

**DIVISION 2. RECLAIMED WATER SERVICE****Sec. 78-241. Connection required.**

(a) Where available, the owner of every lot or parcel of land within the City of Winter Garden or city reuse service area developed for residential, public, commercial, office, industrial, warehousing, or multifamily use shall connect or cause to be connected with the reclaimed water distribution system. All connections shall be made in accordance with regulations of the city and FDEP and approved by the director. This provision shall not be construed to entitle any person to cross the property of another to make such connection.

(b) All new developments, where economically feasible, including without limitation single-family home developments, approved for construction after the effective date of this article shall include reclaimed water distribution mains and shall connect to the system when reclaimed water service becomes available. Economic feasibility to be determined in the city's sole discretion utilizing such factors as cost and economic life of improvements, location of existing facilities and lines, growth patterns and directions, number of customers to be served and other factors deemed to be appropriate. Such reclaimed water lines (or dry lines in the event reclaimed water service is not then presently available at the time of the issuance of a certificate of occupancy or completion) shall be installed in such a manner as to provide service to the entire property of the development, and the main lines shall be extended across the total property frontage to facilitate future extensions. These lines shall be installed during the initial placement of other required infrastructure items and prior to issuance of a certificate of occupancy or completion or use for the specific site or development. The cost of installing this system shall be borne by the developer.

(c) Connection to the system is voluntary for all existing single-family homes as of the effective date of this article; however, an availability charge will be assessed where reclaimed water service is available but the owner declines to connect.

(d) For purposes of this article, the term "available" or "availability" means contiguous to or within 100 feet of any property line of a Class A unit or within 1,000 feet of a Class AM or Class B unit.

(e) Except as provided in subsection (c) above, required connections shall be made within 60 days of notification by the city that reclaimed water service is available.

(Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-242. Reclaimed water user classification and requirements.**

There is hereby established a uniform classification of water users classifications and requirements as follows:

- (1) Class A—Detached single-family residential units.
  - a. Meters are required.
  - b. Customer's on-site system requirements. The customer's on-site system may be either a standard in-ground landscape irrigation system with a specially designed lockable in-ground control box or a specially designed lockable hose bibb box containing one hose bibb to be used to irrigate the property by means of garden hoses or portable sprinklers. The in-ground system may be controlled either by a manually operated zone valve or automatically by a timer and related zone valve. If the customer elects to use the in-ground lockable hose bibb box, it will be supplied and installed by the city and the cost borne by the customer. The box may be installed anywhere along the property frontage on the property side of the sidewalk in location approved by the city, and will be equipped with a special locking device to provide the customer the capability to control the use of reclaimed water on his/her property. The lid of the hose bibb box will be clearly marked "Reclaimed Water". The service connection shall contain

a tag stating "Irrigation—Reclaimed Water—Do Not Drink". The city will provide a quick disconnect device to be installed by the city, on the customer's five-eighths inch garden hose. The hose containing the device must be used for connection to the reclaimed water system only. Unless otherwise permitted by FDEP regulations, above ground hose bibbs on the reclaimed system are not allowed.

- c. Backflow prevention. Backflow prevention assemblies or devices will not be required on a single-family reclaimed water service with either a lockable in-ground bibb connection or an in-ground irrigation system which is connected to the reclaimed system through a lockable control in-ground box. However, the city does require that a backflow prevention assembly (RPBA) be installed on the reclaimed service of a single-family irrigation service connection when a chemical injection system or other special hazard is proposed or detected. The homeowner will be required to maintain the RPBA assembly in these situations. Where a backflow prevention assembly has been installed on an irrigation service connection to the potable water system, that assembly may be eliminated by city personnel (or city contractor) when the reclaimed system replaces the potable service connection. The degree of hazard, as determined by the director, of the existing irrigation system will be a determining factor in deciding whether the assembly must remain on the irrigation system to the reclaimed service connection. The homeowner will be required to maintain the assembly in these situations. If the assembly is eliminated it remains the property of the homeowner. Backflow prevention assemblies are required to be

installed on the potable service. The homeowner will be required to maintain the backflow assemblies.

