

ORDINANCE NO. 01-21

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ARTICLE V OF CHAPTER 2-31 OF THE MANATEE COUNTY CODE OF ORDINANCES RELATING TO RECLAIMED WATER SYSTEM; AMENDING SECTION 2-31-141 PROVIDING AUTHORITY AND INTENT; AMENDING SECTION 2-31-142 PROVIDING DEFINITIONS; AMENDING SECTION 2-31-143 PROVIDING FOR CONNECTION TO SYSTEM; AMENDING SECTION 2-31-146 PROVIDING FOR INTERRUPTION OF SERVICE BY COUNTY; AMENDING SECTION 2-31-150 PROVIDING FOR POTABLE WATER WELLS; AMENDING SECTION 2-31-152 PROVIDING FOR SERVICE WITHIN MUNICIPALITIES; AMENDING SECTION 2-31-153 PROVIDING SERVICE APPLICATION REQUIREMENTS; AMENDING SECTION 2-31-154 PROVIDING METER REQUIREMENTS; AMENDING SECTION 2-31-155 PROVIDING FOR CROSS CONNECTION CONTROL; AMENDING SECTION 2-31-156 PROVIDING CONSTRUCTION SPECIFICATIONS; AMENDING SECTION 2-31-157 PROVIDING FOR MAINTENANCE BY THE CUSTOMER; AMENDING SECTION 2-31-163 TO PROVIDE FOR ADOPTION OF CHAPTER 62-610, FLORIDA ADMINISTRATIVE CODE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

FILED FOR RECORD
R.B. CHOFFE
CLERK OF COUNTY CLERK
MAY 10 12 33 PM '01

WHEREAS, potable water is a valuable resource which must be conserved; and

WHEREAS, reclaimed water is also a valuable resource which can be used for irrigation purposes, thereby substantially contributing to the conservation of potable water; and

WHEREAS, Manatee County, Florida, has established a reclaimed water system to make reclaimed water available for irrigation; and

WHEREAS, such reclaimed water system serves a valid public purpose in helping to conserve valuable potable water resources; and

WHEREAS, the establishment of such reclaimed water system requires the enactment of rules and regulations; and

FILED
2001 MAY - 12 PM 4:00
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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WHEREAS, on January 14, 1992, the Board of County Commissioners of Manatee County, Florida, enacted Ordinance No. 92-28, codified as Article V of Chapter 2-31 of the Manatee County Code of Ordinances, which established rules and regulations for the reclaimed water system; and

WHEREAS, the Board of County Commissioners of Manatee County has determined that it is in the best interest of the county to amend the rules and regulations set forth in Article V of Chapter 2-31 of the Manatee County Code of Ordinances as provided in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Section 2-31-141 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-141. Authority and intent.

Pursuant to authority granted the county in Chapter 63-1598, Laws of Florida, as amended, and in Section 125.01, Florida Statutes, it is the intent of the county to make reclaimed water available for irrigation purposes and other authorized uses in certain areas of the county where the county determines that the construction of a reclaimed water ~~distribution~~ distribution system is practical and economical. The reclaimed water distribution system shall be constructed in sections to provide service to designated areas as determined by the county, pursuant to the terms and conditions set forth herein. It is further the intent of the county to establish a reclaimed water system for irrigation which complies with the rules and regulations

set forth by the Florida Department of Environmental Protection Regulation, which rules appear in Chapter 62-610 47-610, Florida Administrative Code.

Section 2. Section 2-31-142 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-142. Definitions.

For the purposes of this article, the definitions contained in this section shall apply unless otherwise specifically stated.

Available shall mean that a functioning reclaimed water distribution main is located within one hundred (100) feet of the property to be serviced.

Backflow prevention device shall mean a device installed ~~at the customer's potable water meter or reuse meter~~ to prevent the flow of any contaminated fluids into the potable public water system or other the reclaimed water supply system.

Board shall mean the board of county commissioners of the county.

Buffer zone shall mean a setback distance of at least seventy-five (75) feet between a potable water supply well and the edge of an area wetted by reclaimed water, as more specifically set forth in Chapter 62-610 47-610, Florida Administrative Code.

