

Chapter 19  
**UTILITIES\***

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**\*State law references**—Water and sewer system, F.S. Ch. 367; water resources, F.S. Ch. 373; safe drinking water act, F.S. § 403.850 et seq.; trespass and larceny of certain utilities, F.S. § 812.14.

## ARTICLE I. IN GENERAL

### **Sec. 19-1. Management of water and sewer systems.**

The city commission shall have the general management and control of the water and sewer systems.

(Code 1958; § 23-1)

### **Sec. 19-2. Unlawful connection.**

No person shall be allowed to connect into any water line or sewer line owned by the city without the written consent of the city. The connection with such line shall be made only under the direction and supervision of the city. Any property owner or plumber who shall make any connection without such consent of the city shall upon conviction be subject to the penalties hereinafter provided.

(Ord. No. 6701 6-19-67, § 6)

### **Sec. 19-3. Connecting old plumbing.**

Whenever it is desirable to connect old plumbing with the city sewer main and/or water line, the owner or plumber contemplating doing such work shall notify the city plumbing inspector, who will inspect the old plumbing and notify the owner or plumber what alterations will be necessary to place the old plumbing in an acceptable condition for such connection. Any owner or plumber who shall make any connection without the approval of the plumbing inspector shall upon conviction be subject to the penalties hereinafter provided.

(Ord. No. 6701 6-19-67, § 8)

### **Sec. 19-4. Exceptions to connections.**

This chapter shall not be construed to require or entitle any person to cross the private property of another to make any such sewer or water connection.

(Ord. of 6-19-67, § 3)

### **Sec. 19-5. Maintenance of plumbing system.**

The owner of the property shall be responsible for maintaining, repairing and keeping clean the water and sewer pipes leading from and connecting the property owner's or occupant's plumbing system to the City potable water distribution lines and sewer mains. For purposes of this Section, the customer connects to the City's potable water distribution lines at the customer's side of water meter. The customer plumbing system connects to the City's waste water at the sewer main inside the City's right-of-way.

(Ord. No. 6701 6-19-67, § 12; Ord. No. 1003 8-12-10)

### **Sec. 19-6. Water and sewer plant expansion fund.**

(a) *Created.* From and after the effective date of City Ordinance 94-09, two special utility reserve funds were created to be known as Water Plant Expansion Fund and Wastewater Treatment Plant

Expansion Fund. Upon adoption of this Ordinance such funds shall be referred to as the Water Plant Renewal and Replacement Fund and Wastewater Treatment Plant Renewal and Replacement Fund, and said funds shall remain in effect and continue to be collected, maintained and used as two separate funds as provided for herein.

(b) *Purpose.* The monies placed in the Water Plant Renew and Replacement Fund shall be used for the renewal, replacement or improvement of the City's water plant facility and distribution system in such manner and at such times as the City Commission shall from time to time determine. The monies placed in the Wastewater Treatment Plant Renew and Replacement Fund shall be used for the renewal, replacement or improvement of the City's wastewater treatment facility and collection system in such manner and at such times as the City Commission shall from time to time determine. These separate funds shall be continuing funds running from year to year, and the monies therein placed shall not be subject to expenditure for any other use or purpose than as authorized herein.

(c) *Water Plant Renewal, Replacement and Improvement Charge.* All users of the City water services shall pay a facility renewal, replacement and improvement charge in an amount equal to ten percent (10%) of the user's water charges. The income from said facility replacement, improvement and expansion charge shall be placed into a special water facility fund as set out in paragraph (a) hereof.

(d) *Waste Water Treatment Plant Renewal, Replacement and Improvement Charge.* All users of the City wastewater treatment services shall pay a facility renewal, replacement and improvement charge in an amount equal to ten percent (10%) of the user's wastewater charges. The income from said facility replacement, improvement and expansion charge shall be placed into a special wastewater facility fund as set out in Paragraph (a) hereof.

(Ord. No. 9409, § 1—3, 3-9-95; Ord 1003 8-12-10)

**Editor's note**—Ord. No. 9409, §§ 1—3, adopted Mar. 9, 1995, did not specifically amend the Code; hence inclusion as a new § 19-6 was at the editor's discretion.

### **Sec. 19-7 Separate Connections for Each Separate Unit**

Each residential unit whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the payment of the water fees and the sewer disposal fees, and separate connections and meters will be required for each of such units. Where separate connections and meters are not feasible, as determined by the city administrator, separate accounts may still be required; however, the property owner shall be directly responsible for all usage and maintenance requirements of this Ordinance.

(Ord. No. 6701 6-19-67; Ord. No. 1003 8-12-10)

### **Secs. 19-8—19-21 Reserved**

## ARTICLE II. SEWAGE

### Sec. 19-22. Definitions.

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

*Human Excreta:* The term “human excreta” shall be construed to mean the bowel and kidney discharge of human beings.

*Sanitary Pit Privy:* The term “sanitary pit privy” shall be construed to mean any privy so built, rebuilt, constructed or reconstructed as to conform with the plans and specifications promulgated, recommended and approved by the state a copy of which is on file with the administrative supervisor.

*Sanitary Water Closet:* The term “sanitary water closet” shall be construed to mean any flush toilet which is properly connected with the city sewer or a septic tank of approved design.

*Septic Tank:* The term “septic tank” shall be construed to mean an underground cavity with watertight walls and floor into which flows the effluvia of sanitary water closets and from which the effluvia does not come to the surface of the ground but is absorbed by an arrangement of drain tile directly into the soil.  
(Code 1958, § 15-18)

**Cross reference**—Definitions and rules of construction generally, § 1-2.

### Sec. 19-23. Sanitary requirements.

Every residence and building in which human beings reside, are employed or congregated shall be required to have a sanitary method of disposing of human excrement, namely a sanitary water closet that is connected with the city sewer or an approved type of septic tank.

(Code 1958, § 15-19 Ord. No. 6701 6-19-67, § 9)

### Sec. 19-24. Connections with sewer required.

The owner of each lot or parcel of land within the city upon which lot or parcel of land any building or trailer used as a dwelling is now situated or shall hereafter be situated for either residential, commercial or industrial use shall connect or cause such building or buildings or trailer or trailers to be connected with the public sewer facilities of the municipal sewer system of the city and use such facilities within three months following notification by the administrative supervisor. To an owner with privately owned sewage facilities in actual use at the time of adoption of the ordinance from which this article was derived, such notification shall not be made until after the city shall have determined such facilities inadequate. All such connections shall be made in accordance with rules and regulations

which shall be adopted from time to time by the city commission, which rules and regulations shall provide for a charge for making any such connections in such reasonable amount as the commission may fix and determine. No connection or connections shall be required where the sewer system or line is more than 150 feet from such lot or parcel of land. (Code 1958, 23-4; Ord. No. 6701 6-19-67, § 2)

**Cross reference**—Buildings and building regulations, Ch. 6.

#### **Sec. 19-25. Connections may be made by city.**

If any such owner of any lot or parcel of land within the city shall fail and refuse to connect with and use the facilities of the sewer system of the city after notification by the administrative supervisor, as provided herein, then the city shall be authorized to make such connections, entering on or upon any such lot or parcel of land for the purpose of making such connection. The city shall thereupon be entitled to recover the cost of making such connection, together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition and as an alternative means of collecting such costs of making such connections, the city shall have a lien on such lot or parcel of land for such cost. The lien shall be of equal dignity with the lien of state and county and municipal taxes. Such lien may be foreclosed by the city in the same manner provided, by the laws of the state for the foreclosure of mortgages upon real estate. (Ord. No. 6701 6-19-67, § 4)

