

ORDINANCE NO. 1946-20

AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 48 UTILITIES, ARTICLE III CROSS CONNECTIONS, SECTIONS 48-183 & 48-188 RELATED TO TESTING AND MAINTENANCE OF BACKFLOW DEVICES OF COMMERCIAL CUSTOMERS, TO AMEND THE REQUIREMENT THAT CITY STAFF TEST AND CERTIFY BACKFLOW DEVICES.

WHEREAS, the City Council has determined that City Employees should no longer test the backflow devices for commercial customers; and

WHEREAS, the City Council currently requires that City Employees test and charge commercial customers a fee for backflow testing on their properties;

WHEREAS, the City Council understands it is not the common practice of City Employees in similarly situated municipalities to provide such testing and certification;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA PROPOSES THE FOLLOWING AMENDMENTS TO ITS CODE OF ORDINANCES RELATED TO THE TESTING AND CERTIFICATION OF THE BACKFLOW DEVICES OF ITS COMMERCIAL CUSTOMERS:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA;

Section 1: That Chapter 48, Utilities, Article III, Cross Connections, Section 183 of the Code of Ordinances of the City of Milton, is hereby amended as follows:

Sec. 48-183. - City authority to require installation of approved backflow device; installation at customer's expense; termination of service for noncompliance; notice; testing and retesting.

a) The city is responsible for the protection of its public potable water distribution system from backflow of contaminants or pollutants through any water service connection. If, in the judgment of the department, an approved backflow prevention device is required at the water service connection to any of its customer's premises for the safety of the users of the water system, the department shall give notice in writing to the customer that an approved backflow prevention device shall be installed at the customer's expense, if this customer is a commercial customer or residential customer with a pool and/or has an auxiliary water supply.

b) Failure, refusal or inability on the part of the customer to meet the department's time schedule for the installation of such device shall constitute grounds for discontinuance of water service until such device has been properly installed. Any licensed plumber may install the proper device in the correct manner.

c) Compliance testing after the initial installation and regularly scheduled maintenance tests shall be performed by a licensed backflow tester with active license at the owner's expense.

d) For a failed compliance test the after initial installation or a failed scheduled maintenance test, it shall be the responsibility of the commercial customer or the residential customer with a pool and/or auxiliary water supply to have the backflow prevention device repaired by qualified personnel and to have a retest performed by a licensed backflow tester with an active license.

e) If any known or suspected accidental pollution or contamination of the consumer's or the department's potable water system occurs, the consumer shall promptly take steps to confine any further spread of pollution or contamination and shall immediately notify the department of the situation.

Section 2: That Chapter 48, Utilities, Article III, Cross Connections, Section 188 of the Code of Ordinances of the City of Milton, is hereby amended as follows:

Sec. 48-188. – Routine testing and maintenance; repairs at customer's expense; bypassing backflow device prohibited.

a) Routine testing of backflow prevention devices shall be the owner's responsibility to have a licensed backflow tester to perform the test and supply the City with a copy of the backflow test and a license. The frequency of testing will be dependent upon the type of device installed and the potential health hazard involved.

b) Customers will be notified 30 days in advance of the date that testing will need to be performed. If the customer's operations cannot permit an interruption of service, it will be the customer's responsibility to have two approved backflow prevention devices installed in parallel so that one may be used while the other is being tested. Bypasses around backflow prevention devices are expressly forbidden.

c) If any devices tested are found to be faulty, the customer must have it repaired and supply the City with a passing test within the 30 day period.

d) It shall be the responsibility of all commercial customers and residential customers with pools and/or auxiliary water supplies to maintain all backflow preventers and vacuum breakers within the building or on the premises in good working order and to make no piping or other arrangements for the purpose of bypassing any backflow device or vacuum breaker. Bypassing of any backflow device or vacuum breaker is expressly forbidden.

Section 3: Severability.

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this

Ordinance and of the City of Milton's Unified Development Code shall remain in full force and effect.

Section 4: Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: Effective Date.

This Ordinance shall be effective upon passage by the City Council.

PASSED AND DULY ADOPTED, with a quorum present and voting by the City Council of the City of Milton, Florida, the 4th day of July, 2020.

CITY OF MILTON, FLORIDA

BY: _____

MAYOR

Heather Lindsay

ATTEST:

CITY CLERK: _____

Dewitt Nubler

First Reading: 6-9-20

Second Reading: 7/14/20

Legal in form and valid when signed by an attorney for the City.

[Signature]

Attorney

NOTICE OF PROPOSED ORDINANCE ENACTMENT

TO WHOM IT MAY CONCERN:

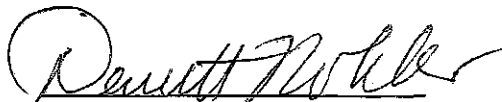
Please be advised that on the 14th day of July 2020 at 5:30 p.m., CST,
in the City Council meeting room at the City Hall at 6738 Dixon Street, in the City of Milton,
Florida there will be proposed for enactment an Ordinance whose title is as follows:

ORDINANCE NO. 1946-20

AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 48 UTILITIES
ARTICLE III CROSS CONNECTIONS, SECTIONS 48-183 & 48-188 RELATED TO
TESTING AND MAINTENANCE OF BACKFLOW DEVICES OF COMMERCIAL
CUSTOMERS, TO AMEND THE REQUIREMENT THAT THE CITY STAFF TEST AND
CERTIFY BACKFLOW DEVICES.

This Ordinance is on file in the City Clerk's office for inspection. Any interested party may
appear at the meeting and be heard with respect to the proposed Ordinance.

This date of June 11, 2020



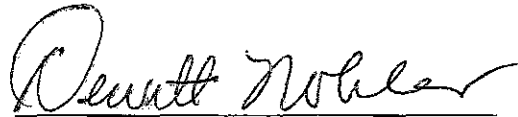
City Clerk

To be published at least ten (10) days in advance of the date of adoption.

Copy of this notice emailed to the newspaper June 11, 2020.

CITY CLERK'S CERTIFICATE

THIS ORDINANCE was read by title on the 9th day of June, 2020 ,
and on the 14th day of July, 2020. Notice of the proposed ordinance was published
ten (10) days in advance of its adoption on the 14th day of July, 2020, and this
ordinance has been on file in the office of the City Clerk for inspection for more than ten (10)
days prior to its publication.


City Clerk

6/23/64

NOTICE OF PRO- POSED ORDINANCE ENACTMENT

TO WHOM IT MAY CONCERN:

Please be advised that
on the 14th day of July
2020 at 5:30 p.m., CST,
in the City Council
meeting room at the
City Hall at 5738 Dixon
Street, in the City of
Milton, Florida there will
be proposed for enact-
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whose title is as fol-
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ORDINANCE NO. 1945-20

AN ORDINANCE
AMENDING CODE OF
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TICLE III CROSS CON-
NECTIONS, SEC-
TIONS 42-183 & 48-188
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THE CITY STAFF TEST
AND CERTIFY BACK-
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office for inspection.
Any interested party
may appear at the
meeting and be heard
with respect to the pro-
posed Ordinance.

This date, of June 11,
2020

Deatt Nobile
City Clerk

6/17/2020
6/20/2020
6/23/64