

ORDINANCE 1236

AN ORDINANCE AMENDING THE CITY OF POLK CITY CODE OF ORDINANCES, CHAPTER 74 UTILITIES; SEC. 74-141. DEFINITIONS; SEC. 74-142. INSTALLATION REQUIREMENTS, NEW CONNECTIONS.; SEC. 74-143. INSTALLATION REQUIREMENTS, EXISTING SERVICE; SEC. 74-144. SERVICE REQUIREMENTS; SEC. 74-221. CONNECTIONS WITH WATERWORKS SYSTEM; MINIMUM WATER RATES; PROVIDING FOR CODIFICATION IN THE POLK CITY CODE OF ORDINANCES SECTION 74, UTILITIES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Polk City owns and operates a public water utility and desires to ensure that our City's potable water source and transmission lines are protected from potential contamination from infiltration of untreated water or chemicals from all sources including irrigation wells; and

WHEREAS, the City Council of Polk City has deemed it in the best interest of the City that backflow prevention and cross connection control procedures and regulations be adopted for irrigation wells; and

WHEREAS, the City Council of Polk City has determined that City Council of Polk City has deemed it in the best interest of the City that backflow prevention and cross connection control procedures and regulations be adopted for irrigation wells; and

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF POLK CITY, FLORIDA:

Section 1. Additions and/or amendments

The following sections of the code are amended to read as follows. ~~Strikethrough~~ text is hereby deleted and underline text is hereby added.

Sec. 74-141. Definitions.

For the purposes of this section the following terms, phrases, words and their deviations shall have the meaning given herein. The work "shall" is always mandatory and not merely directory.

Irrigation well. shall mean a relatively shallow well drilled to a depth of not more than two hundred feet (200') which has been properly permitted by SWFWMD

and the City of Polk City as an irrigation well. Irrigation wells shall not be used as a domestic water source.

Assembly. shall mean a backflow prevention assembly, which includes all necessary valves and test ports, approved by the backflow officer which shall be designed solely for the purpose of preventing water flowing from a non approved source into the water system. The criteria employed by the backflow officer for approval of the type of assembly, as well as installation, inspection, and repair thereof, shall be in accordance with the standards adopted by the state, as set forth in the Florida Administrative Code, Section 62-555.360, as may be amended. This section notwithstanding, Assembly for irrigation wells shall mean an RPZ valve type assembly.

Customer. Shall mean any ~~commercial or industrial~~ consumer of water provided by the municipal water system.

RPZ shall mean reduced pressure zone backflow preventer

Sec. 74-142. Installation requirements, new connections.

It is hereby required that all ~~commercial or industrial~~ customers making connection to the water system shall have installed an approved assembly. The assembly shall be installed by an installer on the customer side of the water meter and in such a manner as specified by the city. Notification that the assembly has been installed shall be presented to the city prior to providing service. In the case of irrigation well, the City of Polk City utilities department shall install the RPZ backflow preventer.

Sec. 74-143. Installation requirements, existing service.

It is hereby required that all commercial and industrial customers with existing water service shall have installed an approved assembly. The assembly shall be installed by an installer on the customer side of the water meter and in such a manner as specified by the city. The time for installation of the assembly shall be

in accordance with the following schedule. Notification that the assembly has been installed shall be presented to the city.

- (1) By the first day of January 2005.
 - a. Known actual potential cross connections to non-approved sources. (including but not limited to irrigation or other wells).
 - b. New commercial and industrial construction (includes major renovation and/or any renovation requiring a plumbing permit).
- (2) By the first day of January 2006.
 - a. All other commercial or industrial customers not included above.
 - b. Agricultural and horticultural
 - c. Fire suppression systems
 - d. Residential with home occupations
 - e. Irrigation other than specified above
- (3) By the first day of April 2008.
 - a. Agricultural and horticultural
 - b. All irrigation wells existing prior to the adoption date of this ordinance.

Sec. 74-144. Service requirements.

- (a) It is hereby required that ~~the customer shall cause each assembly to be inspected by an installer no less frequently than every 12 months commencing with the first anniversary of the date of installation. Written notification of the annual service shall be provided to the city by the customer and/or the installer.~~
- (b) In cases where an inspection by the authorized personnel of the city determines that the assembly is not functioning properly, the customer shall be notified and said customer shall effect repair to the assembly by an installer within 14 calendar days. Notification of the repair shall be provided to the city.
- (c) The city shall, once annually inspect such assemblies to insure the proper working order of the assembly. There shall be a fee added to the customers bill to cover the cost of the inspection. The inspection fee shall be set by Council by resolution.
- (d) Each customer with an irrigation well and RPZ backflow preventer valve shall be charged a monthly fee to be determined annually by the City

Council of the City of Polk City and shall be updated by resolution of the Council.

Sec. 74-221. Connections with waterworks system; minimum water rates.

Where it is available, the owner of every lot or parcel of land within the city may ~~may~~ shall connect, or cause the plumbing or any building or buildings thereon to be connected, with the municipal waterworks system of the city, and use the facilities of such waterworks system. All such connections shall be made in accordance with rules and regulations which shall be adopted from time to time by the city council, which rules and regulations shall provide for a charge for making any such connections in such reasonable amount as the council may fix and determine. This section shall not be construed to entitle any person to cross the private property of another to make such water connections. Everyone within the limits of the waterworks system shall be required to pay the minimum water rates, regardless of their private water sources.

SECTION 8 – SEVERABILITY

If any word, sentence, clause, phrase or provision of this ordinance, for any reason is held to be unconstitutional, void, or invalid, the validity of the remainder of the ordinance shall not be affected thereby.

SECTION 9 –EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage.

PASSED on first reading this 8th day of January 2008

PASSED AND CERTIFIED AS TO PASSAGE on the second reading this the 12th day of February 2008.

City Council of the City of Polk City

Donald L. Penton, Mayor

ATTEST

Sylvia S. Sims, City Clerk

APPROVED AS TO CONTENT AND FORM

Jeff Sullivan, City Attorney