

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 39 WATER AND SEWERS - DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES, ARTICLE VIII - CROSS-CONNECTION CONTROL/BACKFLOW PREVENTION, SECTION 39-108 AND ADDING NEW SECTION 39-111; PROVIDING FOR RESPONSIBILITY FOR INSPECTION OF THE BACKFLOW PREVENTION SYSTEM; PROVIDING FOR FEES TO BE SET BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the Code of Ordinances of the City of Margate, Florida, Chapter 39 Water and Sewers - Department of Environmental and Engineering Services, Article VIII - Cross-Connection Control/Backflow Prevention, Section 39-108, shall be amended to read as follows¹:

ARTICLE VIII. CROSS-CONNECTION CONTROL/BACKFLOW PREVENTION

Sec. 39-108. ~~Customer~~ Responsibilities.

- (a) The customer shall continually maintain the backflow prevention assembly required by this article.
- (b) The customer's system shall be open for inspection at all reasonable times to authorized representatives of the ~~director~~ City to determine whether cross-connections or other threats to the utility system exist and for annual testing and renewal requirements.
- (c) The Department of Environmental and Engineering Services will be responsible for ensuring implementation of annual testing and renewal requirements for the backflow prevention assemblies in accordance with this Article. ~~It shall be the~~

¹CODING: Words in ~~struck through~~ text are deletions from existing text; words in underscored text are additions to existing text, and **shaded** text reflect changes between First and Second Readings.

1 ~~duty of the customer at any premises where a required~~
2 ~~backflow prevention assembly is present, to have certified~~
3 ~~inspections and operational tests made at least once per~~
4 ~~year.~~ In those instances where the director deems the hazard
5 to be great enough, certified inspections may be required at
6 more frequent intervals. Certified inspections shall also be
7 required upon installation, after repair, after relocation,
8 and after replacement.

9 (d) All installations, inspections, tests, repairs, overhauls,
10 or replacements of backflow prevention assemblies shall be at
11 the sole expense of the customer and shall be performed by a
12 licensed plumber under permit who is also a certified
13 backflow prevention technician. If any backflow prevention
14 assembly requires repair, overhaul, or replacement, such work
15 shall be done within fifteen (15) calendar days of the notice
16 to the customer of the need for such work. A copy of the
17 record of all such tests or other work specified herein shall
18 be reported to the city immediately upon receipt by the
19 customer of the record.

20 (e) Nothing herein shall relieve the owner of the responsibility
21 for conducting, or causing to be conducted, periodic surveys
22 of water use practices on the premises to determine where
23 there are actual or potential cross connections in the
24 customer system through which contaminants or pollutants
25 could backflow into the water system.

26
27 SECTION 2: That the Code of Ordinances of the City
28 of Margate, Florida, Chapter 39 Water and Sewers - Department
29 of Environmental and Engineering Services, Article VIII -
30 Cross-Connection Control/Backflow Prevention, shall be amended
31 adding new Section 39-111. Fees, to read as follows:
32

33 **Sec. 39-111. Fees**
34

35 Fees for annual testing and renewal requirements of the
36 backflow prevention assembly, including but not limited to
37 double check valve assemblies for fire prevention systems and
38 pressure vacuum breaker assemblies for irrigation systems, as
39 well as certified inspections ordered by the Director of the
40 Environmental and Engineering Services Department to address
41 hazardous conditions of the backflow prevention assembly, shall
42 be approved by resolution of the City Commission.
43

1 [Note to Municipal Code: The rest of this Article shall
2 remain as codified.]
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5 SECTION 3: All ordinances or parts of ordinances
6 in conflict herewith are and the same is hereby repealed to
7 the extent of such conflict.
8

9 SECTION 4: If any section, sentence, clause, or
10 phrase of this ordinance is held to be invalid or
11 unconstitutional by a court of competent jurisdiction, then
12 said holding shall in no way affect the validity of the
13 remaining portions of this ordinance.
14

15 SECTION 5: It is the intention of the City
16 Commission that the provisions of this ordinance shall become
17 and be made a part of the City of Margate Code, and that the
18 sections of this ordinance may be renumbered or relettered and
19 the word "ordinance" may be changed to "section", "article" or
20 such other appropriate word or phrase in order to accomplish
21 such intentions.
22

23
24 SECTION 6: This ordinance shall become effective
25 immediately upon adoption at its second reading.

26 PASSED ON FIRST READING THIS _____ day of _____ 2021.

27 PASSED ON SECOND READING THIS _____ day of _____ 2021.

28 ATTEST:
29
30

31 _____
32 JOSEPH J. KAVANAGH
33 CITY CLERK

MAYOR ARLENE R. SCHWARTZ

34 RECORD OF VOTE

35 Caggiano _____
36 Simone _____
37 Ruzzano _____
38 Arserio _____
39 Schwartz _____