

## CHAPTER 21

### ALTERNATIVE WATER SUPPLY

#### **SECTION 1. PURPOSE AND INTENT**

The purpose of this chapter is to establish an Alternative Water Supply Program and establish regulations, procedures and fees associated with this program. This also includes providing definitions; establishing authority and enforcement; compliance; and an effective date for the implementation of the program.

#### **SECTION 2: DEFINITIONS**

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alternative Water Supply:* means salt water; brackish surface and groundwater; surface water captured predominately during wet-weather flows; sources made available through the addition of new storage capacity for surface or groundwater, water that has been reclaimed after one or more public supply, municipal, industrial, commercial, or agricultural uses; the downstream augmentation of water bodies with reclaimed water; stormwater; and any other water supply source that is designated as nontraditional for a water supply planning region in the applicable regional water supply plan.

*Augmentation Water:* means water from an additional source, such as, stormwater retention ponds, surface water, brackish water, groundwater or from an approved wetland and blended with the final effluent of a City wastewater treatment plant

*Backflow device:* means either a dual check device composed of two single independently active check valves, as described in the American Water Works Association Standard C506-78 (R83), and the American Society of Sanitary Engineering Standard 1024, and/or a reduced pressure principle device, as described in the American Water Works Association Standard C506-78 (R83), and/or the American Society of Sanitary Engineering Standard 1013.

*Billing:* means the charge made for alternative water supply service. The charge shall be included on the monthly utility bill.

*Charges:* means those charges set by the City Council for costs of providing service, pursuant to this ordinance.

*Cross connection:* refers to any physical connection or arrangement that would allow the movement of contaminants or fluids between any non-potable water system, such as the alternative water supply system, and a potable water system.

*Customer:* means the actual user of the alternative water supply system.

*DEP:* means the Florida Department of Environmental Protection, or its successor in function.

*Development:* means a material change in the use or character of the land, including but not limited to the placement of any structure or substantial alteration on the land.

*Discontinuation of service:* means cessation of a service by physical separation from the system's service lines to ensure that no service can be received.

*PE:* means polyethylene.

*Public eating, drinking, bathing facility:* means water fountains, picnic tables, swimming pools, spas, and food service facilities, such as tables and beverage counters that are open to and provide service for the public.

*PVC:* means polyvinyl chloride.

*Reclaimed water:* means treated effluent from a City wastewater treatment plant supplied through the reclaimed water distribution system.

*Reclaimed water reuse system:* means those reclaimed water mains, lines, fittings, valves and appurtenances installed in public rights-of-way or utility easements that are owned by the City.

*Service valve:* means the manually operated valve that controls total reclaimed water flow to the customer's property located at the point where the alternative water supply service line crosses the property line.

*Well:* means any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of such excavation is for the location, acquisition, development or artificial recharge of groundwater.

### **SECTION 3:            PURPOSE OF ORDINANCE**

This ordinance establishes that the City's existing utility will be expanded to include alternative water supply services, if feasible, and responsibilities for facilities owned by the City.

### **SECTION 4:            CREATION OF PROGRAM**

The purpose of this ordinance is to create an alternative water supply and reclaimed water reuse program for the City. The purposes of the program are to utilize highly treated reclaimed

wastewater and other alternative water supply sources within the City for environmentally suitable purposes and to conserve groundwater supplies for future generations by minimizing the use of potable water from groundwater sources by appropriate uses of alternative water supplies.

The City has elected to create an alternative water supply program in order to reduce demand on the potable water system through reuse/disposal of highly treated reclaimed water by land application or other suitable purposes.

**SECTION 5:            ADOPTION OF STATE REGULATIONS**

The construction, maintenance and use of the alternative water supply system shall be in accordance with the provisions of F.A.C. 62-610. If any of the provisions of that chapter are more restrictive than the provisions of this code, the applicable provisions of F.A.C. 62-610 shall prevail.

**SECTION 6:            PROMULGATION AND ENFORCEMENT OF ALTERNATIVE  
WATER SUPPLY SERVICE PROCEDURES AND  
REGULATIONS.**

- a). The City Manager or designee shall have the power to promulgate procedures and regulations. The procedures and regulations shall become effective upon a resolution adopted by the City Council:
  - 1). All uses pertaining to application procedures, forms and requirements, and allowable uses other than irrigation must be in accordance with applicable DEP regulations.
  - 2). Installation requirements, including specification of acceptable materials, devices and regulations to prevent backflow or cross connections with other systems.
  - 3). Procedures for enforcement of the ordinances and regulations pertaining to reclaimed water, including procedures for inspection of the customer's system.
  - 4). Procedures for the orderly expansion of the alternative water supply system.
  - 5). Procedures and regulations for the efficient operation of the alternative water supply system.
  
