

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 follows<sup>1</sup>:

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~~

<sup>1</sup>CODING: 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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4  
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 \_\_\_\_\_