

## Darlene Christensen

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**From:** Reddick, Ernest L. <Ernest.Reddick@DOS.MyFlorida.com>  
**Sent:** Monday, May 01, 2017 2:16 PM  
**To:** Darlene Christensen  
**Cc:** County Ordinances  
**Subject:** Emailing - Hernando20170501\_Ordinance2017\_17\_Ack.pdf  
**Attachments:** Hernando20170501\_Ordinance2017\_17\_Ack.pdf

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## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

May 1, 2017

Honorable Don Barbee Jr.  
Hernando County Clerk's Office  
20 North Main Street, Rm. 3621  
Brooksville, Florida 34601

Attention: Darlene Christensen, Administrative Services

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2017-17, which was filed in this office on May 1, 2017.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

1 **ORDINANCE NO.: 2017-~~17~~**

2 AN ORDINANCE OF THE HERNANDO COUNTY BOARD OF COUNTY  
3 COMMISSIONERS REGULATING CROSS-CONNECTION CONTROL  
4 ASSEMBLIES; AMENDING HERNANDO COUNTY CODE § 28-238;  
5 PROVIDING FOR AUTHORITY, POLICIES, AND PROCEDURES; PROVIDING  
6 FOR ADOPTION BY RESOLUTION OF A CROSS-CONNECTION CONTROL  
7 PLAN; PROVIDING FOR ENFORCEMENT, APPEALS, AND PENALTIES;  
8 PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE  
9 CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND  
10 PROVIDING FOR AN EFFECTIVE DATE.

11 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
12 COMMISSIONERS OF HERNANDO COUNTY:

13 **Section 1. Repeal of Hernando County Code § 28-238(k)-(m).** Subsections (k), (l), and  
14 (m) of Hernando County Code § 28-238 (Connections with water and sewer systems) are hereby  
15 repealed.

16 **Section 2. Enacting a Section to be Included in Division 2 of Article IV of Chapter 28**  
17 **of the Hernando County Code.** A new a Section to be included in Division 2 of Article IV of  
18 Chapter 28 of the Code of Ordinances of Hernando County, Florida, is hereby enacted to read as  
19 follows:

1           **Statement of Legislative Intent.** The intent of this ordinance is to establish  
2 parameters and procedures for eliminating existing cross-connections and preventing  
3 future cross-connections within the Hernando County Utilities Department  
4 Community Water System. Authority is granted to the Hernando County Utilities  
5 Department (“HCUD”) Director to implement and enforce this ordinance.

6           **Adoption of Cross-Connection Control Plan.** The “Cross-Connection Control  
7 Plan for the Hernando County Water and Sewer District” (“the CCCP”), as adopted  
8 by resolution and as may be amended from time-to-time, is hereby incorporated  
9 herein by reference. The CCCP shall provide the policies and procedures by which  
10 HCUD shall eliminate and prevent cross-connections. The HCUD Director shall  
11 periodically review the CCCP to assess its continued compliance with applicable  
12 laws, rules, and regulations of the State of Florida and the United States of America.  
13 If any conflict should exist between a provision of the CCCP and the provisions of  
14 the Hernando County Code or with any applicable laws, rules, and regulations of the  
15 State of Florida or the United States of America, the more restrictive provision shall  
16 apply.

17           **Enforcement.**

18           1. The authorization for HCUD inspectors to enter onto the property of HCUD  
19 customers during reasonable daylight hours in order to administer this ordinance is  
20 a condition of receiving utility service.

1           2.     HCUD is granted the authority to inspect any and all water service  
2           connections serviced by the County, and to take appropriate action to insure the  
3           integrity of the potable water system and the Backflow Prevention Assembly (BPA).

4           HCUD is given the legal right to immediately disconnect any customer from the  
5           system if the service is determined by the HCUD Director to constitute a threat, or  
6           potential threat, to public health or deemed to be a high-health hazard.

7           3.     Upon learning of a non-health hazard noncompliance, the HCUD Director  
8           shall notify the customer of the need to have the potential cross-connection removed  
9           or the proper BPA installed within 60 days for a nonresidential service connection  
10          and 120 days for a residential service connection. If the noncompliance exists after  
11          this deadline, the HCUD Director may install the appropriate BPA and include the  
12          cost in the customer's utility bill or disconnect service.

13          4.     Testing of BPAs may be required by the customer per the adopted CCCP. If  
14          the customer fails to provide passing test results before the deadline, the HCUD can  
15          perform the required testing. The customer shall pay for the cost of the testing, labor,  
16          materials, and administrative charges. The charges will be assessed on the customer's  
17          utility bill. In the event that the HCUD cannot access the BPA for testing, the HCUD  
18          shall disconnect the water service until a passing test report is received. In the event  
19          that the BPA is a Dedicated Fire Line, the HCUD shall report the customer to  
20          Hernando County Fire Rescue for further enforcement.

1           **Penalties.**

2           It shall be unlawful for any person to violate any provision of this ordinance. Any  
3           such violation is subject to the penalties and enforcement mechanisms set forth in  
4           Hernando County Code § 28-251.

5           **Section 3. Severability.** It is declared to be the intent of the Board of County  
6           Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this  
7           ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the  
8           validity of the remaining portions of this ordinance.

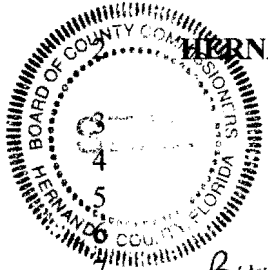
9           **Section 4. Inclusion in the Code.** It is the intention of the Board of County Commissioners  
10          of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall  
11          become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the  
12          sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that  
13          the word "ordinance" may be changed to "section," "article," or another appropriate designation.

14          **Section 5. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in  
15          conflict with the provisions of this ordinance are hereby repealed.

16          **Section 6. Effective Date.** This ordinance shall take effect immediately upon receipt of  
17          official acknowledgment from the office of the Secretary of State of Florida that this ordinance has  
18          been filed with said office.

1 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF

2 HERNANDO COUNTY in Regular Session this 28<sup>th</sup> day of April 2017.



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BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

By: Darlene M. Christensen  
DARLENE M. CHRISTENSEN

Attest: AS DEPUTY CLERK  
DONALD C. BARBEE, JR.  
Clerk

By: Wayne J. Dukes  
WAYNE DUKES  
Chairman

Approved for Form and Legal Sufficiency

[Signature]  
Deputy County Attorney