#### **Sec. 19-26. Unlawful construction.**

No person shall build or remodel or cause to be built or remodeled any structure used for human habitation or occupancy within the city which is within 300 feet of a public sanitary sewer line unless it is provided with water-carried sewerage facilities (Ord. of 6-19-67, § 7)

#### **Sec. 19-27. Disposal requirements.**

It shall be unlawful for any person owning or leasing any premises in the city to permit the disposal of any human excrement on any property leased or rented by any such person or the agent of any such person except in a sanitary water closet where sewage lines are available as defined above. (Code 1958, § 15-20; Ord. No. 6701 6-19-67, § 10)

#### **Sec. 19-28. Septic tank.**

No septic tank other than those approved by the state shall be constructed within the corporate limits of the city. (Code 1958, § 15-23; Ord. No. 6701 6-19-67, § 11)

#### **Sec. 19-29. Sanitary disposal devices required.**

Every residence and building in which human beings reside are employed or congregated shall be required to have a sanitary method of disposing of human excreta. Such method shall

be either a sanitary water closet that is connected with the city sewer or an approved type of septic tank or a sanitary pit privy.  
(Code 1958, § 15-19)

**Sec. 19-30. Failure to maintain plumbing system.**

(a) Failure to keep the sewer pipe, i.e. the pipe leading from the plumbing system to the city main, clean and maintained in a proper manner will give the city the right to cut off the water connection which shall not be reconnected until the sewer pipe is cleaned and maintained properly.

(b) In those instances where the owner has his own private water supply, the city shall have the right to cut off such water supply to the plumbing system, and the owner shall have no right to reconnect his own private water supply until the sewer pipe leading from the plumbing system to the city main has been maintained and cleaned and in proper condition.

(c) Any violation of this provision by reconnecting a private water supply or the connection from the city water main until such sewer pipes are cleaned and maintained properly shall be considered a violation of this article and subject to the penalties hereinafter provided.  
(Ord. No. 6701 6-19-67, § 15)

**Sec. 19-31. Application to leased and rented property; placing of other material in facilities.**

It shall be unlawful for any person owning or leasing any premises in the city to permit the disposal of any human excreta on any property leased or rented by any such person or the agent of any person, except in a sanitary water closet or a sanitary pit privy; It shall be unlawful to permit the disposal of any material in a sanitary pit privy other than human excreta and paper.  
(Code 1958, § 15-21)

**Sec. 19-32. Cost of installation.**

The cost of installing a sanitary water closet or a sanitary pit privy for the disposal of human excreta shall be borne by the owner of the property upon which the sanitary water closet or the sanitary pit privy is to be located.  
(Code 1958, § 15-22)

**Sec. 19-33. Nonconforming privies declared nuisance.**

All privies within the city not constructed or maintained in conformity with plans approved by the state and on file with the administrative supervisor shall be and they are declared to be a nuisance dangerous and injurious to the public health and shall be condemned and forthwith abated in accordance with the laws or ordinances of the city.  
(Code 1958, § 16-24)



**Sec. 19-34. City's right to remedy nuisance.**

The city shall have the right to make or have made such alterations and construction of those privies which are nuisances and make them sanitary, and all costs pertaining to such work shall be charged against the property owner.  
(Code 1958, § 15-25)

**Sec. 19-35. Duty to connect to city sewer.**

Where in any street or section of street there is constructed a public sewer for the purpose of carrying off sewage, the owner or owners of property abutting on or adjacent to or on the line of any or within 200 feet of any such sewer so constructed shall, within 30 days after being notified by the administrative supervisor, connect the house and buildings on such property with the public sewer in an approved manner.  
(Code 1958, § 15-26)

**Sec. 19-36. Sewer service charges; tapping charges.**

(a) The monthly charge for sewer service rendered by the municipal system is on file in the administrative supervisor's office. All occupants of premises connected to the municipal sewer mains shall be required to pay these charges.

(b) The cut-in or tap charge for each sewer service shall be on file in the administrative supervisor's office and shall be paid when the permit to connect to the sewer main is issued.  
(Code 1958, § 23-8)

**Sec 19-37. Special contracts**

No free service shall be rendered by the municipal water and sewer system. All users of the services of such system shall pay the charges as set and on file in the administrative supervisor's office. Users not falling within the rate classifications established shall be granted the services of the municipal system by special contract to be approved by the city commission. The rates provided in such special contract shall be consistent and proportionate with the other rate schedules, taking into account the special character of the use and service being afforded by the municipal system.  
(Code 1958, § 23-9)

**Sec. 19-38. Draining oil, greases, etc., into sanitary sewer system.**

(a) It shall be unlawful for any person to drain or divert, or cause to be drained or diverted, any quantity of lubricating oil or grease, whether in pure form or mixed in any proportion with water or other ingredients, into any part of the sanitary sewer system.

(b) It shall also be unlawful to maintain or connect drain pipes or conduits of any type from garages, grease and wash racks, filling stations or machine shops through which lubrication oils or lubricants may enter the sanitary sewer system.  
(Code 1958, § 23-11)

**Sec. 19-39. Reserved\***

[\*Editor's Note: Previous 19-39 "Turning Water On" moved to 19-68 under Article III of this Chapter, which more directly concerns water use regulations.]

**ARTICLE III. WATER**

**Division 1. Prohibition of Water Waste**

**Section 19-40. Prohibiting the Wasteful Use of Water.**

**(a) Purpose.**

The purpose of this section is to promote the efficient use of water by prohibiting water uses which constitute water waste. This Section encourages reasonable use of the water supply by eliminating all intentional or unintentional water waste when a reasonable solution is available and discouraging use of equipment which is wasteful.

**(b) Definitions.** For the purpose of this Ordinance, Water waste means:

(1) Water use in outdoor areas resulting in an excessive amount of runoff. which in the opinion of the Public Works Director or his designee, would reasonably be viewed as a waste of water. This would include, but not necessarily be limited to, irrigation systems which have broken components and or improperly adjusted spray heads resulting in a significant amount of water being applied to impervious surfaces; or

(2) Breaks or leaks in the water delivery system.

**(c) Prohibition of Water Waste.** It is the purpose of this Ordinance to require all inhabitants and persons within the City of Crescent City, Florida to not allow water waste.

**(d) Requirements for certain recirculation systems in new water services.** New water services shall be equipped with recycling or reuse systems for the following water service receiving equipment: evaporative cooling systems, decorative water fountains. conveyor car washes and industrial clothes washers.

**(e) Notice and Disconnection.** The Director of Public Works or his designee may issue a written warning to anyone who violates the provisions of this chapter. If a customer does not correct the violation within fifteen days of notification, or such other time as specified by the Director or his designee, the City may disconnect water service.

(Ordinance 07-19 10-01-07).

**Sections 19-41 through 19-55. Reserved**

## **Division 2. Connection, Rates and Usage**

### **Sec. 19-56. Connections with waterworks system.**

Where the city water system shall be available, the owner of every lot or parcel of land within the city shall connect or cause the plumbing of any building or buildings thereon to be connected with the municipal waterworks system of the city and use the facilities of such system. All such connections shall be made in accordance with the rules and regulations which shall be adopted from time to time by the city commission, which rules and regulations may provide for a charge for making any such connections in such reasonable amount as such commission may fix and determine.

(Ord. No. 6701 6-19-67; Ord. 1003 8-12-10)

### **Sec. 19-51. Rates.**

(a) Any user of the services of the waterworks system shall pay therefor charges or rates on file in the administrative supervisor's office.

