

CHAPTER 10: WATER

Article

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ARTICLE I: IN GENERAL

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§ 10-1 WATER RATES.

(A) The following schedule of water consumption/billing rates shall be in full force and effect at the date of the first customer billing, subsequent to the effective date of this section.

<i>Rates Per Dwelling Unit</i>	<i>Domestic</i>	<i>Irrigation</i>
Base charge	\$24/month for single-family \$15/month for multi-family	No base charge for irrigation
Up to 2,000 gallons	\$0	\$4.19
Over 2,000 up to 9,000 gallons	\$3.40	\$4.19
Over 9,000 up to 17,000 gallons	\$4.19	\$4.19
Over 17,000 gallons	\$4.87	\$4.87

(B) (Reserved).

(C) Where more than 1 meter serves a single property, the combined gallonage of all meters shall be the basis for billing.

(D) Effective July 1, 2008, the charges set forth in this section are a result of the 50% increase and subject to annual review by the Town Commission.

(E) In addition to the above, monthly billings shall include any of the following charges which are applicable: in order to encourage water conservation during periods of mandated water restrictions by the South Florida Water Management District (SFWMD), the following surcharges shall automatically be instituted as an adjustment to the monthly water service charge:

(1) During a Phase I Restriction issued by SFWMD, a 25% surcharge will be added to the water service charge. During a Phase II Restriction issued by SFWMD, a 50% surcharge will be added to the water service charge; and

(2) The surcharge will be based on a user's average monthly consumption. The user's average monthly consumption shall be based upon the user's water consumption during the 12 months prior to the South Florida Water Management District's declaration of either Phase I or Phase II Water Use Restrictions. For residential users, the surcharge shall apply to consumption which exceeds 70% of the user's average monthly consumption. For commercial users, the surcharge shall apply to consumption which exceeds 90% of the user's average monthly consumption. In no instances shall the surcharge be applied to the water service of any user who consumes 5,000 gallons or less during any billing period.

(F) The South Florida Water Management District has regional responsibility for ensuring the adequacy of sources of raw water for all water systems in Southeast Florida. In that capacity, the South Florida Water Management District has the legal responsibility and authority to declare a state of water shortage crisis, during which certain curtailments and/or restrictions on water uses shall be promulgated by the South Florida Water Management District. In addition, the town may determine from time to time that temporary reductions in the capacities of the town's supply, treatment or distribution systems dictate that the town declare a state of water shortage crisis, requiring certain curtailments and/or restrictions on water uses.

(G) (1) In the event of the declaration of a state of water shortage crisis by either the South Florida Water Management District or the town, it shall be unlawful for any person to fail to comply with the curtailments and/or restrictions on water uses promulgated by the South Florida Water Management District or by the town.

(2) The Town Administration, code officers and all town law enforcement officers shall warn and instruct any person failing to comply with the curtailments and/or restrictions.

(3) Failure to comply with the instructions within a reasonable time shall be deemed a violation of the town code, and punishable as provided in the town code. (Ord. 79, § 1, passed 1-12-1971; Am. Ord. 102, § 3, passed 8-1-1977; Am. Ord. 108, §§ 2, 3, passed 8-6-1979; Am. Ord. 115, § 3, passed 10-5-1981; Am. Ord. 145, §§ 2, 3, passed 7-11-1988; Am. Ord. 160, §§ 2, 3, passed 9-10-1990; Am. Ord. 179, § 1, passed 9-13-1994; Am. Ord. 205, § 1, passed 10-2-2001; Am. Ord. 220, passed 1-10-2006; Am. Ord. 229, passed 6-5-2007; Am. Ord. 241, passed 6-3-2008; Am. Ord. 254, passed 10-5-2010)

§ 10-2 FLUORINATION OF WATER SUPPLY.

(A) The potable water supply of the town shall not be fluorinated until the matter of fluorination of the town's water supply has been submitted to the qualified electors of the town by petition and/or referendum, and approved by a majority of the qualified electors voting in the election.

