

ORDINANCE NO. 1078

AN ORDINANCE OF THE CITY COMMISSION OF LYNN HAVEN, FLORIDA AMENDING AND SUBSTANTIALLY REWRITING CHAPTER 70, ARTICLE II OF LYNN HAVEN CODE OF ORDINANCES REGULATING CROSS CONNECTION CONTROL DEVICES; PROVIDING FOR AUTHORITY, POLICIES, AND PROCEDURES; PROVIDING FOR ADOPTION BY RESOLUTION OF A CROSS CONNECTION CONTROL PLAN; PROVIDING FOR ENFORCEMENT, APPEALS, AND PENALTIES; PROVIDING FOR REPEALER, CODIFICATION, AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lynn Haven, Florida owns and operates a public water system through which it provides services to various consumers; and

WHEREAS, improperly protected water systems expose the public potable water supply to contamination and/or pollution which is hazardous to the public health and safety; and

WHEREAS, the regulation or control of cross connections in Florida is required by the provisions of State law and administrative rule; and

WHEREAS, the adoption of an ordinance requiring installation of cross-connection control devices in certain circumstances is necessary and desirable to protect and promote the public health, safety, and welfare, and is in the best interest of the consumers whom the Lynn Haven, Florida provides water services.

NOW THEREFORE, BE IT HEREBY ENACTED BY THE PEOPLE OF THE CITY OF LYNN HAVEN, FLORIDA THAT:

SECTION 1. Chapter 70, Article II, Sections 56-70 of the City of Lynn Haven entitled Cross Connection Control and Backflow Prevention is hereby substantially amended and reworded as follows:

Sec 70-57. Authority.

The intent of this ordinance is to establish parameters and procedures for eliminating existing cross-connections and preventing future cross-connections within the City of Lynn Haven public water system. The Department of Environmental Protection Rules and Regulations Chapter 62-555.360 and American Water Works Association, M14 provide legal authority for establishing a cross-connection control program.

Sec 70-58. Policy and Procedures.

The policy and procedures for eliminating and preventing cross connections shall be defined by the "Cross Connection Plan (CCCP)" adopted separately by resolution of the City Commission and as may be amended from time to time The Cross Connection Control Plan (CCCP), as hereinafter amended is hereby incorporated into this ordinance and made a part hereof.

Sec 70-59. Enforcement and Appeal.

1. The City of Lynn Haven Building Department and/or Engineering and Public Utilities Department is granted authority to inspect any and all water service connections serviced by the City of Lynn Haven, and to take the appropriate action to insure the potable integrity of the system backflow device. The City of Lynn Haven is given the legal right to immediately disconnect any customer from the system if the service is determined by the Public Works Director to constitute a threat to public health or deemed a high-health hazard.

2. Any property owner aggrieved by a determination by the Public Works Director pursuant to this Ordinance, may appeal said determination by filing a petition with the City Commission. Application for appeal from a decision of the Public Works Director shall be filed within thirty (30) days of rendition of the decision.

SECTION 2. Repealer. All ordinances or Code provisions in conflict with this Ordinance including but not limited to former Sections 56-70 of the Lynn Haven Code of Ordinances are hereby repealed.

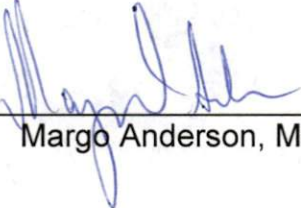
SECTION 3. Severability. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not effect the validity of the remaining portion.

SECTION 4. Codification. It is the intent of the City Commission that this Ordinance be subsequently codified as Sections 56 – 70 of the Lynn Haven Code of Ordinances.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon passage.

Passed, Approved and Adopted this 23rd day of July, 2019.

CITY OF LYNN HAVEN, FLORIDA

By: 
Margo Anderson, Mayor

Attest:


Vickie Gainer, Interim City Manager/Clerk

First Reading: July 9, 2019

Second Reading: July 23, 2019