(b) The city reserves the right to enter into contracts with large users of water and/or sewer service for the purpose of setting and determining a monthly charge or rate for the use of such services, which monthly rate or charge may be computed upon a different basis than set forth in subsection (a). Such contracts shall be entered into by means of resolution duly adopted by the city commission.

(Ord. No. 6701 6-19-67, § 5)

### **Sec. 19-58. Water connection charges; water service deposit; cut-off service charges.**

(a) Connection or tap charges include the tap to main water line, service line installed to property line, meter box, and meter installed one foot inside property line and are on file in the administrative supervisor's office.

(b) When a customer applies for water and sewer service, an application is signed, which is the contract covering service. The customer shall deposit with the city an amount on file in the administrative supervisor's office for residential meter service and commercial service as a guarantee of the payment of monthly statement.

(c) When a customer or the city orders service discontinued, the final statement is deducted from the amount of service deposit and the balance of the deposit is returned to the customer. The customer's deposit for meter service and guarantee payment of the monthly statement is entitled to no interest on the deposit.

(d) A service charge is made to cover the expense of setting up book records and the service call to the property to turn off the service contracted for.

(Code 1958, § 23-6)

**Sec. 19.59. Fire hydrant rental.**

In addition to the rates on file in the administrative supervisor's office, which rates shall apply in all ordinary municipal uses of the system, the city may require a standby or readiness-to-serve charge for each fire hydrant connected to the municipal system in the amount on file in the administrative supervisor's office.  
(Code 1958, § 28-7)

**Sec. 19.60 Water rates for private sprinkler system.**

In addition to the rates as provided herein, users having sprinkler systems for fire protection which are connected to the municipal system shall pay an annual standby or readiness-to-serve charge for each such system in the amount on file in the administrative supervisor's office.  
(Code 1958, § 23-10)

**Sec. 19.61. Cross connections between city and private water systems.**

No cross connections between the city water supply system and any other water supply will be allowed unless properly protected. No connection capable of causing backflow between the city water supply system and any plumbing fixture, device or appliance, or any waste outlet or pipe for direct connection to waste drains will be permitted. If the consumer or owner of the connection fails or refuses to break or properly protect the connection, the city shall discontinue service by making a definite break in the service pipe until the connection has been properly broken or protected. Any cross connections now installed or hereafter installed must be approved by the city water department.  
(Code 1958, § 23-12)

**Sec. 19-62. Meddling with waterworks equipment or outlets.**

It shall be unlawful for any person, not an authorized employee of the water department or the city fire department, to in any way tamper with or open fire hydrants, gate valves or to tamper in any way with the waterworks equipment, signals, etc. It shall also be unlawful for anyone, not an authorized employee of the water department, to tamper with or remove shutoff boxes or meter boxes, and to tamper with or use service shutoff cock, except in case of accident to the piping necessary repairs.  
(Code 1958, § 23-14)

**Sec. 19-63. Use of steam boilers; check valves or service pipes.**

Any person using water from the city water mains for steam boilers or hot water plants of any kind will do so at his own risk. Service pipe for such purpose must have a suitable check valve placed in the water line to prevent hot water backing into water mains. This valve must be placed with approval of the superintendent or inspector of the water department. Any damage that may occur to the meter due to defective valves shall be charged to the consumer.  
(Code 1958, § 23-15)

**Sec. 19-64. Right of entry of water department employees.**

The superintendent of the water department, or any person authorized by him, shall have access at any reasonable hour of the day to any premises served by the water department, for inspection of piping and fixtures or for reading of meters.  
(Code 1958, § 23-16)

**Sec. 19-65. Fee for water used in construction—Residential buildings.**

Any property owner who builds or who causes to be built upon his land a building used strictly for residential purposes shall pay the sum on file in the administrative supervisor's office for water used for such construction.  
(Code 1958, § 23-17)

**Sec. 19-66. Same—Commercial buildings.**

Any property owner who builds or who causes to be built upon his land a building used strictly for commercial purposes shall pay the sum on file in the administrative supervisor's office for water used for such construction.  
(Code 1958, § 23-18)

**Sec. 19-67. Same—Residential and commercial building.**

My property owner who builds or who causes to be built upon his land a building used strictly for residential and commercial purposes shall pay the sum on file in the administrative supervisor's office for water used for such construction.  
(Code 1958, § 23-19)

**Sec. 19-68. Turning water on.**

It shall be unlawful for any person not an authorized employee of the water department to turn on the water for any person for any reason. Persons wanting water turned on shall sign an application for service at the water department office and make a deposit of the minimum meter service charge on file in the administrative supervisor's office. Water will then be turned on by an authorized employee within a reasonable time.  
(Code 1958, § 23-13)

**Secs. 19-69—19-85 Reserved.**

## **ARTICLE IV. WATER AND SEWER BILLING**

### **Sec. 19-86. Separate connections for each separate unit.**

Each residential unity whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the billing of the water fees and the sewage disposal fees, and separate connections and meters will be required for each of such units.

(Ord. No. 6701 6-19-67, § 17)

### **Sec. 19-87. Payment of fees and bills required.**

Bills for the monthly charges and fees for water and sewer service hereinbefore mentioned shall be submitted and shall be payable on the 1<sup>st</sup> day of each month. If such monthly bill shall be and remain unpaid on and after the 22<sup>nd</sup> calendar day of such month, a penalty of 1.5% shall be imposed and be added to said bill; and if said bill shall remain unpaid at the end of such month, the water service to the customer shall be subject to discontinuance and shall not be re-connected after discontinuance until all past due water bills and sewage disposal fees are fully paid, together with said penalty of 1.5% and any additional deposits that may be required under Section 19-\_\_\_. Such discontinued accounts that are not reestablished within three (3) business days shall be closed and the full amount of any deposit on the account shall be applied to the balance due. The City shall take whatever actions may be available at law or in equity that it deems necessary and appropriate to collect the outstanding balance, including but not limited to referring the account to private collection agency and/or placing utility liens on the property served by the delinquent account.

(Code 1958, § 23-8; Ord. No. 6701 6-19-67, § 13; Ord. No. 8914, § 1, 1-11-90; Ord. No. 9218, § 1, 6-11-92; Ord. No. 9303, § 1, 4-8-93; Ord. No. 9401, § 1, 6-9-94; Ord. No. 1003 8-12-10)

### **Sec. 19-88. Collection of sewer fees where owner has private water supply.**

Where sewage disposal fees are not paid within thirty (30) days after due date as outlined above, in those instances where the owner has his own private water supply, the city shall have a right to cut off such water supply to the plumbing system, and the owner shall have no right to reconnect his own private water supply until the sewage disposal fees shall have been paid in full. Any violation of this provision by reconnecting his private water supply, until such sewage disposal fees are paid in full, shall be considered a violation of this ordinance and subject to the penalties hereinafter provided.

(Ord. No. 6701 6-19-67, § 14; Ord. No. 8914, § 1, 1-11-90; Ord. No. 9218, § 1, 6-11-92; Ord. No. 9303, § 1, 4-8-93; Ord. No. 9401, § 1, 6-9-94)

### **Sec. 19-89. No free service.**

No water or sewage disposal service shall be furnished or rendered free of charge to any person, firm or corporation whatsoever; and the city and each and every agency, department or instrumentality which uses either or both such service shall pay therefor at the rates fixed by this chapter.

