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BOARD OF COMMISSIONERS

YOUNGS RIVER - LEWIS & CLARK
DOMESTIC WATER SUPPLY DISTRICT

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FIELD SERVICES
DRINKING WATER PROGRAM

May 7, 2007

ORDINANCE NO. 2007-1) AN ORDINANCE AMENDING THE
) THE WATER USER CHARGE OF THE
) YOUNGS RIVER - LEWIS & CLARK
) DOMESTIC WATER SUPPLY DISTRICT,
) AMENDING ORDINANCE 2000-1
) PERTAINING TO REGULATION OF
) CUSTOMER INTERNAL WATER
) DISTRIBUTION SYSTEM CROSS-
) CONNECTIONS WITH WATER DISTRICT
) SYSTEM AND RATIFYING ALL
) EFFECTIVE PRIOR ORDINANCES BY
) REFERENCE

The Board of Commissioners of Youngs River - Lewis & Clark Domestic Water Supply District ordains as follows:

ARTICLE ONE. PURPOSE

The purposes of this Ordinance are to amend Article Six of Ordinance 2000-1 pertaining to regulation of customer internal water distribution cross-connection with District water system and increase water user rates.

ARTICLE TWO. INCREASE OF WATER USER RATES AND ESTABLISHING EFFECTIVE DATE

Effective on the first day of the next billing, 30 days after the final adoption of this Ordinance by the Board of Commissioners, the monthly water user charge to

each water user is hereby amended to be increased by a fixed amount of \$2.80 per month per water user connection (meter).

**ARTICLE THREE. AMENDMENT OF ORDINANCE NO. 2000-1,
ARTICLE SIX BY REPLACING THE CURRENT
ARTICLE SIX WITH THE FOLLOWING:**

**ARTICLE SIX. REGULATION OF CUSTOMER
INTERNAL WATER DISTRIBUTION
SYSTEM CROSS-CONNECTION
WITH DISTRICT WATER SYSTEM**

6.1 Purpose

(a) **System Protection.** The purpose of Article Six of this Ordinance is to protect the public potable water supply served by District from the possibility of contamination or pollution by isolating, within its customer's internal distribution system, such contaminates or pollutants which could backflow or back siphonage into the public water system.

(b) **Regulation of Existing Cross Connections.** This Ordinance shall be used to promote the elimination of, or control of, existing cross connections, actual or potential, between the potable water supply and non-potable water.

(c) **Continuing Regulation of Cross Connections.** This Ordinance shall be used to provide for a continuing program of cross connection

control which will effectively prevent the contamination or pollution of all potable water systems by cross connection.

6.2 Authority

(a) **Federal and State.** The Federal Safe Drinking Water Act of 1974 and the Statutes of the State of Oregon, Oregon Administrative Rules Chapters Number 333-61-070, Number 333-61-071 and Number 333-61-072 all state that the water supplier has the primary responsibility for preventing water from becoming contaminated from unapproved sources and for preventing any other substances from entering the public potable water supply system.

(b) **District.** The District shall administer its responsibility through this Ordinance.

6.3 Responsibility

(a) **Allocation.** The District and its customers shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back siphonage of contaminants or pollutants through water system connections. If, in the judgment of the District, an approved backflow preventer assembly is required at the District water connection at any customer's premises, the District, or its designated agent, shall give notice in writing to said customer and the District shall install an approved backflow preventer device on each service connection on the customer's property. The District shall install such approved device or devices at the District's expense.

6.4 Administration

(a) **District Program.** The District will operate a cross connection control program, including the keeping of necessary records, to fulfill the requirement of the District's cross connection regulations.

(b) **Inspection.** Owner shall allow his property to be inspected for possible cross connections and inspections of existing backflow preventer devices. Owner shall follow the provisions of the program and the District's regulations of a cross connection as identified in this Ordinance.

(c) **Property Owner Responsibility.** The District requires that the public water supply be protected from contaminates. Each owner shall be responsible for quality beyond the outlet end of the District service line (meter) and when necessary, shall utilize a backflow device for that purpose. Each owner shall also be responsible for immediate notification at any time there is an actual or potential connection between the public water supply and a potential source of contamination or pollution from a source that has not been previously inspected by a public health official or the District and approved by the District. Each property owner may use and shall permit public health officials, or at the option of the District, personnel of the District or their delegated representatives to survey and inspect their water supply and delivery facilities.

6.5 Requirements

(a) District.

(1) **New Service.** For each new service or connection from whatever source the owner shall notify the District and the District will provide evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required.