(B) For the purpose of construing this chapter, the terms *FLUORINATION*, *FLUORIDATION* and *INTRODUCTION OF FLUORIDES* shall be considered to be synonymous.
(Ord. 88, §§ 1, 2, passed 9-10-1973)

§ 10-3 PENALTY FOR LATE PAYMENT.

If payment for water service provided by the town remains unpaid after the due date as shown on the monthly billing, a penalty of 1.5% of the total outstanding balance shall be assessed and added to the outstanding balance due.

(Ord. 169, § 1, passed 5-4-1992)

§ 10-4 PENALTIES FOR NON-PAYMENT.

(A) Any water account unpaid for a period of 90 days shall be subject to discontinuance of service.

(B) Discontinuance of service shall not relieve a property owner of the obligation for payment of the past due amount. A lien shall be filed against the property served to assure collection of all such monies owed to the town.

(C) Accounts for which service has been discontinued shall continue to be assessed the minimum consumption fee as established in § 10-1 above, which fee shall be added to and made a part of the past due balance.

(D) Any person or firm who shall illegally restore water service to an address shall be subject to a fine of \$250 for each instance of illegal restoration of service.

(Ord. 169, § 2, passed 5-4-1992)

Cross-references:

Buildings and building regulations, see Ch. 4

Sewers and sewage disposal, see Ch. 7-1/2

Zoning, see Ch. 12

§ 10-5 MISCELLANEOUS CHARGES.

Other miscellaneous charges shall be as established by resolution of the Town Commission.
(Ord. 169, § 3, passed 5-4-1992)

§ 10-6 WATER CONSERVATION.

The following water conservation efforts are to be implemented within the town.

(A) *Emergency water shortage conditions.* The declaration of a water shortage condition or water shortage emergency within all or any part of the town by the Town Commission shall invoke the provisions of this section. Upon the declaration, all water use restrictions shall be subject to enforcement pursuant to this section. When the Town Commission declares a water shortage condition or water shortage emergency, the Town Commission may invoke alternative water restrictions to water restrictions contained within Chapter 40E-21 of the Florida Administrative Code and restrictions otherwise issued by the South Florida Water Management District and the Department of Environmental Protection. Any violations of the provisions of Chapter 40E-21, Florida Administrative Code, violations of restrictions imposed and issued by the South Florida Water Management District and the Department of Environmental Protection or any violations of alternative restrictions invoked by the Town Commission, or any order issued pursuant thereto, shall be in violation of this section.

(B) *Maximum flow rates and consumption for plumbing fixtures.* The maximum water consumption flow rates for all plumbing fixtures, fixture fittings and appliances shall be in accordance with Table 604.4 of the Florida Building Code. All new building permit approvals within the town shall require high efficiency plumbing fixtures, fixture fittings and appliances as provided in Table below:

<i>Plumbing Fixture or Fixture Fitting</i>	<i>Maximum Flow Rate or Quantity^b</i>
Lavatory, private	2.2 gpm at 80 psi
Lavatory, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 80 psi
Shower head ^a	2.5 gpm at 80 psi
Sink faucet	2.0 gpm at 80 psi
Urinal	1.0 gallon per flushing cycle
Water closet	1.6 gallons per flushing cycle
For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m, 1 pound per square inch = 6.895 kPa.	
^a A hand-held shower spray is a shower head.	
^b Consumption tolerances shall be determined from referenced standards.	

(C) *Landscaping with native vegetation.* Landscape plans shall utilize and promote "Florida Friendly" design standards, where possible, incorporating new native plant material and preserve existing native trees and vegetation in order to achieve a healthy, beautiful and safe community. Where established natural vegetation is incorporated into the landscape design, irrigation of those areas shall be minimized. The plant inventory and irrigation system shall be appropriate for site conditions, considering that, soil improvement may enhance water use efficiency. Plants shall be grouped together

by irrigation demand. The percentage of landscaped area in irrigated high water use with similar plant groupings should be minimized. A majority of the landscape material shall be native species. Submitted landscape plans shall provide information substantiating conformity with this section and intended compliance with the irrigation system design regulations in subsection (D). Landscape plans to be submitted with all site plan approvals for new development and for remodeling of existing buildings where more than 50% of the existing building value is incurred in the remodeling.