(Ord. No. 6701 6-19-67, § 16)

**Sec. 19-90. Contract for services.**

Every user of the water and/or sewer facilities is required to enter into a contract with the city covering such service and the payment of charges therefor. The city attorney is instructed to prepare a form of contract suitable for this purpose. The failure of any such user to execute such contract shall not exempt such user from liability for the rates and charges hereinafter provided.  
(Code 1958, § 23-5)

**Secs. 19-91—19-106. Reserved.**

**ARTICLE V. GAS**

**Sec. 19-107. Management.**

The City Commission shall have the general management and control of the natural gas system and facility and shall have the authority to hire a gas manager, whose salary shall be set by the city commission.  
(Ord. of 9-22-62; Ord. of 11-14-74)

**Sec. 19-108. Billing and Discontinuance of Service.**

Bills for the monthly charges and fees for natural gas service hereinbefore mentioned shall be submitted and shall be payable on the 1<sup>st</sup> day of each month. If such monthly bill shall be and remain unpaid on and after the 22<sup>nd</sup> calendar day of such month, a penalty of 1.5% shall be imposed and be added to said bill; and if said bill shall remain unpaid at the end of such month, the natural gas service to the customer shall be subject to discontinuance and shall not be re-connected after discontinuance until all past due natural gas bills are fully paid, together with said penalty of 1.5% and any additional deposits that may be required under Section 5. Such discontinued accounts that are not reestablished within three (3) business days shall be closed and the full amount of any deposit on the account shall be applied to the balance due. The City shall take whatever actions may be available at law or in equity that it deems necessary and appropriate to collect the outstanding balance, including but not limited to referring the account to private collection agency or placing and enforcing utility liens on the property served by the delinquent account.  
(Ord. of 9-22-62; Ord. of 11-14-74; Ord. No. 8909, 10-19-89; Ord. No. 8913, 1-11-90; Ord. No. 9305, 4-8-93; Ord. No. 1006, 11-11-10)

**Sec. 19-109. Reserved**

**Sec. 19-110. Free service prohibited.**

No person shall be allowed to use natural gas from the system or facility without payment for such gas in accordance with the rate schedule on file in the administrative supervisor's office.  
(Ord. of 9-22-62; Ord. of 11-14-74)

### **Sec 19-111 Contract for service**

Every user of natural gas is required to enter into a contract with the city covering such service and the payment of charges therefore. The failure of any such user to execute such contract shall not, however, exempt such user from liability for the rates and charges hereinafter provided.

(Ord. of 9-22-62; Ord. of 11-14-74, § 5)

### **Sec. 19-112. Natural gas rates, connection charges, deposits and service calls.\***

The schedule of monthly rates for natural gas supplied by the natural gas facility to users is on file in the administrative supervisor's office.

(Ord. of 11-14-74, § 6)

**\*Editor's Note:** The Chapter 19 Appendix contains the rates, fees and charges for natural gas services in effect as of the last update to this unified code. Rates, fees and charges are subject to adjustments by ordinance or resolution as provided for under this Chapter and pursuant Home Rule Powers. Please check with City Hall for most current rates, fees and charges.

### **Sec. 19-113. Qualified Natural Gas Contractors and Installation of Piping and Appliances.**

(a) All gas piping on the natural gas system and all installation of appliances on the natural gas system shall be done only by qualified persons licensed with the Florida Department of Business and Professional Regulations or the Florida Department of Agriculture and Consumer Services, and such work shall be in accordance with the Florida Building Code.

(b) The gas department shall be notified of such work in advance, and such work shall be inspected and approved by the gas department or agent thereof at its completion.

(Ord. of 11-14-74; Ord. No. 1006, 11-11-10)

### **Sec. 19-114. Connections.**

(a) In addition to the hourly rates for service calls outlined in Section 5.c above, the Department may recover a per-foot charge for the construction of a service line measured from the natural gas main to the user's meter. Crescent City Natural Gas Department does not normally perform any pipe or new appliance installations on the customer's side of the gas meter. However, where the Administrative Supervisor, after consultation with the Gas Manager, determines that it is in the best interest of Crescent City Natural Gas and the customer, the Natural Gas Department may enter a contract with the property owner to perform installation work on the customer's side of the meter. The user must pay for all actual material and labor required to complete the work.

(b) When a user applies for natural gas service, an application shall be signed, which is the contract covering service.



(Ord. of 11-14-74; Ord. No. 9102, 2-14-91; Ord. 1006, 11-11-10)

**Sec. 19-115. Disconnection.**

When a user or the city orders service discontinued, the final statement shall be deducted from the amount of service deposit; and the balance of deposit shall be returned to the user. The user's deposit for service and guarantee payment of monthly statement is entitled to no interest.

(Ord. of 9-22-62, § 6(e); Ord. of 11-14-74, § 6(e))

**Sec. 19-116. Authority to turn on gas.**

Only authorized persons may turn on gas. It shall be unlawful for any person not an authorized employee of the gas department to turn on gas for any person for any reason.

(Ord. of 9-22-62, § 7; Ord. of 11-14-74)

**Sec. 19-117. Tampering with meters or system.**

It shall be unlawful for any person not authorized to do so to in any way tamper or meddle with any gas meter or any equipment of the gas system or facility.

(Ord. of 9-22-62, § 8; Ord. of 11-14-74)

**Sec. 19-118. Inspection.**

The City Natural Gas department shall have access at any reasonable hour of the day to any premises served by the gas system or facility for inspection of piping and fixtures or for reading meters. The Natural Gas Department employees shall be allowed access to any premises served by the natural gas system at any time of the day or night to address emergency repair issues.

(Ord. of 9-22-62, § 9; Ord. of 11-14-74)

**Secs. 19-119---19-135. Reserved.**

## ARTICLE VI. WELLS

### **Sec. 19-136. Wells for household water prohibited.**

It shall be unlawful for any citizen of the city to drill or sink a well within the city limits for household use.

(Ord. of 7-8-64, §1)

**Cross reference**—Housing, Ch. 11.

### **Sec. 19-137. Wells for irrigation permitted.**

Nothing contained in this article shall prevent any citizen from drilling a well for irrigation and/or recreation purposes provided a permit be obtained from the city for that purpose.

(Ord. of 7-8-64, § 2)

**Cross reference**—Deposit of cost for notice required for application for any permit, § 2-1.

### **Sec. 19-138. Permit required.**

All persons who shall drill a well within the corporate limits of the city shall before drilling such well obtain a permit from the city and pay a fee on file in the administrative supervisor's office. The city shall furnish a copy of such permit to the state.

(Ord. of 10-11-61, § 1)

### **Secs 19-139—19-150 Reserved**

## ARTICLE VII. WELLHEAD PROTECTION\*

### **Sec. 19-151. Short title.**

This article shall be known and may be cited as the Crescent City Wellhead Protection Ordinance.

(Ord. No. 9214, § 1, 12-10-92)

### **Sec. 19-152. Relationship to the comprehensive plan.**

This article implements and furthers the intent of the following policies of the comprehensive plan:

(1) Future land use element:

Policy A.1.4.2

(2) Public facilities element:

Policy D.1.5.5

Policy D.2.3.1

(3) Conservation element:

Policy E.1.2.13

(Ord. No. 9214, § 2, 12-10-92)

**Cross reference**—Comprehensive plan adopted, § 15-40.

**\*Editor note**—Ord. No. 9214, adopted Dec. 10, 1992, effective Dec. 20, 1992, did not specifically amend this Code; hence, inclusion of §§ 1—9 as Ch. 19, Art. VII, §§ 19-151—19-159, was at the discretion of the editor.

**Sec. 19-153. Intent and purpose.**

(a) Groundwater is the principal source of fresh water for public supply, rural, industrial and agricultural purposes in Florida. In 1985, the state's average groundwater withdrawals totaled over four billion gallons per day. Approximately 92 percent of the state's population depends upon underground sources of water for its drinking water supply with approximately 20 percent of the population drinking untreated well water drawn directly from private wells.