- (2) Class AM—Multifamily residential facilities.
  - a. Master meter required.
  - b. Customer's on-site system requirements. The customer's on-site system for these types of development may be a standard in-ground landscape irrigation system. The city prefers that the system be zoned and controlled by timer. Low trajectory or drip-type systems are recommended; however, they are not mandatory. Signs as approved by the city shall be placed in conspicuous locations within the landscaped areas of the development. They shall read "Irrigation with Reclaimed Water, Do Not Drink". If the owner or manager of these types of developments permit or cause vehicles to be washed on the property, a special area shall be set aside for that purpose and it shall be served by one or more lockable in-ground hose bibb boxes connected to the on-site reclaimed water system. The hose bibb rack shall be clearly marked and readily visible with at least one sign stating "Auto Washing, Reclaimed Water, Do Not Drink".
  - c. Backflow prevention. Backflow prevention assemblies will not be required on a multi-family reclaimed irrigation service connection except where a chemical injection system or other special hazard is proposed or detected. Where a backflow prevention assembly has been installed on an irrigation system connected to the potable water system, that assembly may be eliminated by city personnel (or city contractor) when the potable service connection is changed to a reclaimed service connection. Whether the use of the assembly must be continued will de-

pend upon the degree of hazard associated with the existing irrigation system as determined by the director. If the assembly is eliminated it remains the property of the facility owner. The property owner of multi-family units is responsible for maintaining all backflow prevention assemblies on the reclaimed system. Backflow prevention assemblies are required to be installed on the potable service. The homeowner will be required to maintain the backflow assemblies.

- (3) Class B—Office, commercial, public, industrial, and warehousing facilities.
  - a. Meter required.
  - b. Customer's on-site system requirements. The customer's on-site system for these types of developments may be a standard in-ground landscape irrigation system. The city prefers that the system be zoned and controlled by timer. Low trajectory or drip-type systems are recommended; however, they are not mandatory. Signs as approved by the city shall be placed in conspicuous locations within the landscaped areas of the development. They shall read "Irrigation with Reclaimed Water, Do Not Drink". If the owner or manager of these types of developments permit or cause vehicles to be washed on the property, a special area shall be set aside for that purpose and it shall be served by one or more lockable in-ground hose bibb boxes connected to the on-site reclaimed water system. The hose bibb rack shall be clearly marked and readily visible with at least one sign stating "Auto Washing, Reclaimed Water, Do Not Drink".
  - c. Backflow prevention. Backflow prevention assemblies will not be required on a commercial reclaimed irrigation service connection except where a chemical injection system or

other special hazard is proposed or detected. Where a backflow prevention assembly has been installed on an irrigation system connected to the potable water system, that assembly may be eliminated by city personnel (or city contractor) when the potable service connection is changed to a reclaimed service connection. Whether the use of the assembly must be continued will depend upon the degree of hazard associated with the existing irrigation system as determined by the director. If the assembly is eliminated it remains the property of the facility owner. The property owner of a commercial facility is responsible for maintaining all backflow prevention assemblies on the reclaimed system. Backflow prevention assemblies will not be required on an in-ground lockable hose connection serving a low hazard commercial property. However, the city will require the installation of a dual check valve backflow prevention device, as a minimum, on the potable service connection when reclaimed water is delivered to the property, with a service connection.

- (4) The following requirements apply to all customer facilities regardless of user classification:
  - a. Cross connections prohibited; use of reclaimed water. Cross connection of the reclaimed water system with other sources of water or use of reclaimed water for potable purposes is prohibited. No person shall construct, operate, maintain, or allow to remain present on property owned or controlled by such person any system or device which is not in compliance with all provisions of this article, article V, chapter 78, City Code of Ordinances, cross connection control, and FDEP regulations related to reclaimed water and with

