

SARASOTA COUNTY GOVERNMENT

Public Utilities

TO: Sarasota County Commission

THROUGH: Thomas A. Harmer, County Administrator

FROM: Scott N. Schroyer, Director, Public Utilities
Dave Cash, Manager, Water/Wastewater Division, Public Utilities
R. Anthony Gipe, Operations Manager, Public Utilities Customer Service

DATE: February 9, 2016

SUBJECT: **Authorization to Advertise a Public Hearing to consider amending Ordinance No. 2007-093 Codified as Chapter 22, Article IV of the Sarasota County Code. Cross-Connection Control Program**

RECOMMENDED MOTION(S) OR ACTION(S):

To authorize a public hearing on an ordinance amending Chapter 22, Article IV of the County Code, relating to the Cross-Connection Control Program.

BACKGROUND:

Ordinance No. 2007-093 as amended and codified in Chapter 22, Article IV of the Sarasota County Code (the "Code") establishes standards and references for a Cross-Connection Control Program for unincorporated Sarasota County.

Improperly protected water systems expose the public potable water supply to contamination which may be hazardous to the public health and safety. Rule 62-555.360(1), (2) and (3), Florida Administrative Code ("F.A.C."), requires all community water systems to establish and implement a routine cross-connection control program to detect and control cross-connections and prevent backflow of contaminants into the water system. Such a program shall provide that upon detection of a prohibited cross-connection, both community and non-community water systems shall either eliminate the cross-connection by installation of an appropriate backflow prevention device acceptable to the Florida Department of Environmental Protection (F.D.E.P.) or discontinue service until the contaminant source is eliminated.

The Board initially established the cross-connection control program with adoption of Ordinance No. 89-19, which was subsequently repealed and replaced by Ordinance No. 2007-093. Since that time, new references and standards to protect the community water system from contamination through cross-connection have been adopted in the F.A.C. by the F.D.E.P. which necessitates amending Ordinance No. 2007-093. These rules were amended by the F.D.E.P. to significantly reduce the overall regulatory burden of cross-connection control requirements on community water systems and their customers by (1) exempting residential customers that only have pools and spas as an auxiliary water system; (2) allowing biennial (every 2 years) instead of annual testing of backflow preventer assemblies required at or for residential service connections. The rules were amended by the F.D.E.P. to clarify regulations and achieve more consistent compliance with cross-connection control requirements.

RELEVANT PRIOR BOARD ACTION:

1. April 4, 1989 – the Board adopted Ordinance 89-19, Cross Connection Control Program.
(Vote: 5-0)
2. October 23, 2007 - the Board adopted Ordinance No. 2007-093, repealing and replacing Ordinance No. 89-19 (Vote: 5-0)

PROCUREMENT ACTION:

N/A

ANALYSIS/NEXT STEPS:

In addition to amendments prompted by the changes to the F.D.E.P. rules, the proposed ordinance includes the following changes: (1) removes Public Utilities as the agent to facilitate the testing of the customer's backflow assembly, thereby eliminating the county's optional testing program. This will return the county's program to the standard model used by the majority of utilities and minimize confusion among contractors and customers; (2) removes technical requirements for backflow assemblies, including tagging, inspections, repairs, and replacement, as these are included by reference in the F.D.E.P. rules and are incorporated into the proposed Cross-Connection Control Program Manual; and (3) adds mandatory noticing requirements for non-compliance with this ordinance.

A resolution adopting a Cross-Connection Control Program Manual that includes the rules, technical requirements, and procedures of this program will be presented to the Board for consideration immediately following the public hearing to adopt the amended ordinance, which is scheduled for March 8, 2016.

FUNDING:

No funding is required at this time.

STAFF RECOMMENDATION(S):

There are no additional staff recommendations.

ATTACHMENTS:

1. Ordinance No. 2016 _____
2. Ordinance 2007-093
3. Notice of Public Hearing
4. Ordinance Impact Statement