(b) Groundwater can become contaminated by many hazardous materials, such as pesticides, fertilizers, organic compounds and human waste. The degree of potential contamination depends upon soil characteristics, contamination characteristics, groundwater flow, and other factors. Porous soils, such as sand, located over shallow aquifers generally are quite susceptible to contamination while deep aquifers overlain by heavy clay soils are less susceptible.

(c) There are many potential sources for groundwater contamination. Spills and ruptures from storage tanks can rapidly introduce dangerous pollutants into the aquifer. Slower leaks and non-point discharges from many sources along with regular infusion of septic tank effluent and contaminated stormwater runoff also can accumulate and eventually contaminate the aquifer.

(d) While the federal government through the Environmental Protection Agency and Department of Environmental Regulation administers numerous programs relating to ground water protection, it is the local government using the police power established by the Tenth Amendment of the U.S. Constitution, that is able to exercise greatest direct influence in groundwater protection through zoning, subdivision and other ordinances. This article is established to provide such influence.

(e) This article is intended to safeguard the public health, safety and welfare by providing for a cone of influence around wells serving the public, establishing permitted land uses within a well-field cone of influence and providing for the closure of unused wells.

(Ord. No. 9214, § 3, 12-10-92)

**Sec. 19-154. Area of jurisdiction.**

The provisions of this article relate to all potable water supplies which are listed with the department of environmental regulation (DER) as serving the public, i.e., a potable water

system supplying water regularly to at least 15 connections or to at least 25 persons for a least 60 days per year. This definition includes all potable water systems serving residential communities as well as industrial, commercial and recreational systems which supply potable water to employees, customers and/or the public.  
(Ord. No. 9214, § 4, 12-10-92)

**Sec. 19-155. Findings of fact.**

(a) F.S. § 163.3202(2)(c) requires that local governments adopt land development regulations which “provide for protection of potable water well-fields” within one year after submission of their revised comprehensive plans.

(b) Local land development regulations shall contain specific and detailed provisions necessary nr desirable to implement the adopted comprehensive plan.

(c) The city wishes to protect the public health, safety, and welfare of the residents and visitors to the city.

(d) The city held public hearings on and accepted public comment, made revisions and found this article to be consistent with and further the intent of the comprehensive plan.  
(Ord. No. 9214; § 5, 12-10-92)

**Sec. 19-156. Designation of wellhead protection zones.**

Criteria on which protection zone delineation can be based include distance, drawdown of water table, water travel time within the aquifer, flow system boundaries and the capacity of an aquifer to assimilate contaminants. The distance criterion defines a protection zone by establishing a radius measured from a wellhead out to a particular distance. This distance would be known as the zone of influence (ZOI) or cone of depression.

(a) *Well-field Arbitrary Fixed Radii Zone:* The extent of the cone of influence for the well located in the city is not known. As an interim measure, pending calculations of an exact radius, public water well-fields shall be protected from adverse impacts of development by requiring a 100-foot arbitrary fixed buffer of nonpolluting land uses radii zone around each wellhead as described in the SJRWMD publication “Guide to Groundwater Protection in Florida,” Volume 1, October 1990 page 55. This radius should be sufficient as an interim measure to protect the wellhead from polluting sources pending the availability of soil, flow and aquifer drawdown data from the St. Johns River Water Management District.

(b) *Calculated Fired Radius:*

(1) When the city acquires sufficient data from the water management district, it shall conduct an analysis to achieve a calculated fixed radius for potable water well located within the city This method is drawn with radii calculated under a volumetric formula, based on time of travel (TOT) in terms of the amount of time it would take a contaminant discharged to the land surface to reach the point of withdrawal. Though relatively simple and inexpensive to calculate, this method

of delineation will provide a more accurate determination of the area around the wellhead that must be protected from potential pollutants to ensure the health and safety of the community.

(2) Upon determination of the calculated fixed radius wellhead protection zone, the city shall prepare and make available to the public a wellhead protection zone map.

(c) *Coordination with the St. Johns River Water Management District:* The city shall utilize the expertise of the SJRWMD to acquire data pertaining to aquifer porosity of strata within the probable wellhead protection zone.

(Ord. No. 9214, § 6, 12-10-92)

### **Sec. 19-157. Wellhead protection management strategy**

(a) *Limiting Permitted Land Uses:*

(1) Public water well-fields shall be protected from adverse impacts of development by requiring a 100-foot arbitrary fixed buffer of non-polluting land uses radii zone around each wellhead as described in the SJRWMD publication “Guide to Groundwater Protection in Florida,” Volume I, October 1990, page 55.

(2) Nonpolluting land uses shall include recreation and conservation land uses, low- and medium-density residential land use and commercial or government land uses that do not, in their operations, produce, store, use nor sell toxic materials as defined in SARA Title III (consolidated list of hazardous materials).

(3) Any nonconforming land use located within 100 feet of a well serving the public will not be permitted to expand or be improved and will be phased out upon change of ownership.

(4) When sufficient data are provided by the SJRWMD to more accurately calculate appropriate buffer zones around wellheads based upon time of travel (TOT), these 100-foot zones shall be expanded or contracted as the calculation may dictate.

(5) Should later calculations of zones of influence or zones of contribution by the water management district find that cones of influence for wells within the city are greater or less than 100 feet, the plan shall be amended through procedures identified in F.S. 163, to reserve land use in an amount appropriate to adequate protection as defined by the water management district.

(b) *Upgrading Design Standards for In-Place Nonconforming Land Uses:* Potentially polluting land uses already in place within a zone of influence prior to the adoption date of this ordinance [December 10, 1993] shall be considered to be a nonconforming land use. Such land uses will be required to upgrade facilities or be phased out of polluting activities within five years of this article’s adoption date. Upgrading shall include:

- (1) Parking lot runoff must be retained in a collection system and storage basin.
- (2) Aboveground storage tanks shall be surrounded by a containment area to hold storage tank contents in case of leakage.
- (3) Underground tanks shall have a monitoring well.
- (4) All storage tanks shall be equipped with monitoring and alarm systems to guard against spillage from over filling.

(Ord. No. 92-14, § 7, 12-10-92)

### **Sec. 19-158. Definitions.**

*Aquifer:* A formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield sufficient, economical quantities of water to wells and springs; rock or sediment in a formation, group of formations, or part of a formation that is saturated and sufficiently permeable to transmit economic quantities of water to wells and springs.

*Arbitrary Fixed Radii:* Circles with specified radii having no scientific basis normally drawn around well or well-fields.

*Calculated Fixed Radii:* Circles around wells or well-fields drawn with radii calculated under a formula based upon time of travel under specific conditions.

*Cone of Depression:* See “Zone of Influence.”

*Groundwater:* That part of the subsurface water that is in the saturated zone; the water contained in interconnected pores located below the water table in an unconfined aquifer or located in a confined aquifer.

*Potable water:* Suitable for human consumption as drinking water.

*Recharge Area:* Area in which water reaches the zone of saturation by surface infiltration; an area in which there are downward components of hydraulic head in the aquifer; infiltration moves downward into the deeper parts of an aquifer in a recharge area.

*Stormwater runoff:* That part of precipitation flowing to surface streams; the total amount of water flowing in a stream; it includes overland flow, return flow, interflow, and baseflow.

*Time of Travel (TOT):* The time required for a contaminant to move in the saturated zone from a specific point to a well.

*Zone of Influence (ZOI):* The area surrounding a pumping well within which the water table or potentiometric surfaces have been changed due to groundwater withdrawal.