- all procedures and regulations promulgated pursuant to this article. The person who owns or controls the property upon which such a noncomplying device or system is found shall be liable to the city for the amount by which the costs associated with the securing and removal of the noncomplying device or system exceeds the cost of normal discontinuance of service. These excess costs shall constitute a lien against the property upon which the noncomplying device or system is located.
- b. Cross connection control program. The director shall be the designee for the cross connection control program. He/she shall be responsible for the administration of the cross connection control program, including training of personnel.
  - c. Irrigation. All irrigation with reclaimed water shall be conducted using permanently installed irrigation systems consisting of large drop-let, low-trajectory spray heads, using underground irrigation, or by other means which are approved by the city.
  - d. Compliance with applicable regulations. The reclaimed water facilities installed on the customer's property shall comply with applicable city, county, and state rules and regulations.
  - e. Reclaimed water shall not be directed, conveyed, or piped into any residence or building used as a dwelling unit.
  - f. All users of reclaimed water must properly maintain the reclaimed water system on their property. This specifically includes the isolation valve. Failure to keep the system in repair is subject to the enforcement procedures established pursuant to this article.
  - g. Property service connections (service lines) shall be as required by the property served, but in no case shall be less than one inch in diameter. Each service connection shall be equipped with a lockable corporation stop or shutoff valve at the main and a curb stop, meter, shutoff valve and box at the property line. The city's valve box cover at the property line shall be marked "Reclaimed Water." This service connection, together with its valves, box, and meter is the property of the city. The customer may install his/her own shutoff valve immediately inside his/her property line for his/her own use. Two or more customers may be served by one service connection, but metered separately, if sufficient capacity is available. Such common service lines will be sized to provide adequate supply to each customer.
  - h. Authority to perform; title to property. Tapping of all existing reclaimed water mains and installation of service lines from the mains to the service connection shall be done by the city. Title to all service lines from the main to the service connection is vested in the city, and the same shall at all times be the sole property of the city, and shall not be trespassed upon or interfered with in any respect. Such property shall be maintained by the city and may be removed or changed by it at any time. The customer shall give to the city the perpetual right to install, operate, and maintain the service line and point of connection if located on privately owned property, as a precondition of receiving reclaimed water service from the city.
  - i. Furnishing equipment; charge. The city shall furnish and install equipment for reclaimed water service and may charge for such furnishing and installation according to a schedule

of fees provided herein and amendments thereto. All charges, according to the schedule, shall be paid when applying for service.

- j. Shutoff valve. Every service line shall be provided by the customer with an easily accessible and fully protected shutoff valve on the discharge side of the service connection.
- k. Liability for escaping water. The city shall not be responsible for maintenance of or for damage caused by water escaping from the service pipe or any other pipe or fixture on the outlet side of the service connection.
- l. Liability for service. The liability of the customer shall begin on the day the customer's line is connected to the city's service line and shall continue thereafter unless disconnected for non-payment or other cause or until written notice is given the city by the customer to terminate the service.

(Ord. No. 01-52, § 2, 7-26-01)

#### **Sec. 78-243. Reclaimed water rates and charges.**

(a) *Connection charges.* The connection charges for reclaimed water service will consist of the tap fee and meter set fee for metered connections.

- (1) Tap fee. The reclaimed water tap fee shall be as follows:

<i>Reclaimed water service size</i>	<i>Rate</i>
¾"	\$ 542.95
1.0"	\$ 709.16
2.0"	\$1,362.92

- (2) Backflow devices shall be installed and maintained by the customer on the potable water services as required by City Code of Ordinances, chapter 78, article V, cross connection control.
- (3) Meter set fee. The meter set fee shall be as follows:

<i>Reclaimed water service size</i>	<i>Rate</i>
¾"	\$277.02
1.0"	\$354.58
2.0"	\$786.73

All reclaimed water connections larger than two inches or involving potable water service larger than two inches will be charged for at actual cost plus 20 percent. The connection charge shall be waived for development activities that will furnish and install taps in accordance with this article.

(b) *Reuse charges.* The following shall be the schedule of monthly rates and charges for reuse provided by the city:

- (1) A minimum monthly charge of \$4.58 which will include 10,000 gallons of reuse.
- b. A charge of \$0.60 for each 1,000 gallons over 10,000 gallons of reuse.