(D) Irrigation system design, installation and maintenance.

(1) Irrigation system plans and specifications to be provided in the building permit plan set for all landscape plans of approved site plans after the effective date of this section. Irrigation systems shall be designed to meet the water needs of the plants in the landscape plan. When feasible, irrigation systems shall be designed to separately serve turf and non-turf areas. The irrigation system plans and specifications shall identify the materials to be used and the construction methods. The design shall consider soil, slope, and other site characteristics in order to minimize water waste, including overspray, the watering of impervious surfaces and other non-vegetated areas, and off-site runoff. The system shall be designed to minimize free flow conditions in case of damage or other mechanical failure. The system shall be designed to use the lowest quality water feasible. Rain switches or other devices, such as soil moisture sensors, to prevent unnecessary irrigation, shall be incorporated.

(2) A recommended seasonal operating schedule and average precipitation rates for each irrigation zone for both establishment and maintenance conditions shall be provided. Control systems shall be able to be programmed for a variety of times and periods, accommodate multiple start times and programs, incorporate automatic shut off after adequate rainfall, the ability to maintain time during power outages and provide operational flexibility to meet applicable year-round water conservation requirements and temporary water shortage restrictions.

(3) Precipitation rates for sprinklers and all other emitters in the same zone shall be matched, allowing that micro-irrigation emitters may be specified to meet the requirements of individual plants. Irrigation systems shall be designed to maximize uniformity, considering factors such as: emitter types, head spacing, sprinkler pattern and water pressure at the emitter. Irrigation systems with main lines larger than 2 inches or designed to supply more than 70 gallons per minute shall incorporate a means to measure irrigation water use, at a minimum of 95% accuracy across the flow range.

(4) Recommended maintenance activities and schedules shall be provided. Irrigation system plans and specifications shall require the system installer to conduct final testing and adjustments to achieve design specifications prior to completion of the system and acceptance by the owner or owner's representative. Irrigation system plans and specifications shall require the installer provide property owners and users with post-construction documentation, including as-built drawings, recommended maintenance activities and schedules, operational schedule, design precipitation rates, instructions on adjusting the system to apply less water after the landscape is established, maintenance schedule, water source, water shut-off method and the manufacturer's operational guide for their irrigation controller. (Ord. 251, passed 9-13-2010)

§ 10-7 WATER CONSERVATION FOR LANDSCAPE IRRIGATION.

(A) *Intent and purpose.* It is the intent and purpose of this section to implement procedures that promote water conservation through the more efficient use of landscape irrigation.

(B) *Definitions.* For the purpose of this section the following terms, phrases, words, and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

ADDRESS. The house number (a numeric or alphanumeric designation) that, together with the street name, describes the physical location of a specific property.

ATHLETIC PLAY AREA. All golf course fairways, tees, roughs, and greens, and other athletic play surfaces; including, football, baseball, soccer, polo, tennis and lawn bowling fields, and rodeo, equestrian and livestock arenas.

CONSUMPTIVE USE PERMIT (CUP). A permit issued pursuant to Chapter 40E-2 or 40E-20, F.A.C., authorizing the consumptive use of water.

EVEN NUMBERED ADDRESS. An address, ending in the numbers 0, 2, 4, 6, 8, or rights-of-way or other locations with no address, or the letters A-M.

EXISTING LANDSCAPING. Any landscaping which has been planted and in the ground for more than 90 days.

LANDSCAPE IRRIGATION. The outside watering of shrubbery, trees, lawns, grass, ground covers, plants, vines, ornamental gardens, and such other flora, not intended for resale, which are planted and are situated in such diverse locations as residential landscapes, recreation areas, cemeteries, public, commercial, and industrial establishments, public medians, and rights-of-way except athletic play areas as defined in subsection 40E-24.101(2), F.AC.