- b). Notwithstanding the provisions of this section, the City Manager or Designee may, when necessary for the efficient operation of the alternative water supply system or for the health or safety of the general public or the customer, establish regulations regarding the following matters that shall become effective at the time of promulgation without the need for City Council approval:

- 1). The times of day or night during which the alternative water may be used by customers.
  - 2). The maximum rate of use of the alternative water.
- c). No person shall construct, operate, maintain, or allow to remain present on property owned or controlled by him any device or system that is connected to or that controls a device or system connected to the City's alternative water supply system and that is not in compliance with all provisions of DEP regulations and this ordinance related to alternative water and with all procedures and regulations promulgated pursuant to this section. Alternative water shall not be directed or piped into any residence or commercial building. The person who owns or controls the property upon which such a non-complying device or system is found shall be liable to the City for the amount by which the costs associated with the securing and/or removal of the non-complying device or system exceeds the cost of a normal discontinuance of service. These excess costs shall constitute a lien against the property upon which the non-complying device or system is located.
  - d). Any customer whose alternative water supply system is in violation of any City ordinance, regulation, or procedure shall be subject to immediate discontinuance of alternative water supply service. The City shall disconnect alternative water supply service to any user due to tampering with any service, plumbing cross connections with another water source, nonpayment of bills, or for any other reason that is deemed by the City to be detrimental to the system. The City shall disconnect service until the condition is corrected and all costs due the City are paid. These costs shall include delinquent billings, disconnection and reconnection charges, and payment for any damage caused to the system. At no time during the period of disconnection shall the monthly service charges be abated. Should service be turned on without authorization, the City shall remove the service. The City shall have the authority to lien the real property of any user for nonpayment; and if the nonpayment continues for a period of three months following the recording of the lien, the City shall have the right to foreclose the lien. Such discontinuance of service shall not relieve any person of liability for civil actions or for criminal or municipal ordinance violation prosecution.
  - e). Upon being connected to the City's alternative water supply system, any existing wells on the subject property shall not continue to be used for irrigation and shall be disconnected from the irrigation system.
  - f). All connections shall be made in accordance with policies and regulations adopted by the City Council. This provision shall not be construed to entitle any person to cross the property of another to make such connections.

**SECTION 7:           ALTERNATIVE WATER SUPPLY SYSTEM CHARGES AND FEES**

- a). Any user of the services of the alternative water supply system shall pay to have the water installed. Once the service is connected, the user shall pay a minimum monthly availability charge and a usage charge. These charges will be set by resolution of the City Council, and are on file in the City clerk's office.
- b). Bills for alternative water supply service shall be rendered as a part of the regular City bill for utility services.
- c). For purposes of this section, an alternative water availability charge is a charge established by the City Council for the availability of alternative water supply service provided by the City to a property. Alternative water supply service is deemed available to a property if an alternative water meter is located at the property regardless of whether the property is actively receiving alternative water supply service. The charge shall be billed in the City utility bill of the consumer for those accounts that are actively receiving alternative water supply service and in a utility bill to the owner of the property for those properties not actively receiving alternative water supply service.

**SECTION 8: PUBLIC EASEMENT/ RIGHT OF WAY REQUIREMENTS**

No facilities will be installed under the provisions outlined in this ordinance and accepted by the City for maintenance unless it is in dedicated public right-of-way or dedicated public easement. Any new easement shall be adequately sized as approved by the City Manager or designee to accommodate construction and maintenance of any alternative water supply system component. No obstruction of whatever kind shall be planned, built or otherwise created within the limits of the easement or right-of-way without written permission of the City Manager or designee.

**SECTION 9: OWNERSHIP**

All alternative water facilities and appurtenances within dedicated public easements, when constructed or accepted by the City shall become and remain the property of the City. No person shall, by construction of facilities accepted by the City, acquire any interest or right in any of these facilities or any portion of such facilities, other than the privilege of having their property connected for alternative water service in accordance with this ordinance.

**SECTION 10: RIGHT TO REFUSE SERVICE**

The City shall have the right, at all times, to refuse to extend service on the basis of a use detrimental to the system, inadequate supply of alternative water, lack of payment of required service charge, or for any other reason that, in the judgment of the City Manager or designee, will cause the extension not to be to the benefit of the City.

**SECTION 11: SERVICE INTERRUPTION**

- a). The City reserves the right to temporarily discontinue service to any portion of, or the entire, alternative water supply system as deemed necessary by the City Manager or designee.
  
- b). The City Manager or designee shall have the authority to establish schedules to control the use of the water reuse system in order to reduce maximum pressure demands on the system and to regulate usage of reused water to balance with supply and storage availability.

