 1-16-2018)

Sec. 90-85. Testing, maintenance, and records; customer responsibility.

- (a) All testable backflow prevention assemblies shall be tested initially upon installation to be sure that the assembly is working properly. Subsequent testing of assemblies shall be conducted at least once every two years for residential service connections, and at least once per year for non-residential service connections. For the purposes of the cross-connection control program, non-residential service connections include all commercial and industrial service connections.
- (b) The city shall be responsible for the installation, testing, maintenance, repair, and/or replacement of required backflow prevention devices for all residential service connections. Residential service connection customers required to utilize a backflow prevention device shall be assessed a service charge as established in chapter 58 of the city Code.
- (c) Water customers with non-residential service connections shall bear all expense of installing, testing, and maintaining the protective devices required by the cross-connection control program to ensure proper operation on a continuing basis. Installation, testing and maintenance of protective devices shall be conducted by certified personnel approved by the city, and in accordance with the requirements set forth in the manual. Non-residential service connection customers shall keep records on testing, maintenance and repair activities related to cross-connection control and shall make such records available to the city or its agents upon request. Copies of all testing, maintenance and repair records shall be reported to the city pursuant to the procedures set forth in the manual.

(Ord. No. 2018-01, § 2, 1-16-2018)

Sec. 90-86. Authority to bill customers.

The city is authorized to bill water customers or property owners an amount equal to that incurred by the city to perform services required this cross-connection control program. This includes, but is not limited to, costs incurred by city employees and third parties retained by the city.

(Ord. No. 2018-01, § 2, 1-16-2018)

Sec. 90-87. Other codes and regulations.

This cross-connection control program does not supersede the Standard Plumbing Code of the Southern Building Code Congress International, the Florida State Department of Health Plumbing Rules, or any local plumbing ordinance, but is supplementary to them; provided that were conflicts exist, the more restrictive provision shall apply.

(Ord. No. 2018-01, § 2, 1-16-2018)

Sec. 90-88. Violations and penalties.

Violation of the cross-connection control program may be prosecuted or enforced by any or all of the following measures:

- (1) The issuance of a code citation, requiring the water customer to cure the violation or face daily fines, pursuant to chapter 2, "Code Enforcement" of the city Code, with each day or fraction thereof in which the violation continues being considered a separate offense;
- (2) The prosecution of the violator pursuant to section 1-16 of the city Code and, upon conviction by a court of competent jurisdiction, punishment as provided therein;
- (3) The filing of a complaint for injunctive relief;
- (4) The termination of any current utility service being provided by the city until such time as compliance is achieved;
- (5) The installation, repair and/or replacement of a backflow preventer by the city, or its agents, at the cost of the water customer or property owner; and
- (6) Any other civil or criminal remedy available at law.

(Ord. No. 2018-01, § 2, 1-16-2018)

Secs. 90-89, 90-90. Reserved.