LANDSCAPING. Shrubbery, trees, lawns, sod, grass, ground covers, plants, vines, ornamental gardens, and such other flora, not intended for resale, which are situated in such diverse locations as residential landscapes, recreation, areas, cemeteries, public, commercial, and industrial establishments, public medians, and rights-of-way except athletic play areas as defined in subsection 40E-24.101(2), FAC.

LOW VOLUME HAND WATERING. The watering of landscape by 1 person, with 1 hose fitted with a self-canceling or automatic shutoff nozzle.

LOW VOLUME IRRIGATION. The use of equipment and devices specifically designed to allow the volume of water delivered to be limited to a level consistent with the water requirement of

the plant being irrigated and to allow that water to be placed with a high degree of efficiency in the root zone of the plant. The term also includes water used in mist houses and similar establishments for plant propagation. Overhead irrigation and flood irrigation are not included.

MICRO-IRRIGATION. The application of small quantities of water on or below the soil surface as drops or tiny streams of spray through emitter or applicators placed along a water delivery line. **MICRO-IRRIGATION** includes a number of methods or concepts such as bubbler, drip, trickle, mist or microspray, and subsurface irrigation.

NEW LANDSCAPING. Any landscaping which has been planted and in the ground for 90 days or less.

ODD NUMBERED ADDRESS. An address ending in the numbers 1, 3, 5, 7, 9 or the letters N-Z.

RECLAIMED WATER. Wastewater that has received at least secondary treatment and basic disinfection and is reused after flowing out of a wastewater treatment facility as defined by Rule 62-40.210, F.A.C.

USER. Any person, individual, firm, association, organization, partnership, business trust, corporation, company, agent, employee or other legal entity whether natural or artificial, the United States of America, and the state and all political subdivisions, regions, districts, municipalities, and public agencies thereof, which directly or indirectly takes water from the water resource, including uses from private or public utility systems, uses under water use permits issued pursuant to Chapter 40E-2 or 40E-20, F.A.C., or uses from individual wells or pumps.

WASTEFUL AND UNNECESSARY. Allowing water to be dispersed without any practical purpose to the water use; for example, excessive landscape irrigation, leaving an unattended hose on a driveway with water flowing, allowing water to be dispersed in a grossly inefficient manner, regardless of the type of water use; for example, allowing landscape irrigation water to unnecessarily fall onto pavement, sidewalks and other impervious surfaces; allowing water flow through a broken or malfunctioning water delivery or landscape irrigation system.

(C) *Year-round landscape irrigation restrictions.* The Town of Hillsboro Beach hereby adopts the rules of the South Florida Water Management District, Chapter 40E-24.201(1)-(6), F.A.C., and subsequent additions or corrections thereto; and which are set out as follows:

(1) It shall be the duty of each user to keep informed as to the landscape irrigation conservation measures presented within this section, which affect each particular water use.

(2) In addition to the specific conservation measures enumerated below, all wasteful and unnecessary water use as defined in subsection (B) is prohibited.

(3) The following requirements or exceptions shall apply to all users unless specified otherwise herein.

(a) Landscape irrigation shall be prohibited daily between the hours of 10:00 a.m. and 4:00 p.m., except as otherwise provided herein.

(b) Irrigation of new landscaping shall comply with the following provisions:

1. On the day the new landscaping is installed, the new landscaping may be irrigated once without regard to the normally allowable watering days and times. Irrigation of the soil immediately prior to the installation of the new landscaping is also allowable without regard to the normal allowable watering days and times.

2. The 90-day period begins the day the new landscaping is installed. The new landscaping shall be installed within a reasonable time from the date of purchase, which may be demonstrated with a dated receipt or invoice.

3. Irrigation of new landscaping which has been in place for 30 days or less may be accomplished on Monday, Tuesday, Wednesday, Thursday, Saturday, and/or Sunday.

4. Irrigation of new landscaping which has been in place for 31 to 90 days may be accomplished on Monday, Wednesday, Thursday, and/or Saturday.