(Ord. No. 9214, § 8, 12-10-92)

**Cross reference**—Definitions and rules of construction, § 1-2.

**Sec. 19-159. Enforcement.**

This article shall be administered and enforced by the administrative supervisor, who shall have the following powers and duties:

(a) Investigate complaints, study and observe conditions of pollution or potential pollution and make recommendations to the city commission for action necessary to abate the polluting situations

(b) With approval of the city commission, coordinate with the city attorney to prosecute any violation of this article

**Secs 19-160—19-170 Reserved.**

**ARTICLE VIII. CROSS-CONNECTION CONTROL\***

**DIVISION 1. GENERAL POLICY**

**Sec. 19-171. Purpose.**

The, purpose of this article is to:

(a) Protect the public potable water supply of the city from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the customer's private water system(s) such contaminants or pollutants that could backflow into the public water system;

(b) Promote the elimination or control of existing cross-connections, actual or potential, between the customer's in-plant potable water system(s) and nonjotable water systems, plumbing fixtures, and industrial piping systems; and

(c) Provide for the maintenance of a continuing program of cross-connection control that will systematically and effectively prevent the contamination or pollution of all potable water systems.

(Ord. No. 9709, § 1, 7-10-97)

**Sec. 19-172. Responsibility.**

The public works director shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgment of said public works director an approved backflow-prevention assembly is required (at the customer's water service connection; or, within the customer's private water system) for the

safety of the water system, the public works director or his designated agent shall give notice in writing to said customer to install such an approved backflow-prevention assembly(s) at specific location(s) on his/her premises. The customer shall immediately install such approved assembly(s) at his/her own expenses; and, failure, refusal, or inability on the part of the customer to install, have tested, and maintain said assembly(s) shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

(Ord. No. 9709, § 1, 7-10-97)

**\*Editor's note**—Ord. No. 9709, § 1, adopted July 10, 1997, did not specifically amend the Code; hence inclusion herein as a new Art. VIII was at the editor's discretion.

**Secs. 19-173—19-180. Reserved.**

## DIVISION 2. DEFINITIONS

### **Sec. 19-181. Definitions.**

*Approved.* Accepted by the authority responsible as meeting an applicable specification stated or cited in this article or as suitable for the proposed use.

*Auxiliary water supply.* Any water supply on or available to the premises other than the purveyor's approved public water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s), such as a well, spring, river, stream, harbor, and so forth; used waters; or industrial fluids. These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

*Backflow.* The undesirable reversal of flow in a potable water distribution system as a result of a cross-connection.

*Backflow preventor.* An assembly or means designed to prevent backflow.

*Air gap.* The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water or waste to a tank, plumbing fixture, receptor, or other assembly and the flood level rim of the receptacle. These vertical, physical separations must be at least twice the diameter of the water supply outlet, never less than one (1) inch (twenty-five (25) millimeters).

*Double check valve assembly.* The approved double check assembly consists of two (2) internally loaded check valves, either spring loaded or internally weighted, installed as a unit between two (2) tightly closing resilient-seated shutoff valves and fittings with properly located resilient-seated test cocks. This assembly shall only be used to protect against a non-health hazard (that is, a pollutant).

*Reduced-pressure backflow prevention assembly.* The approved reduced-pressure principal backflow-prevention assembly consists of two (2) independently acting approved



check valves together with a hydraulically operating, mechanically independent pressure differential relief valve locate between the check valves and below the first check valve. These units are located between two tightly closing resilient-seated shutoff valves as an assembly and equipped with properly located resilient-seated test cocks.

*Backpressure.* A pressure, higher than the supply pressure, caused by a pump, elevated tank, boiler, or any other means that may cause backflow.

*Back siphonage.* Backflow caused by a negative or reduced pressure in the supply piping.

*Contamination.* An impairment of a potable water supply by the introduction, or admission of any foreign substance that degrades the quality and creates a health hazard.

*Cross-connection.* A connection or potential connection between any part of a potable water system and any other environment containing other substances in a manner that, under any circumstances would allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids, such as chemicals, waste products, steam, water from other sources (potable or non-potable), or any matter that may change the color or add odor to the water.

*Cross -connection control by containment.* The installation of an approved backflow-prevention assembly at the water service connection to any customer's premises, where it is physically and economically unfeasible to find and permanently eliminate or control all actual or potential cross-connections within the customer's water system; or it shall mean the installation of an approved backflow-prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross-connections that cannot be effectively eliminated or controlled at the point of the cross-connection.

*Cross-connections-Controlled.* A connection between a potable water system and a non-potable water system with an approved backflow-prevention assembly property installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

*Hazard, degree of.* The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

*Hazard—Health.* A cross-connection or potential cross-connection involving any substance that could, if introduced in the potable water supply, cause death, illness, spread disease, or have a high probability of causing such effect.

*Hazard—Non-health.* A cross-connection or potential cross-connection involving any substance that generally would not be a health hazard but would constitute a nuisance or be aesthetically objectionable, if introduce into the potable water supply.

*Hazard—Plumbing.* A plumbing-type cross-connection in a customer’s potable water system that has not been properly protected by an approved air gap or an approved backflow-prevention assembly.

*Hazard—System.* An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer’s potable water system or of a pollution or contamination that would have a protracted effect on the quality of the potable water in the system.

*Industrial fluids system.* Any system containing a fluid or solution that may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration, such as would constitute a health, system, pollution, or plumbing hazard, if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of process waters and used waters originating from the public potable water system that may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis; circulating cooling waters connected to an open cooling tower; and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters, such as wells, streams, rivers, bays, harbors, seas, irrigation canals or systems, and so forth; oils, gases, glycerin, paraffin’s, caustic and acid solutions, and other liquid and gaseous fluids used in industrial or other purposes for fire-fighting purposes.

*Pollution.* The presence of any foreign substance in water that tends to degrade its quality so as to constitute a non-health hazard or impair the usefulness of the water.

*Public works director* The public works director is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this article.

*Service connection.* The terminal end of service connection from the public potable water system, that is, where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer’s water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter or backflow-prevention assembly located at the point of delivery to the customer’s water system.

*Water—Potable.* Water that is safe for human consumption as described by the public health authority having jurisdiction.

*Water—Non-potable.* Water that is not safe for human consumption or that is of questionable quality.

*Water—Used.* Any water supplied by a water purveyor from a public potable water system to a consumer’s water system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.  
(Ord. No. 9709, § 1, 7-10-97)

**Secs. 19-182—19-190. Reserved.**

**DIVISION 3. REQUIREMENTS**

**Sec. 19-191. Water system.**

(a) The water system shall be considered as made up of two (2) parts: the utility system and the customer system.

(b) Utility system shall consist of the source facilities and the distribution system, and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.

(c) The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.

(d) The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

(e) The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system that are utilized in conveying utility-delivered domestic water to points of use.

(Ord. No. 9709, § 1, 7-10-97)

**Sec. 19-192. Policy.**

(a) No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state laws and regulations and this article. Service of water to any premises shall be discontinued by the water purveyor if a backflow-prevention assembly required by this article is not installed, tested, and maintained, or if it is found that a backflow-prevention assembly has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

(b) The customer's system should be open for inspection at all reasonable times to authorized representatives of the city to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the public works director shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with state/provincial and city statutes relating to plumbing and water supplied and the regulations adopted pursuant thereto.

(c) An approved back-flow prevention assembly shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but in all cases, before the first branch line leading off the service line wherever the following conditions exist:

(1) In the above case of premises having an auxiliary water supply that is not or may not be of safe bacteriological or chemical quality and that is not acceptable as an additional source by the public works director, the public water system shall be protected against backflow-prevention assembly in the service line, appropriate to the degree of hazard.