#### **Monthly Service Charge by Rate Class and Meter Size**

Residential single family	⅝" × ¾" meter	\$ 6.18
Residential multi-family	⅝" × ¾" meter	\$ 6.18
General service or commercial	⅝" × ¾" meter	\$ 6.18
General service or commercial	1" meter	\$15.43
General service or commercial	2" meter	\$49.39
General service or commercial	3" meter	\$92.60

#### **Usage Volume Charges by Meter Size and Consumption**

<i>Residential single family</i>	<i>⅝" × ¾" and 1" meters</i>
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#### **Usage per 1,000 Gallons**

0—5,000	\$ 1.2730
5,001—25,000	\$ 1.5339
25,001 and above	\$ 1.8840
Residential multi-family	



General service or commercial	$\frac{5}{6}$ " $\times$ $\frac{3}{4}$ " meter
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## Usage per 1,000 Gallons

0—5,000	\$ 1.2730
5,001—25,000	\$ 1.5339
25,001 and Above	\$ 1.8840
Residential multi-family	
General service or commercial	1" meter

## Usage per 1,000 Gallons

0—12,500	\$ 1.2730
12,501—62,500	\$ 1.5339
62,501 and above	\$ 1.8840
Residential multi-family	
General service or commercial	2" meter

## Usage per 1,000 Gallons

0—40,000	\$ 1.2730
40,001—200,000	\$ 1.5339
201,000 and above	\$ 1.8840
Residential multi-family	
General service or commercial	3" meter

## Usage per 1,000 Gallons

0—75,000	\$ 1.2730
75,001—375,000	\$ 1.5339
375,001 and above	\$ 1.8840

- (2) Consumptive use rate for contract and bulk users will be based upon 100,000 gallons or greater per day, at a rate of \$1.18 per 1,000 gallons.
- (3) Contracts for bulk users shall be defined as another public entity.
- (4) The City Manager or his/her designee may adjust or waive reuse charges to bulk users willing to take reuse for storage at the request of the City.

(c) A customer whose service has been discontinued may resume reclaimed water service by payment of past due amounts and a reconnection

fee of \$25.00; provided, however, that where service has been discontinued for violation of the policies and regulations relating to the use of the reclaimed water system, service will not be reconnected until the city receives, in its opinion, reasonable and sufficient guaranty that the violation will not reoccur.

(d) Where these rates and charges result in inequitable and/or undue hardship on the property owner, the director shall have the authority to adjust the rates and charges based upon the following considerations:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings similarly situated.
- (2) The special conditions and circumstances do not result from the actions of the property owner.
- (3) Making the adjustment will be in harmony with the general purpose and intent of these regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(e) The decision of the director to grant or deny a rate adjustment shall be deemed final unless a request for review by the city manager is filed by the aggrieved party with the city clerk within 15 days from the date of such decision. The city manager may either affirm, modify or reverse the decision, and such action by the city manager shall be considered final administrative action. Unless the aggrieved party files an appeal to the city commission with the city clerk within 15 days of such decision. In which instance, the action of the city commission shall constitute final administrative action.

(f) Rate adjustments. The rates and charges by class for the use and availability of the city's reclaimed water system inside or outside the city may be adjusted annually by the city commission by modification of the charges provided herein by resolution or by a price index escalator adopted by resolution or by both.

(Ord. No. 01-52, § 2, 7-26-01; Ord. No. 08-39, § 2, 10-9-08)

**Sec. 78-244. Billing and collection procedures.**

(a) Bills for the monthly reclaimed water or availability charges shall be submitted to the city and shall be paid by the users monthly. A customer's monthly account for service shall be considered delinquent if any portion remains unpaid 30 days after the date of the bill for such service.

(b) All other charges, including connection and reconnection charges, if not paid in full within 30 days of the billing date, shall be considered delinquent.

(c) The utility service to a customer shall be discontinued, unless otherwise provided by law, when the reclaimed water charge becomes delinquent, and shall not be reconnected until all past due charges, penalty charges, and reconnections charges have been fully paid.  
(Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-245. City's right to refuse service.**

(a) No connection shall be made to the reclaimed water system unless specifically approved by the director or his/her designee.

(b) No payment of any costs, submittal of any application or any other act to receive reclaimed water reuse service shall guarantee such service. The city shall have the right, at all times, to refuse to extend services on the basis that a use is detrimental to the system; or there is an inadequate supply of reclaimed water; or lack of payment of required service charges; or for any other reason which, in the judgment of the city manager, will cause the extension not to be in the best interests of the city.  
(Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-246. Service interruption.**

(a) The city reserves the right to temporarily discontinue service to any portion of or the entire reclaimed water system as deemed necessary by the city manager.