5. Irrigation of the new landscaping is limited to areas containing the new landscaping only. An entire zone of an irrigation system shall only be utilized for landscape irrigation under this paragraph if the zone in question is for an area that contains at least 50% new landscaping. If a zone contains less than 50% new landscaping, or if the new landscaping is in an area that will not typically be irrigated by an irrigation system, only the individual new plantings are eligible for additional irrigation under this paragraph. Targeted watering may be accomplished by low volume hand watering, or any appropriate method which isolates and waters only, the new landscaping.

(c) Landscape irrigation systems may be operated during restricted days and/or-times for cleaning, maintenance, and repair purposes with an attendant on site in the area being tested. Landscape irrigation systems may routinely be operated for such purposes no more than once per week, and, the run time for any one test should not exceed 10 minutes per zone.

(d) Landscape irrigation for the purpose of watering-in fertilizers, insecticides, pesticides, fungicides and herbicides, where such watering-in is recommended by the manufacturer, or by federal, state or local law, or best management practices, shall be allowed under the following conditions:

1. Such watering-in shall be limited to 1 application unless the need for more than 1 application is stated in the directions for application specified by the manufacturer; and

2. Such watering-in shall be accomplished during normally allowable watering days and times set forth in subsection (f), and unless a professional licensed applicator has posted a temporary sign containing the date of application and the date(s) of needed watering-in activity.

(e) Any plant material may be watered using low volume irrigation, micro-irrigation, low-volume hand watering methods, and rain barrels, cisterns, or other similar rain-harvesting devices without regard to the watering days or times allowed pursuant to this section.

(f) Irrigation of existing landscaping shall comply with the following provisions:

1. Even addresses, installations with irrigation systems that irrigate both even and odd addresses within the same zones, such as multi-family units and homeowners' associations, and rights-of-way or other locations with no address as defined in subsection (B), shall have the opportunity to accomplish necessary landscape irrigation only on Thursday and/or Sunday.

2. Odd addresses as defined in subsection (B), shall have the opportunity to accomplish necessary landscape irrigation only on Wednesday and/or Saturday.

(4) In the absence of a declaration of a water shortage condition or water shortage emergency within all or any part of the Town of Hillsboro Beach by the Governing Board or Executive Director of the District, the landscape irrigation restrictions or other measures adopted by the District applicable to the town or any portion thereof shall be subject to enforcement action pursuant to subsection (H). Any violation of the provisions of Chapter 40E-24.201, F.A.C. shall be a violation of this section.

(D) Declaration of water shortage or water shortage emergency.

(1) The Town of Hillsboro Beach hereby adopts the rules of the South Florida Water Management District, Chapter 40E-21, F.A.C., and subsequent additions or corrections thereto; and the same are hereby adopted and incorporated as if fully set out at length.

(2) The declaration of a water shortage condition and/or water shortage emergency within all or parts of the Town of Hillsboro Beach by the Governing Board or Executive Director of the District shall invoke the provisions of this section. Upon such a declaration, all water use restrictions or other measures adopted by the District applicable to the Town of Hillsboro Beach, or any portion thereof, shall be subject to enforcement action pursuant to this section. Any violation of the provisions of Chapter 40E-21, F.A.C., or any order issued pursuant thereto, shall be a violation of this section.

(E) *Variances.*

(1) A variance from specific day or days identified in subsection (C) above may be granted if strict application of the restrictions would lead to unreasonable or unfair result in particular instances, provided that the applicant demonstrates with particularity that compliance with the schedule will result in substantial economic, health, or other hardship on the applicant requiring a variance or those served by the applicant. Where a contiguous property is divided into different zones a variance may be granted hereunder so that each zone may be irrigated on days different than other zones of the property. However, no single zone may be irrigated more than 2 days per week.

(2) The Town of Hillsboro Beach hereby recognizes any and all variances issued by the South Florida Water Management District to those users who operate and maintain smart irrigation systems which meet the requirements of F.S. § 373.62(7).

(F) *Application of section.* The provisions of this section shall apply to each user within the municipal boundaries of the Town of Hillsboro Beach.