(2) In the case of premises on which any industrial fluids or any other objectionable substances are handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow-prevention assembly in the service line, appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system that have been subject to deterioration in quality

(3) In case of premises having (1) internal cross-connections that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross- connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow-prevention assembly in the service line.

(d) The type of protective assembly required under subsections (c)( 1) through (3) above, shall depend upon the degree of hazard that exists as follows:

(1) In case of any premises where there is an auxiliary water supply as stated in subsection (c)( 1) above, and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow-prevention assembly.

(2) In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced in to the public water system, the: public water system shall be protected by an approved double check valve assembly

(3) In the case of any premises where there is any material dangerous to health that is handled such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow-prevention assembly Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plants.

(4) In the case of any premises where there are “uncontrolled” cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow-prevention assembly at the service connection.

(5) In the case of any premise where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air-gap separation or any approved reduced- pressure principle backflow-prevention assembly on each service to the premises.

(6) In the case of any premises where, in the opinion of the public works director, an undue health threat is posed because of the presence of extremely toxic substances, the public works director may require an air gap at the service connection to protect the public water system. This requirement will be at the discretion of the public works director and is dependent on the degree of hazard.

(e) Any backflow-prevention assembly required herein shall be a model and Size approved by the public works director. The term “approved backflow-prevention assembly” shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association titled:

AWWA C510-89—Standard for Double Check Valve Backflow-Prevention Assembly  
AWWA C511-89—Standard for Reduced-Pressure Principle Backflow-Prevention Assembly

and have met completely the laboratory and filed performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established by: “Specification of Backflow-Prevention Assemblies” Sec. 10 of most current issue of the Manual of Cross-Connection Control. Said AWWA and FCCHR standards and specification have been adopted by the public works director. Final approval shall be evidenced by a “certificate of approval” issued by an approved testing laboratory certifying full compliance with said AWWA standards and FCCHR specifications. Backflow preventor’s that may be subjected to backpressure or back-siphonage that have been fully tested and have been granted a certificate of approval by said qualified laboratory and are listed on the laboratory’s current list of approved backflow-prevention assemblies may be used without further testing or qualification.

(f) It shall be the duty of the customer-user at any premises where backflow-prevention assemblies are installed to have certified inspections and operational tests made at least once per year. In those instances where the public works director deems the hazard to be great enough, certified inspections may be required at more frequent interval. These inspections and tests shall be at the expense of the water user and shall be performed by the assembly manufacturer’s representative, water department personnel, or by a certified tester approved by the public works director. It shall be the duty of the public works director to see that these test are made in a timely manner. The customer-user shall notify the public works director in advance when the tests are to be undertaken so that the customer-user may witness the tests if so desired. These assemblies shall be repaired, overhauled, or replaced at the expense of the customer-user whenever said assemblies are found to be defective. Records of. such test, repairs, and overhaul shall be kept and made available to the public works director.

(g) All presently installed backflow-prevention assemblies that do not meet, the requirements of this section but were approved assemblies for the purpose described herein at the time of installation and that have been properly maintained, shall, except for the inspection and maintenance requirements under subsection (1) above, be excluded from the requirements of these rules so long as the public works director is assured that they will satisfactorily protect the utility system. Whenever the existing assembly is moved from the present location, requires more than minimum maintenance, or when the public works director finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow-prevention assembly meeting the requirements of this section. (Ord. No. 9709, § 1, 7-10-97)

**Chapter 19 Appendix**  
**Rates, Fees and Charges\* for Water, Waste Water and Natural Gas**  
**Utilities**

**\*Rates, fees and charges subject to adjustments by ordinance or resolution as provided for under Chapter 19 of the Code of Ordinance and pursuant Home Rule Powers. Please check with City Hall for most current rates, fees and charges.**

**Part I – Water and Sewer Rates, Fees and Charges**

**A. DEPOSITS:**

- (1) Residential Deposit - \$ 75.00
- (2) Residential Rental Deposit - \$150.00
- (3) Irrigation Only Deposit - \$ 75.00
- (4) Commercial Deposit - \$100.00
- (5) Multi-user landlord Account – Minimum charge per unit plus coverage

Deposit requirements apply to accounts opened or reopened after the effective date of this Ordinance. If service for any customer is cut off for non-payment, prior to reopening the account, the customer shall be required to increase his or her deposit to an amount equal to two times average monthly bill for that water and wastewater account. The average bill shall be measured using the 12 month period immediately preceding cessation of services or the length of time as a customer at the location being served, whichever is less. All deposit requirements shall be paid prior to establishing or reestablishing service and they shall not be billed or otherwise carried as an obligation to the City.  
(Ordinance 10-03)

**B. MONTHLY WATER RATES AND CONNECTION CHARGES:**

**(1) STANDARD RATES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL**

First 3,000 Gallons	\$ 19.46 Minimum Bill
Up to 5,000 Gallons	2.16 per Thousand
Up to 9,000 Gallons	2.70 per Thousand
Up to 15,000 Gallons	3.24 per Thousand
Up to 20,000 Gallons	3.79 per Thousand
Over 20,000 Gallons	4.32 per Thousand

**(2) STANDARD RATES FOR IRRIGATION:**

First 3,000 Gallons	\$ 19.46 Minimum Bill
Up to 5,000 Gallons	2.16 per Thousand
Up to 9,000 Gallons	2.70 per Thousand
Up to 15,000 Gallons	3.24 per Thousand

Up to 20,000 Gallons	3.79 per Thousand
Over 20,000 Gallons	4.32 per Thousand

(3) STANDARD RATES FOR MULTI-USERS WITH COMMON METERS:

First 3,000 Gallons	\$ 19.46 Minimum Bill
Up to 5,000 Gallons	2.16 per Thousand
Up to 9,000 Gallons	2.70 per Thousand
Up to 15,000 Gallons	3.24 per Thousand
Up to 20,000 Gallons	3.79 per Thousand
Over 20,000 Gallons	4.32 per Thousand

(4) RESIDENTIAL, COMMERCIAL AND INDUSTRIAL WATER RATES FOR USERS LOCATED BEYOND THE CORPORATE LIMITS

125% of the applicable Standard Rate.

(5) WATER CONNECTION CHARGES

i. Water Meter Installation	3/4 inch meter	\$400.00
	1.0 inch meter	\$450.00
	1.5 inch meter	\$775.00
	2.0 inch meter	\$875.00
	4.0 inch meter	Cost Basis
	6.0 inch meter	Cost Basis
ii. Hydrant Meter:	\$1,000.00 deposit, plus \$10.00/day	
iii. Extension or Expansion of Service		Cost basis

(Ordinance 10-03)

C. MONTHLY SEWER RATES AND CONNECTION CHARGES

(1) STANDARD RATES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL:

Minimum Rate Each Residence and Apartment	\$ 41.09
Minimum Rate Commercial	\$ 48.66 or an amount equal to 100% of the water bill for that month, whichever is greater.
Minimum Rate Industrial (meter required)	\$ .0216/Gallon



(2) RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER RATES FOR USERS LOCATED BEYOND THE CORPORATE LIMITS:

125% of the Standard Rates.