County shall mean Manatee County, Florida.

Cross connection shall mean any physical arrangement whereby a potable, well or reclaimed public water supply is interconnected or connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain

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contaminated water, sewage or other waste, or liquid of unknown or unsafe quality which may be capable of imparting contamination to the potable, well or reclaimed ~~public~~ water supply as the result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeable devices, and other temporary or permanent devices through which or because of which backflow could occur are considered to be cross connections.

Customer shall mean the owner(s) of the property being served, as recorded on the county ad valorem tax rolls.

Department shall mean the county utility operations ~~public works~~ department.

Director shall mean the director of the county utility operations ~~public works~~ department or the director's ~~his/her~~ designated representative(s).

Distribution mains shall mean those conduits used to supply reclaimed water to service lines from the pumping station or treatment plant.

Existing users shall mean

Manatee Fruit Company ~~Co.~~

Manatee County Board of County Commissioners

City of Bradenton/Manatee County Board of County Commissioners (G.T. Bray Park)

Bradenton Country Club, Inc.

Palma Sola Golf Club, Inc.

El Conquistador Country Club, Inc.

Daniel P. McClure, as Trustee (McClure Farms)

Schroeder-Manatee Ranch, Inc.

Irrigation system shall mean an underground system with permanently placed sprinkler devices or below ground hose bibs contained in a lockable ~~locked~~ valve box. Aboveground hose bibs (faucets) with hoses and sprinklers shall not constitute an irrigation system. Irrigation systems also include agricultural ditch and swale type systems and other conventional agricultural systems where applicable and as authorized by the director.

Reclaimed water shall mean water that has received at least advanced secondary treatment and is reused after flowing out of a wastewater treatment facility.

Reuse shall mean the deliberate application of reclaimed water, in compliance with Florida Department of Environmental Protection ~~Regulation~~ rules, for a beneficial purpose.

Service line shall mean that conduit for reclaimed water from the distribution main to the property line.

Significant user shall mean any person or entity whose projected use of reclaimed water, in the sole discretion of the director, exceeds a yearly average of one ~~quarter~~ (1 ¼) million gallons per month ~~day~~. Significant users shall not include existing users.

Section 3. Section 2-31-143 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-143. Connection to system.

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(a) General. Customers in designated service areas may connect to the reclaimed water system when service is available and upon submission of a proper application and compliance with all other county requirements. Service to subdivisions and multifamily complexes will be considered upon receipt by the county of a petition signed by at least fifty (50) percent of the residents in said subdivision or complex or as otherwise directed by the board.

(b) Irrigation wells. Approved backflow prevention devices must be installed on any irrigation well which is directly connected to the county's reclaimed water system. Concurrent feed of well water and reclaimed water to an irrigation system is not allowed.

(c) Advisory signs and notifications. The public shall be notified of the use of reclaimed water by the placement of appropriate advisory signs or by other approved methods in reclaimed water public access project areas. The advisory signs shall be erected in prominent locations, such as the entrance road to a subdivision, golf course, park, or school grounds. Advisory signs at individual residences are not required. All advisory signs shall be printed in both English and Spanish as provided by Chapter 62-610, Florida Administrative Code. The director shall have the authority to approve all advisory signs or other notifications.

Section 4. Section 2-31-146 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-146. Interruption of service by county.

The county reserves the right to temporarily discontinue service or reduce

pressure to any portion of; or to the entire reclaimed water system, as deemed necessary by the director. The director shall have the authority to establish schedules which restrict the use of the reclaimed water system at certain times in order to reduce maximum pressure demands on the system and to regulate usage during periods of limited reclaimed water availability.

Section 5. Section 2-31-150 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-150. Potable water wells.

As mandated by the Florida Department of Environmental Protection Regulation, the county shall not provide reclaimed water service where on-site wells are used as a source of potable water; and where buffer zone requirements cannot be maintained. It shall be unlawful and an offense against the county to install a well intended for use as a potable water supply within FDEP FDER-mandated buffer zone areas requirements of existing or known proposed reuse sites.