(b) The director shall have the authority to establish schedules to control the use of the water reuse system in order to reduce maximum pres-

sure demands on the system and to regulate usage of reuse water to balance with supply and storage availability.

(Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-247. Service and quality not guaranteed.**

(a) The source of the reclaimed water is the city's wastewater treatment facility or such other wastewater treatment facility that provides reclaimed water to the city pursuant to a contract. The aforementioned sources can produce a finite quantity of reclaimed water. The city will carefully monitor the number of connections being made to the system so as not to overtax its capacity; however, at the same time, it is the desire of the city, and the intent of the program, to provide the service to the maximum number of customers. During extended dry periods, it may be necessary to limit a customer's water use or, under extreme conditions, to temporarily discontinue service. Therefore, 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 period of limited reclaimed water availability.

(b) The city will reasonably attempt to deliver an adequate supply of reclaimed water of good quality at all times. However, no assurances or guarantees shall be provided to customers or to others regarding the quantity or quality of the water due to circumstances beyond its control.  
(Ord. No. 01-52, § 2, 7-26-01)

**Secs. 78-248—78-260. Reserved****DIVISION 3. INSTALLATION AND USE OF THE RECLAIMED WATER SYSTEM****Sec. 78-261. Identification.**

All reclaimed water pipes and ground level or above appurtenances accepted by the city shall be adequately identified by the color purple.  
(Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-262. Minimum sized reclaimed water mains and service lines.**

The minimum size of reclaimed water system mains shall be six inches in diameter. Service lines shall be at least one inch in diameter. The customer shall determine the exact size of service line required subject to approval by the director. (Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-263. Hydrants.**

Hydrants may be installed on reclaimed water mains constructed within the city at such locations as deemed appropriate by the director and city fire chief. (Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-264. In-city service.**

Reclaimed water service shall be provided for properties located within the city reclaimed service water territory on a first priority basis, which comply with the provisions for such service as set forth in this article. Reclaimed water service shall be available to these properties within the city as the transmission and distribution systems are extended and reclaimed water becomes available. (Ord. No. 01-52, § 2, 7-26-01; Ord. No. 06-12, § 7, 3-9-06)

**Sec. 78-265. Out of city service.**

Reclaimed water service may be provided to properties located outside of the city but within the boundaries of the city's utility service area on a second priority basis. At the city's option and convenience, service to such properties strategically located along transmission main routes may be provided on a first priority basis. Additionally, reclaimed water service may be provided to property located outside of the city which is subject to an agreement to annex whenever annexation is permitted by law, which agreement shall be recorded in the public records, and which shall constitute an application to annex the property. However, properties inside the city shall have the first priority. All applications for service outside the city shall be reviewed by the city manager who shall approve such service only if an adequate supply of treated wastewater is available to meet the needs in the city. The director shall

review and technically approve all service line sizes and all other necessary design components. (Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-266. Availability of service.**

Reclaimed water service is available from either the primary transmission mains or the installed distribution mains. The existence of a reclaimed water main adjacent to or near the premises of an applicant for the service does not necessarily mean that service is available to that location. No taps will be made to reclaimed water transmission mains unless approved by the director. Service in areas where only transmission mains exist will normally require the installation of a distribution main for service. (Ord. No. 01-52, § 2, 7-26-01)

**Sec. 78-267. Use of reclaimed water.**

(a) Reclaimed water may be used for the irrigation of crops not intended for human consumption, residential lawns, golf courses, cemeteries, parks, landscaped areas, highway medians, and rights-of-way, or for any other purpose specifically approved by the director and as permitted by FDEP regulations.

(b) Reclaimed water may not be used inside of any residential dwelling or to fill swimming pools, hot tubs, spas, or wading pools.

(c) The use of reclaimed water shall be restricted so that no wetted surfaces are located within 100 feet of any public eating, drinking, or bathing facility.

(d) Reclaimed water shall not be applied to impervious surfaces that allow drainage to surface waters. Reclaimed water shall not be applied to properties containing subsurface drainage tiles or plates.

(e) All uses of reclaimed water shall require a reuse permit, issued by the public services department, following procedures established by the director. (Ord. No. 01-52, § 2, 7-26-01; Ord. No. 11-02, § VI, 1-13-11)