

Sec. 78-129. - Cross-connection control program.

- (a) Except as otherwise provided by this article, the City of North Port Cross-Connection Control Program Manual ("CCCP Manual"), as amended from time to time, is hereby adopted and incorporated herein by reference. Compliance with all provisions of the CCCP Manual is hereby required. The cross-connection control program is in addition to the fixture protection, in-premises, and internal backflow preventers required by the Florida Building Code.
- (b) Affected facilities.
- (1) *All new water customers.* At the time a water customer applies for a water meter, the city shall conduct a plan review and a site evaluation. All water customers applying for a water meter shall be required to install a city-approved backflow preventer.
 - (2) *Exterminating companies.* All tanks, tank trucks, and spraying apparatus, used to convey pesticides in furtherance of an exterminating process shall only fill those items at city-designated and approved protected potable water fill locations. Filling those items with potable water at undesignated and unapproved locations, such as at a private residence, is strictly prohibited.
 - (3) *Construction sites.* At all construction sites using the city's potable water system, the property owner shall ensure that a city-approved backflow prevention assembly is installed at the connection point. While the site is under construction, the contractor shall utilize a city-approved testable aboveground, reduced pressure zone, double check valve, dual check valve, and meter assembly. Failure to comply with this article may result in the termination of water service.
 - (4) *Installations requiring continuous service.* For facilities that require continuous uninterrupted water service, and where it is not possible to provide service from two separate meters, provisions shall be made for a "parallel installation" of backflow prevention assemblies. An unprotected bypass around a backflow prevention assembly is prohibited.
 - (5) *Potable water fill locations.* All city-designated and approved potable water fill locations shall consist of overhead piping arrangements that include the appropriate air gaps. If for any reason an overhead piping arrangement cannot be used, a reduced pressure principle assembly backflow preventer shall be installed on the fill line.
 - (6) *Miscellaneous uses of water from fire hydrants.* The operation of a fire hydrant by anyone other than city-authorized personnel is prohibited. The city may permit the use of water from a fire hydrant for construction or other purposes provided a hydrant meter permit is applied for and granted through the city's utilities department and all backflow prevention requirements are followed.
- (c) Installation.
- (1) When required by the city, a city-approved service protection backflow preventer shall be installed immediately downstream of the water meter (between the water meter and the house or other structure being served), or at the property line when a meter is not present, or at a location approved by the city in writing or by an approved drawing, to protect all water service connections.
 - (2) No plumbing or piping outlets, tees, wyes, or connections shall exist between the water meter or service connection and the service backflow preventer.
 - (3) All property owners required by the city to have a backflow preventer shall have an appropriately licensed plumbing contractor install a city-approved backflow preventer.
 - (4) The type of backflow preventer required to be installed shall be commensurate to the degree of actual or potential health hazard as determined by the city.

(d) Commercial annual backflow preventer testing.

- (1) Commercial water customers owners shall have the backflow preventers located on their commercial property tested annually. Annual testing shall be done by a certified backflow preventer assembly tester or by a licensed backflow preventer contractor. Commercial property owners shall provide the city with written test results dated within 60 days of the test due date, indicating that each backflow preventer passed the annual testing. Written test results shall be provided to the city by the backflow preventer's annual testing due date.
- (2) Annual testing for commercial and multifamily potable water, fire lines, and bypass backflow preventers are due on the same date each year, as further specified in the CCCP Manual. The city shall provide at least 30 days' advance written notice to the water customer of the annual testing due date, the testing requirement, and the reporting requirement.
- (3) Water customers that fail to provide the city with passing test results as required by this section will be assessed a noncompliance fee and the city will provide notice that the property will be shut off if passing results are not received within the time specified in the noncompliance notice. If passing results are not received by date specified in the noncompliance notice, city may without further notice disconnect water service from the property until a passing test result by a properly certified backflow preventer tester has been received by the utility department and shall be liable for the shut off noncompliance fee as amended from time to time in the City Fee Structure attached as Appendix A to this code.

(e) Residential service connection site inspection.