Section 6. Section 2-31-152 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-152. Service within municipalities.

Reclaimed water service may be provided to properties located within the corporate limits of any municipality within the county. Such service will be extended on an actual cost basis and may include service to a government unit. All applications for service within any municipality shall be reviewed by the department and the municipality, and such service shall be approved only if an adequate supply

of reclaimed ~~treated wastewater~~ is and will be available to meet all anticipated needs within the unincorporated areas of the county. The director shall review and approve all service line sizes and all other necessary design components. In any event, final approval of reclaimed water service within the corporate limits of any municipality must be approved, in open session, by the board.

Section 7. Section 2-31-153 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-153. Service application requirements.

(a) Reclaimed water service shall be applied for at ~~in~~ the ~~utilities~~ department office or at ~~in~~ the county government administrative center, by completing and signing an application form.

(b) Applications for all reclaimed water services within any city, county or state maintained rights-of-way shall include a dimensional plan showing the location of the requested service line relative to the nearest street intersection and other information, ~~etc.~~, as required by the city, the county or the state department of transportation.

(c) Before an application for reclaimed water service will be approved, the customer must have a suitable irrigation system. The irrigation system to be provided by the customer will consist of an underground system with permanently placed sprinkler devices or below ground hose bibs contained in a lockable ~~locked~~ valve box. No system with a cross connection to the potable water system will be considered for connection to the reclaimed water system. Temporary systems will

not be considered for connection. The systems shall not include aboveground faucets, except those in lockable boxes, or other devices or connections that could permit reclaimed water to be used for any purpose other than irrigation, unless such uses and systems have been approved in writing by the director.

(d) All new irrigation systems constructed in areas where the county has determined to make reclaimed water available shall be constructed in accordance with all federal, state and county specifications and regulations, including, specifically, the regulations contained in Chapter 62-610 Title 17, Florida Administrative Code. ~~The owner shall provide the county with a schematic drawing of the irrigation system before receiving service.~~

Section 8. Section 2-31-154 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-154. Meter requirements.

All reclaimed water users shall be required to utilize an appropriate sized flowmeter. All meters for the reclaimed water system will be installed and owned owner by the county. Installation ~~An estimate for the installation costs shall (including cost of the meter) will be determined in accordance with prepared by the rate schedule resolution in effect at department and submitted to the time of applicant for payment prior to installation.~~

Section 9. Section 2-31-155 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-155. Cross connection control.

(a) At ~~in~~ all premises where reclaimed water service is provided, the public or private potable water supply shall be protected by an approved backflow prevention device which shall be maintained by the customer and inspected on an annual basis. All devices and material installed for backflow prevention must be approved by the county and must be installed in accordance with Manatee County construction standards Resolution R-87-125. Where any cross connection is found, it shall be disconnected. Before reconnection of that service, the public or private potable water system shall be protected against the possibility of future cross connections, and additional devices may be required as specified by the director, which devices shall be provided, and installed and maintained at the customer's expense.

(b) To determine the presence of any potential hazards to the public potable water system and for the purposes of perpetual maintenance and repair of reclaimed water system appurtenances, the county shall have the right to enter upon the premises of any customer receiving reclaimed water. Each customer of reclaimed water service shall, by application, give written consent to such entry upon the customer's ~~his/her/its~~ premises.

Section 10. Section 2-31-156 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-156. Construction specifications.

(a) Reclaimed water mains shall be constructed using either color-coded pipe or pipe painted or wrapped with the standard purple color (Patone 522C). Pipe

shall meet or exceed standards set by the American Water Works Association, the Florida Department of Environmental Protection, Regulation and the county's "Engineering Standards for Reclaimed Water Systems," whichever is strictest stricter.

(b) Mains in the public rights-of-way shall be located a uniform distance from the curb and the location shall be approved by the director.

(c) Vertical and horizontal clearances from potable water lines and sewage collection lines shall be as specified in the county's "Engineering Standards for Reclaimed Water Systems" or as specified in the applicable Florida Department of Environmental Protection Regulation rules, whichever is stricter.