(G) *Enforcement officials.* Law enforcement officials having jurisdiction in the area governed by this section are hereby authorized to enforce the provisions of this section. In addition, the Town Commission may delegate enforcement responsibility for this section to agencies and departments of town government.

(H) *Penalties.*

(1) Violation of any provision of this section shall be subject to the following penalties:

(a) For a first violation, a written warning/fine not to exceed \$25;

(b) For a second violation, a fine not to exceed \$50;

(c) For subsequent violations, a fine not to exceed \$500.

(2) Each day in violation of this section shall constitute a separate offense. Law enforcement officials and others as delegated may provide violators with no more than 1 written warning. In addition to the civil penalties provided herein, the Town of Hillsboro Beach may take any other appropriate legal action, including but not limited to injunctive action to enforce the provisions of this section.
(Ord. 252, passed 9-13-2010)

§§ 10-8 — 10-20 RESERVED.

ARTICLE II: CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

Section

- 10-21 Short title
- 10-22 Definitions
- 10-23 Backflow prevention devices; when required; specifications
- 10-24 Utilities Department to administer
- 10-25 Fees and permits
- 10-26 Notice of violation; failure to remedy
- 10-27 Penalties

§ 10-21 SHORT TITLE.

This article shall be known as "The Hillsboro Beach Cross Connection Control and Backflow Prevention Ordinance".

(Ord. 248, passed 11-11-2009)

§ 10-22 DEFINITIONS.

The following terms and phrases when used in this article shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning. Words used in the present tense shall include the nature, and the singular number includes the plural, and the plural the singular.

AIR-GAP. 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 such 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 2 inches. 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 in the bypass system which shall include an approved backflow prevention device.

APPROVED. Accepted by the Building Official or his designee as meeting an applicable specification stated or cited in this article, or as suited for the proposed use.

AUXILIARY WATER SUPPLY. 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 spring, river, stream, harbor, or the like, or used waters 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.

BACK-SIPHONAGE. The flow of water or other liquid, mixture or substance into the distributing pipes of a potable water supply stream from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

BACKFLOW. The flow of water or other liquid, mixture or substance under pressure into the distributing pipes of a potable water supply system from any source or sources other than its intended source.

BACKFLOW PREVENTER. A device or means designated to prevent backflow or back-siphonage.

CONTAMINATION. Any impairment of the quality of potable water by sewage, industrial fluids, waste liquids, compounds, or other materials to a degree which creates a potential actual hazard to the public health through poisoning or through the spread of disease.

CROSS-CONNECTION. Any physical connection or arrangement of piping or fixtures between 2 otherwise separate piping systems, 1 of which contains potable water and the other nonpotable water or industrial fluids of questionable safety, through which, or because of which, backflow or back-siphonage 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, industrial fluid system, or with a potentially contaminated supply or auxiliary water system, constitutes 1 type of cross-connection. Other types of cross-connections include connectors such as swing connections, removable sections, 4-way plug valves, spools, dummy sections of pipe, swivel or changeover devices, sliding multiport tube, solid connections, and the like.

(1) **CROSS-CONNECTION CONTROL BY CONTAINMENT.** The installation of an approved backflow prevention device at the water service connection to any customer's premises where it is not physically and economically feasible to find and permanently eliminate or control all actual or potential cross-connections within the customer's water system; or 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.

(2) **CROSS-CONNECTION CONTROLLED.** 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.

DOUBLE CHECK VALVE ASSEMBLY. An assembly of 2 independently operating approved check valves with tightly closing shutoff valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications and approval of a recognized and town-approved testing agency for backflow prevention devices. To be approved, these must be readily accessible for in-line maintenance and testing.

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, and shall include:

(1) **HAZARD, HEALTH.** Any condition, device or practice in the water supply system and its operation which could create or, in the judgment of the Utility Superintendent, may create a danger to the health and well-being of the water consumer. An example of a health hazard is a structural defect including a cross-connection, in the water supply system.

(2) **HAZARD, PLUMBING.** 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.** 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.** 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 pollutant or contaminant which would have a protracted effect on the quality of the potable water in the system.