- (1) Following a 30-day written notice to the property owner of record, the city or its agent shall inspect the service connections on that residential property utilizing criteria and procedures set forth in AWWA Manual M14.
- (2) The city or its agent is authorized to enter any residential utility easement located on the property to inspect for cross-connections, to test backflow preventers, to conduct health hazard assessments, to inspect reclaimed water or reuse water systems, and to identify auxiliary water supplies that could contaminate the city's water system.
- (3) If inspection finds that a cross-connection hazard exists, the city shall notify the property owner of record in writing of those findings. The property owner shall then do one of the following:
 - a. Immediately upon receiving the notice, the property owner must eliminate the cross-connection hazard until a city-approved backflow prevention device is installed. Any existing backflow preventer not passing the applicable test must be repaired and retested or replaced with a city-approved backflow preventer. Any newly installed backflow preventer shall be tested in accordance with this section and the city shall be provided with a copy of test results showing that the installed backflow preventer passed all applicable tests.
 - b. Within ten days of receiving the notice, a property owner may appoint the city as the property owner's agent for purposes of installing a new backflow preventer, by completing and returning the appointment form enclosed with the notice or in person at the city Utilities Department office. If appointed as the property owner's agent, the city shall have a new backflow preventer installed at the property, have it tested, and provide the test result as required. All work done shall be at the expense of the property owner. The applicable cost, interest rate, and administrative charges, as amended from time to time in the City Fee Structure attached as Appendix A to this code, shall be set forth in the customer notice.
- (4) In the event the city is unable to access the residential utility easement located on the property, the city

shall notify the property owner in writing that the property owner must contact the utilities office within ten days from the receipt of notice to schedule access to the property for site inspection.

- (5) If the residential property owner fails to respond to the city's written notice or interferes with access to the residential utility easement located on the property, the property will be deemed a high hazard risk and a city-approved testable backflow prevention device will be required for the property. The city shall notify the property owner in writing of such designation. The property owner shall then do one of the following:
 - a. Within 30 days of receiving the notice, the property owner shall have a city-approved backflow prevention device installed and tested in accordance with this section, and the city shall be provided a copy of the test results showing that the installed backflow preventer passed all applicable tests.
 - b. Within ten days of receiving the notice, a property owner may appoint the city as the property owner's agent for purposes of installing a new backflow preventer by completing and returning the appointment form enclosed with the notice or in person at the city's utilities department office. If appointed as the property owner's agent, the city shall have a backflow preventer installed at the property, have it tested, and provide the test result as required. All work done shall be at the property owner's expense. The applicable cost, interest rate and administrative charges, as amended from time to time in the City Fee Structure attached as Appendix A to this code, shall be set forth in the customer notice.
 - (6) If a property owner fails to comply with the written notice as set forth in subsection (c) or (e) above, the city will, without further notice, shut off water service at the property until the cross-connection hazard is eliminated, a failing backflow preventer is repaired or a new backflow preventer is installed, and passing test results have been received and processed by the city. Such shut off shall not impair the city's right to pursue other enforcement measures.
- (f) Residential biennial backflow preventer testing.
- (1) Any residential property owner who is a water customer shall have any testable backflow preventer on their property tested every two years. Backflow preventer testing shall be performed by a certified backflow preventer assembly tester or by a licensed backflow preventer contractor. The residential property owner must provide the city with written test results dated within 60 days prior to the test due date, indicating that each backflow preventer passed the test.
 - (2) The city shall provide at least 30 days' advance written notice to the property owner of the testing due date, the testing requirement, and the reporting requirement. For single-family residential properties only, the notice shall include an appointment form for the property owner to complete in order to appoint the city as the property owner's agent for the purposes completing the work described in subsections (5)(c)(ii) and (5)(e)(ii) of this section. If such agency has been previously granted the property owner may also use this form to revoke such appointment. If a property owner appoints the city as agent, such appointment shall remain in effect until revoked by the property owner in writing or cancelled in writing by the city.
 - (3) If the property owner appoints the city as agent, all work done shall be at the property owner's expense. As an accommodation to the property owner, the applicable cost, interest rate and administrative charges for the work may be prorated over the following 12 months of the water bill in an amount established in the City Fee Structure attached as Appendix A to this code, and as set forth in the biennial customer notice.
 - (4) If the property owner fails to appoint the city as agent for purposes of inspection and fails to

independently obtain inspection of the backflow preventer and provide the city with a written report of passing test results within 30 days of the testing date, the property owner will be charged the non-compliance fee and the city will provide notice that water service to the property will be shut off if passing results are not received within time specified in the noncompliance notice. If passing results are not received by the date specified in the noncompliance notice, city may without further notice shut off water service from the property until a passing test result by a properly certified backflow preventer tester has been received by the Utility Department and shall be liable for the shut off noncompliance fee.