(d) All ~~valves and~~ hose bibs shall be placed in approved lockable tamper-proof boxes.

(e) An approved ~~All irrigation systems must include~~ backflow prevention devices shall be installed at directly downstream of the reclaimed water meter on all irrigation systems which feed insecticides, pesticides, herbicides, fertilizers, or other compounds through the irrigation system.

(f) Where irrigation mains are to be turned over to the county, the customer shall submit such documents as are normally required for the dedication of public facilities.

(g) "As-built" drawings shall be submitted to the department upon completion of any the irrigation system which will be owned and/or maintained by the county.

Section 11. Section 2-31-157 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-157. Maintenance by the customer.

The customer shall be responsible for the maintenance and repair of all irrigation lines and appurtenances on the customer's his/her/its property, unless such facilities are located within land previously dedicated to the county or land in which the county has been issued a license or permit to operate said facilities. The county reserves the right to disconnect the service to any property when the irrigation system and appurtenances are not properly maintained or fail to meet the requirements of Chapter 62-610 47-610, Florida Administrative Code. In addition, should the customer require reclaimed water at different pressures, or different quality, or in any way different from that normally supplied by the county, the customer, at the customer's expense, he/she/it shall be responsible for providing, installing and maintaining the necessary devices to make these adjustments and for obtaining the approval of the director.

Section 12. Section 2-31-163 of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-31-163. Adoption of Chapter 62-610 47-160, Florida Administrative Code FAC.

The rules and regulations appearing in Chapter 62-610 chapter 47-610, Florida Administrative Code (F.A.C.), as may be amended from time to time, are hereby adopted by reference as though fully set forth within this article. In the event

of any variation between the provisions of Chapter ~~62-610~~ 47-610, F.A.C., and the provisions of this article, the ~~more~~ stricter provision shall prevail.

Section 13. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 14. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 15. This ordinance shall take effect upon filing with the State of Florida Department of State.

ADOPTED AND ENACTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 1st day of May, 2001.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: [Signature]
Chairman

ATTEST: R. B. Shore
Clerk of the Circuit Court

By: [Signature]



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 3rd day of May, 2001
R.B. SHORE,
Clerk of Circuit Court
By: [Signature]

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

May 8, 2001

Honorable R. B. Shore
Clerk of the Circuit Court and Comptroller
Manatee County
Post Office Box 1000
Bradenton, Florida 34206

Attention: Janene Kearney, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 3, 2001 and certified copy of Manatee County Ordinance No. 01-21, which was filed in this office on May 7, 2001.

As requested, the original date stamped copy is being returned for your records.

Sincerely,

Liz Cloud ak

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

Enclosure

FILED FOR RECORD
R. B. SHORE
CLERK OF CIRCUIT COURT
MANATEE COUNTY FLORIDA
MAY 10 12 33 PM '01

Municipal Code Corporation
info@mail.municode.com
PO Box 2235
Tallahassee, FL 32316-2235

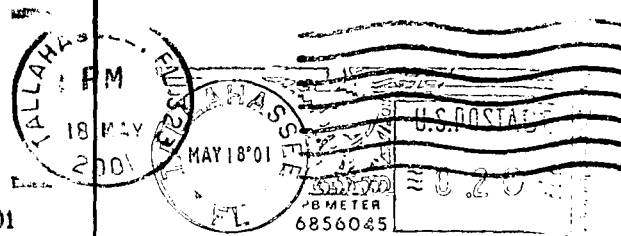
Supplement 50

05/18/2001

We have received the following material through
hard copy. Thank you for your assistance and
cooperation.

Ordinance No. 01-21.

850-262-2633 fax 850-575-8852 MDH
We can print Police and Sheriff's manuals.
Let us help you get your Manuals up-to-date.
Tired of mailing out Codes and Supplement?
We can distribute them for you for a minimal fee!
e-mail your ords to us at ords@mail.municode.com



RECEIVED
MAY 21 2001
SWITCHBOARD

TO:
Mr. R.B. "Chips" Shore
Clerk Of Circuit Court
Manatee County
PO Box 25400
Bradenton, FL 34206