(3) SEWER CONNECTION CHARGES

- |   |            |
|---|------------|
| i. New Cut in Charge (to existing service line) | \$500      |
| ii. Extension or Expansion of Service           | Cost Basis |

(Ordinance 10-03; Ordinance 14-05)

D. RATES SHALL ANNUALLY FOLLOW THE CONSUMER PRICE INDEX

- (1) All charges for water and sewer rates provided by this Ordinance, including required deposits, may be adjusted annually with the percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers – South Class Size D – All Items as published by the U.S. Department of Labor, if approved by a resolution of the City Commission of Crescent City, Florida.
- (2) The adjusted rate will be applied to all billings beginning the 1<sup>st</sup> day of October of each year.
- (3) The percentage charge in the consumer price index will be applied to the water and sewer charges as follows:
  - a. Multiply the percent change in the Consumer Price Index from October 1<sup>st</sup> through September 30<sup>th</sup> of the preceding fiscal year times the existing water and sewer rates.
  - b. Add the product to the existing water and sewer rates and round to the nearest even cent.

(Ordinance 10-03)

E. OTHER SERVICE CHARGES

- (1) Service Calls.
  - a. Repair or maintenance to the customer's plumbing system as defined in Section 12 of this Ordinance is the customer's responsibility and shall be completed by a licensed plumber. To the extent that City Utility personnel may be used in response to a call for service to the customer's plumbing system as defined in Section 12 of this Ordinance, the customer shall be charged a \$50.00 fee for the first hour of a service call. The hour is defined to include the timeframe from when a service call is

made, including transportation to the service call, until the service call is completed. This shall serve as the minimum fee charged regardless the length of the service call.

b. All subsequent hours following the first, to be defined as labor, shall be charged at a rate of \$37.50 per hour.

c. Additional personnel required on the service call (to be determined by Utility Supervisor) shall be charged at a rate of \$20.00 per hour per additional personnel.

d. Emergency requests for service after normal working hours or during legal holidays shall be charged at a rate of 1.5 times the regular rate for service calls and charges defined above. Normal working hours are Monday through Friday from 7:00 am to 4:00pm.

(2) Administrative Charges.

a. Charges for Establishing or Reestablishing Service. New customers and customers reestablishing service after a voluntary or involuntary termination of service from the water/sewer system for more than temporary plumbing repair or maintenance work shall be charged a one-time fee \$35.00 administrative fee to cover all associated costs related to establishing or reestablishing water/sewer services, in addition to any other pertinent rates, fees or charges.

b. Charges for Temporary Termination of Service. Calls for service to temporarily shut off/turn on water at the meter without closing the account in to allow for repairs or maintenance to the customers plumbing shall be charged \$15.00 per call during normal business hours.

(3) Collection Charges.

Customers with accounts discontinued for nonpayment shall be liable for any additional costs incurred by the City in its efforts to collect any outstanding balances, including but not limited to collection agency commission fees. Accounts sent to a collection agency after discontinuance for non-payment shall be assessed the amount of the commission fee in addition to the outstanding balance due upon referral to the collection agency.

(Ordinance 10-03)

## Part 2 – Rates, Fees and Charges for Natural Gas Services

### A. DEPOSITS:

Prior to establishing natural gas service, the owner or occupant of the premises desiring such service shall be required to pay a deposit on the account as follows:

- (1) Residential Deposit - 2 Month Estimated Use as determined by the Natural Gas Manager or \$50, whichever is greater
- (2) Residential Rental Deposit - 2 Month Estimated Use as determined by the Natural Gas Manager or \$75, whichever is greater.
- (3) Non-residential/Commercial Deposit - 2 Month Estimated Use as determined by the Natural Gas Manager or \$100, whichever is greater.

The 2 months estimated use may be based on an estimated annual average use from January 1<sup>st</sup> to December 31<sup>st</sup> considering the number and type of gas appliances and equipment in use or expected to be in use on the premises. Deposit requirements apply to accounts opened or reopened after the effective date of this Ordinance. If service for any customer is cut off for non-payment, prior to reopening the account, the customer shall be required to increase his or her deposit by an amount equal to two times average monthly bill for that natural gas account or by 10% of the minimum required deposit, whichever is greater. The average bill shall be measured using the 12 month period immediately preceding cessation of services or the length of time as a customer at the location being served, whichever is less. All deposit requirements shall be paid prior to establishing or reestablishing service and they shall not be billed or otherwise carried as an obligation to the City.

(Ordinance 10-06)

### B. NATURAL GAS RATES AND CONNECTION CHARGES:

The Natural Gas Rates shall be established by the City Commission for the City of Crescent City. Each Natural Gas customer shall be required to pay minimum monthly service charge of \$8.00 plus a monthly bill that shall be calculated by adding the cost of fuel purchased by the City plus the applicable gas rate and multiplying the result by the customer's usage during the relevant billing period as follows:

- (1) The residential natural gas rate as of the effective date of this Ordinance shall be \$0.8353 per therm. The Residential gas customer's monthly bill shall be calculated as follows:

Minimum Monthly Service Charge + Customer Usage\*(Cost of Gas + Gas Rate)

(2) The large commercial natural gas rate as of the effective date of this Ordinance shall be \$0.6776 per therm. A large commercial gas customer's monthly bill shall be calculated as follows:

Minimum Monthly Service Charge + Customer Usage\*(Cost of Gas + Gas Rate)

(Ordinance 10-06)

#### C. RATES MAY ANNUALLY FOLLOW CONSUMER PRICE INDEX:

- (1) All natural gas rates and services charges provided by this Ordinance may be adjusted annually with the percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers – South Class Size D – All Items as published by the U.S. Department of Labor, if approved by a resolution of the City Commission of Crescent City, Florida.
- (2) The adjusted rate will be applied to all billings beginning the 1<sup>st</sup> day of October of each year.
- (3) The percentage change in the consumer price index will be applied to the natural gas charges as follows:
  - a. Multiply the percent change in the Consumer Price Index from October 1<sup>st</sup> through September 30<sup>th</sup> of the preceding fiscal year times the existing natural gas rates or service charges.
  - b. Add the product to the existing rates and round to the nearest even cent.
- (4) Nothing herein shall prevent the City Commission from amending its natural gas rates or any other fees, charges or deposits provided for herein by ordinance in accordance with State law, the City Charter and Home Rule powers.

(Ordinance 10-06)

#### D. OTHER SERVICE CHARGES:

- (1) Service Calls.
  - a. When the City's Natural Gas personnel installs a new service or may be used in response to a call for service, the customer shall be charged a \$50.00 fee for the first hour of a service call plus parts and materials. The hour is defined to include the timeframe from when a service call is made, including transportation to the service call, until the service call is completed. This shall serve as the minimum fee charged regardless the length of the service call. Repair or maintenance to the customer's natural gas service on the customer

side of the meter is the customer's responsibility and shall be completed by a state licensed plumber or a licensed LP Gas serviceman.

b. All subsequent hours following the first, to be defined as labor, shall be charged at a rate of \$37.50 per hour.

c. Additional personnel required on the service call (to be determined by Gas Supervisor) shall be charged at a rate of \$20.00 per hour per additional personnel.

d. Emergency requests for service after normal working hours or during legal holidays shall be charged at a rate of 1.5 times the regular rate for service calls and charges defined above. Normal working hours are Monday through Friday from 7:00 am to 4:00pm.

(2) Charges for Establishing or Reestablishing Service.

New customers and customers reestablishing service after a voluntary or involuntary termination of service from the natural gas shall be charged a one-time \$35.00 administrative fee to cover all associated costs related to establishing or reestablishing services, in addition to any other pertinent rates, fees or charges.

(3) Collection Charges.

Customers with accounts discontinued for nonpayment shall be liable for any additional costs incurred by the City in its efforts to collect any outstanding balances, including but not limited to collection agency commission fees. Accounts sent to a collection agency after discontinuance for non-payment shall be assessed the amount of the commission fee in addition to the outstanding balance due upon referral to the collection agency.

(Ordinance 10-06)