INDUSTRIAL FLUIDS SYSTEM. Any system containing a fluid or solution which may be chemically, 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 alkalis; circulated cooling waters connected to an open cooling tower and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, irrigation canals or systems, and the like; and oils, gases, glycerine, paraffins, caustic and acid solutions, and other liquid and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

POLLUTION. 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 reasonably affect such waters for domestic use.

PRESSURE-TYPE VACUUM BREAKER. An assembly used to isolate entire irrigation lines from potable water systems. It has the ability to withstand supply pressure for long periods and to prevent backflow of toxic and nontoxic water into the potable water system in back-siphonage conditions. To be approved, these devices must be readily accessible for in-line maintenance and testing.

PURVEYOR or WATER PURVEYOR. The owner or operator of the public potable water system supplying an approved water supply to the public.

REDUCED PRESSURE PRINCIPLE DEVICE. An assembly of 2 independently operating approved check valves with an automatically operating differential relief valve between the 2 check valves, tightly closing shutoff valves on either side of the check valves, 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 town-approved testing agency for backflow prevention assemblies. The device shall operate to maintain the pressure in the zone between the 2 check valves 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 2 check valves shall be less than the pressure on the public water supply system side of the device. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is 2 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.

WATER.

(1) **WATER, NONPOTABLE.** Water which is not safe for human consumption or which is of questionable potability.

(2) **WATER, POTABLE.** Any water which, according to recognized standards, is safe for human consumption.

(3) **WATER, SERVICE CONNECTIONS.** The terminal end of a service connection from the public potable water system; that is, 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, 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. **SERVICE CONNECTION** shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

(4) **WATER, USED.** 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.

WATER SYSTEM. The water system shall be considered as made up of 2 parts: the customer system and, the utility system.

(1) The **CUSTOMER 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.

(2) 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 (meter). The source shall include all components of the facilities utilized in the production, treatment storage and delivery of water to the distribution system. The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

(Ord. 248, passed 11-11-2009)

§ 10-23 BACKFLOW PREVENTION DEVICES; WHEN REQUIRED; SPECIFICATIONS.

(A) 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 law and regulation (Chapter 17-555, Florida Administrative Code) and this article. Service of water to any premises shall be discontinued by the water purveyor if a backflow prevention device required by this article is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

(B) The customer's system should be open for inspection at all reasonable times to authorized representatives of the town to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the Utility Superintendent or his designee shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition in conformance with state and town laws relating to plumbing and water supplies and the regulations adopted pursuant thereto.

(C) An approved backflow prevention device shall 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 and, in all cases, before the first branch line leading off the service line, whenever the following conditions exist:

(1) In the case of premises having an auxiliary water supply which is not or may not be safe bacteriologically or [in] chemical quality and which is not acceptable as an additional source by the Utility Superintendent. 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 upon which any industrial fluids 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, intricate plumbing and piping arrangements, or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable 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. The type of protective device required shall depend upon the degree of hazard which exists, as follows:

(a) In the case of any premises where there is an auxiliary water supply as stated in this section, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device.

(b) In the case of any premises where there is water or some 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 check valve assembly.

(4) 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 may exist include wastewater treatment plants, wastewater pumping stations, chemical manufacturing plants, hospitals, mortuaries and metal plating plants.

(5) 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.

(6) 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 back-siphonage 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.

(7) An approved backflow prevention device of the type designated shall be installed on each water service connection to the following types of facilities. This list is presented as a guideline and should not be construed as being complete. Abbreviations are as follows:

- A.G. Air-gap separation
- A.V.B. Atmospheric vacuum breaker
- D.C.V.A. Double check valve assembly
- P.V.B. Pressure vacuum breaker
- R.P. Reduced pressure principle backflow preventer

Type of Facility Minimum Type of Protection

_____ R.P.
 _____ R.P.

(8) For all premises (including residential) in areas serviced by irrigation water from a wastewater reuse system, the public water system shall be protected by an approved double check valve assembly at the service connection.