**SECTION 12:                  CROSS CONNECTION CONTROL**

Prior to connecting a user to the alternative water supply system, the public potable water supply shall be protected by installation, at the user's expense, of an approved cross connection control assembly.

**SECTION 13:                  UNAUTHORIZED WORK ON ALTERNATIVE WATER SUPPLY SYSTEM**

- a). No person, unless expressly authorized by City Manager or designee, shall tamper with, work on, or in any way alter or damage any City alternative water facility. Tampering or work shall include but is not limited to opening or closing of valves, or causing of any water to flow from the system. No unauthorized person shall cut into or make any connection with the system. The offending person shall be liable for the cost of all charges attributable to the correction of such tampering, including legal expenses; but payment of or correcting of such damage shall not relieve the offending person from civil or criminal penalties the City or a court of law may impose for a violation of a City ordinance.
  
- b). The service valve located between the alternative water customer's irrigation system and the City's distribution system may be operated by the customer only when his private valve, required on the customer's premises, requires repair.

**SECTION 14:                  INSPECTION**

- a). To ensure that all provisions of City ordinances, regulations and procedures are being observed, the City reserves the right and privilege of inspecting, removing and/or securing any or all devices installed by the customer that connect to or control the alternative water.
  - 1). Inspections without cause to believe that an ordinance or regulation is being violated shall be at reasonable times and shall not exceed a reasonable frequency.
  - 2). Inspections where there is reasonable cause to believe that an ordinance or regulation is being violated shall be at such times and shall occur with such frequency as is necessary to establish that an ordinance or regulation is or is not being violated.

- b). Each customer of alternative water shall, by application, give prior written consent to entry upon his premises, and thereby waives any other written notice for such inspection. Failure of the City to obtain such a written waiver shall not affect the right of the City to proceed pursuant to subsection (a) of this section.
- c). Refusing to permit an authorized City agent or employee to enter onto the premises for the purpose of inspecting the customer's alternative water supply system pursuant to this section shall constitute a violation of this section and shall be grounds for immediate discontinuance of the alternative water supply service by the City to the subject premises.

**SECTION 15:           ALTERNATIVE WATER SERVICE FOR NEW SUBDIVISIONS**

a). *Minimum service requirements.*

- 1). All new subdivisions located within the existing City Utility Service shall construct alternative water mains to provide irrigation and other non-potable service to all lots based on the projected amount of property to be irrigated, as well as other potential non-potable uses, including common elements. Alternative water supply service including required back flow prevention devices and taps shall be installed for each lot, with a minimum service tap size of three-fourths inch in diameter. Actual service tap size and potential sharing of service lines shall be reviewed and approved. These improvements shall be completed and in place regardless of whether City alternative water is available to the project at the time of development. At such time as City alternative water is available to each lot and to other property to which a tap was required City alternative water supply service shall be accepted.
- 2). Site development plans for all new development on previously vacant property where the City alternative water lines adjoin the property shall show irrigation systems connected to alternative water mains where available. Where such service is not currently available, site plans shall show irrigation systems that shall be configured for ultimate connection to alternative water mains by locating pumps or potable water system connections adjacent to the right-of-way or other planned alternative water main location.
- 3). Alternative Water Supply Systems shall be required within all subdivisions receiving final plats after January 1, 2010.

b). *Existing Landscape Irrigation System.* Existing landscape irrigation system located within the City shall accept City alternative water supply service when available as follows:

- 1). If the existing irrigation system on such property is using City potable water for irrigation the property shall connect to the City's alternative water supply service when available.

- 2). If the existing irrigation system on such property is using a private well located on the property or lake water for irrigation then such property shall connect to the City's alternative water supply service when available.
  - 3). No new irrigation system for landscaping use shall be allowed in the City unless it connects to the City's alternative water lines if such lines are available to the property seeking irrigation.
- c). *System design.* The layout of alternative water supply systems shall comply with the following design criteria and the adopted standard utility details of the City:
  - d). *General standards.* Design and installation practices, materials and methods shall conform with requirements for potable water systems, except where specifically modified by policies or details adopted for the alternative water supply system.
  - e). *Main size.* Mains shall be sized based on the anticipated demand for alternative water use based on land use, soil characteristics and potential non-irrigation use. Minimum main size shall be six inches in diameter.
  - f). *Extension of lines to project boundaries.* Alternative water mains shall be designed to stub out to the project boundaries to serve adjacent unserved properties. This shall include mains in all rights-of-way, across the entire project frontage on existing roads without existing mains, and to the property boundary via easement when no other access is available to unserved properties.
  - g). *Color coding of alternative water appurtenances.* All alternative water supply materials shall be color coded purple from the manufacturer.
  - h). *Availability.* Availability shall mean the City having sufficient capacity to provide service to a subject property and the alternative water lines being physically located within 120 feet of the subject property.