- (5) The applicable cost, non-compliance fee, shut-off non-compliance fee, interest rate and administrative charges, as amended from time to time in the City Fee Structure attached as Appendix A to this code, shall be set forth in the biennial customer notice.
 - (6) Where it is the city's responsibility to conduct the test, the city may utilize its own employees or use independent contractors.
 - (7) At a minimum, backflow preventer testers must meet the requirements set forth in AWWA Manual M14. However, the city may require additional qualifications for backflow testers working under contract with the city, including but not limited to, that backflow preventer testers also be licensed plumbing contractors.
- (g) Quinquennial replacement of residential non-testable dual check devices.
- (1) Property owners that have non-testable dual check devices shall have those devices replaced every five years by a licensed plumbing contractor. By the replacement due date, property owners shall provide the city with a written certification non-testable dual check device was installed in accordance with the city's requirements provided in the CCCP Manual.
 - (2) The city shall provide at least 30 days' advance written notice to the property owner of the replacement due date, the replacement requirement, and the reporting requirement.
 - (3) Within ten days of receiving the notice, a property owner may appoint the city as the property owner's agent for purposes of installing a new non-testable dual check device by completing and returning the appointment form enclosed with the notice or in person at the public utility department office.
 - (4) If appointed as the property owner's agent, the city shall have a non-testable dual check device installed at the property and shall provide the replacement verification as required. All work done shall be at the property owner's expense. The applicable cost, interest rate and administrative charges, as amended from time to time in the City Fee Structure attached as Appendix A to this code, shall be set forth in the biennial customer notice. The full cost of the installation, along with any applicable administrative charges, will be placed on the property owner's next water bill and will be payable in full at the time that bill is due. As an accommodation to the property owner, the applicable cost, interest rate and administrative charges for the work may be prorated over the following 12 months of the water bill in an amount established in the City Fee Structure attached as Appendix A to this code, and as set forth in the biennial customer notice.
 - (5) If the property owner fails to appoint the city as agent for purposes of replacement and fails to independently provide the city with a written report of satisfactory replacement by the replacement due date, the property owner will be charged the non-compliance fee and the city will provide notice that water service to the property will be shut off if passing results are not received within time specified in the noncompliance notice. If passing results are not received by date specified in the noncompliance

notice, city may without further notice shut off water service from the property until a passing test result by a properly certified backflow preventer tester has been received by the Utility Department and shall be liable for the shut-off non-compliance fee.

- (6) Where it is the city's responsibility to install a device, the city may utilize its own employees or use independent contractors.
- (7) At a minimum, backflow preventer installers must meet the requirements set forth in AWWA Manual M14. However, the city may require additional qualifications for dual check device installation contractors working under contract with the city, including but not limited to, that dual check device installers also be licensed plumbing contractor.
- (h) City as owner's agent for testing, installation, repair and replacement of backflow preventers. If not performing the work itself, the city shall follow the statutorily required procurement process in order to contract with qualified plumbing contractors to perform backflow preventer testing, repair, replacement, and new installation, and to carry out any other duties assumed by the city when properly appointed by a property owner as their agent pursuant to this section.
- (i) Identification. All city employees, and vendors contracting with the city, entering onto residential utility easements located on private property for the purpose of performing duties under this article shall carry on their person photo ID identifying themselves as a city employee or employee of a vendor contracting with the city. All such persons shall have their vehicles marked with all identification required by the city or Florida law.

(Ord. No. 08-19, § 5, 9-22-2008; Ord. No. 2018-34, § 2, 9-25-2018)