(D) Any backflow prevention device required herein shall be of a model and size approved by the Building Official or his designee. 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 and entitled "AWWA C510 Double Check Valve Backflow Prevention Assembly" or "AWWA C511 Reduced Pressure Principle Backflow Prevention Assembly" and which has met completely the laboratory and field performance specifications of the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California established by the Manual of Cross-Connection Control, 8th Edition, dated June 1988, or the most current issue.

(1) Such AWWA and FCCC and HR standards and specifications have been adopted by Broward County. Final approval shall be evidenced by a certificate of approval issued by an approved testing laboratory certifying full compliance with such AWWA standards and FCCC and HR specifications.

(2) It shall be the duty of the customer-user 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 Utility Superintendent 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 customer and shall be performed by the device manufacturer's representative, or by a certified tester approved by the Utility Superintendent.

(3) These devices shall be repaired, overhauled, or replaced at the expense of the customer-user whenever such devices are found to be defective. Records of such tests, repairs and overhauls, shall be submitted to the Utility Superintendent.

(4) All presently installed backflow prevention devices which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained shall, except for the inspection maintenance requirements, be excluded from the requirements of those rules so long as the Utility Superintendent is assured that they will satisfactorily protect the public potable water supply system. Wherever the existing device is moved from the present location or requires more than minimum maintenance, or when the Utility Superintendent 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.

(Ord. 248, passed 11-11-2009)

§ 10-24 UTILITIES DEPARTMENT TO ADMINISTER.

(A) The Utilities Department shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection.

(B) If, in the judgment of the town through its designated representative, an approved backflow prevention device is required at the town's water service connection to any customer's premises for the safety of the water system, the Utility Superintendent or their designated agent shall give notice in writing to the customer to install such an approved backflow prevention device at each service connection to its premises. The customer shall immediately install such approved device or devices at their own expense; the failure, refusal, or inability on the part of the customer to install such device or devices immediately, shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

(Ord. 248, passed 11-11-2009)

§ 10-25 FEES AND PERMITS:

The town shall identify those users required to install backflow prevention devices for the safety of the water system. All users shall be required to have their backflow prevention devices tested at least once annually by certified town personnel or, if town personnel are not available, then by a certified backflow prevention device technician. Should the device(s) fail the test then the owner must have the unit repaired and re-tested in a timely manner so as to ensure protection of the public water supply. The town shall levy a fee for testing (and re-testing as necessary) all devices based upon program cost administration, as shown in Fee Schedule A.

<i>Fee Schedule A</i>	
<i>Type of Unit</i>	<i>Test Fee</i>
Reduced pressure backflow preventer	
Annual test	\$50.00
Each re-test due to failure	\$35.00
Double check valve assembly	
Annual test	\$50.00
Each re-test due to failure	\$35.00
Pressure vacuum breaker	
Annual test	\$40.00
Each re-test due to failure	\$25.00

(Ord. 948, passed 11-11-2009)

§ 10-26 NOTICE OF VIOLATION; FAILURE TO REMEDY.

The _____ shall notify the owner or authorized agent of the owner of the building or premises in which there is found a violation of this article, of such violation. The director shall set a reasonable time for the owner to have the violation removed or corrected (30 days maximum, or as determined by degree or hazard). On failure of the owner to have the violation corrected by the end of a specified time interval, the director may, if in its judgment an imminent health hazard exists, cause the water service to the building or premises to be terminated and/or recommend such additional fines or penalties to be involved as are provided in § 10-27.

(Ord. 948, passed 11-11-2009)

§ 10-27 PENALTIES.

(A) Any person who knowingly fails or refuses to obey or comply with, or willfully violates any of the provisions of this article, or any lawful rule or regulation promulgated hereunder, or any lawful order of the Director issued pursuant to the provisions of this article, shall upon conviction of such offense, be subject to punishment as provided by law. Each day during which the knowing or willful failure or refusal to comply with this article continues shall constitute a separate offense.

(B) Any person who violates any of the provisions of this article shall be liable to the town for all costs and damages incurred by the town as a proximate result of such violation plus a fine up to \$500 per day.

(Ord. 948, passed 11-11-2009)