(2) **Existing Service.** For premises existing prior to the effective date of this Ordinance or its amendments, the District may perform inspections of the property and inform the owner by letter of any corrective action deemed necessary, the time allowed for achieving any owner responsibility correction to be made and the time within which the District will install any backflow preventers it deems necessary and to be the District's responsibility. The ordinary time limit of 30 days required for owner responsibility corrections may be shortened by District depending upon the degree of hazard involved and the history of the devices in question. The owner must comply within the time frame set by the District or their service may be disconnected or terminated.

(3) **Correction.** The District shall inform the property owner by letter of any failure to comply. The District may allow up to 30 days for the necessary correction. In the event the property owner fails to comply with the necessary correction by the time of the second re-inspection, the District will inform the property owner by letter that the water service to the property owner's premises

will be disconnected and terminated within a period not to exceed five (5) days. In the event that the property owner informs the District of extenuating circumstances as to why the correction has not been made, a time extension may, in the discretion of the District, be granted but in no case will exceed an additional 30 days.

(4) **Disconnection.** If the District determines at any time that a serious threat to the public health exists, the water service may be disconnected and terminated to any property.

(5) **Inspection.** The State of Oregon has on file a list of private contractors who are certified backflow device testers. All charges for these tests will be paid by the owner of the property. Provided however, the standard annual scheduled universal inspections shall be paid for by the District.

(6) **Initiation of Program.** The District began the initial property inspections to determine the nature of existing or potential hazards during the calendar year 2000. Initial focus was on high hazard industries and commercial properties.

(b) **Property Owner.**

(1) **Responsibility.** The property owner shall be responsible for the elimination or isolation of all cross connections on their premises.

(2) **Notice.** The property owner, after having been informed by letter from the District, shall allow the District, at the District's expense, install, maintain and test, or have tested any and all backflow preventers on owner's

property. Each device and installation shall comply with all Oregon State Health Division rules and the Oregon Plumbing Code.

(3) **Connection.** The property owner shall report and the District shall correct at the district's expense any malfunctions of any backflow preventer which is revealed by annual testing.

(4) **Reporting.** The property owner shall inform the District of any proposed or modified cross connections and also any existing cross connections of which the property owner is aware but has not been found by the District.

(5) **Prohibition.** The property owner shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Neither the property owner nor any user may tamper with backflow devices.

(6) **Installation.** Any property owner installed backflow preventers shall be accomplished in a manner approved by the District and Owner shall provide district notice of such work and allow District to inspect upon completion.

(7) **Approved Devices.** The property owner shall install only backflow preventers approved by the State Health Division.

(8) **Alternative Water Service.** Any property owner having a private well or other private water source shall in no way be directly or indirectly

connected to the District's system. Violation of this rule shall be grounds for immediate disconnection and termination of water service. Any property owner having a private well or other private water source on owner's property shall be required to install a backflow preventer device approved by the State Health Division and tested pursuant to 6.8 below to prevent any cross connection from occurring. (Bill: Is this necessary if the well cannot be directly or indirectly connected to the public system. Please explain.)

6.6 Degree of Hazard

(a) **Classification.** The District recognizes the threat to the public water supply system from cross connections. All threats will be classified by degree of hazard and will require the installation of approved backflow prevention devices.

6.7 Existing In Use Backflow Prevention Devices

(a) **Pre-Existing Devices.** Any backflow prevention device installed before the effective date of this Ordinance, which was approved at the time it was installed but are not on the current list of approved devices maintained by the District or by the Oregon Department of Human Resources Health Division, shall be permitted to remain in service provided it is properly maintained, is commensurate with the degree of hazard, is tested at least annually and performs satisfactorily. When devices of this type are removed, or require more than minimal maintenance, or are in services that are modified, changed, re-sized, or remodeled, they shall be replaced by the devices which are on the District or Oregon

Department of Human Resources Health Division list of approved devices at the owner's cost.

6.8 Public Testing

(a) **Frequency.** All testable backflow devices shall be tested and inspected at least annually by the District at its sole cost and those in question, shall be tested more frequently as determined by District but at the owner's sole cost. The testing required at the Owner's sole cost shall be performed after notice to the District by a tester from a list approved by the State Health Division and the results shall be provided to the District in writing as soon as a determination is reported.

(b) **Correction and Repair.** Any backflow preventer which fails during a periodic test by the District shall be repaired or replaced by the district at its sole cost. When repairs for which the owner is responsible are necessary, upon completion of the repair, the device shall be retested at owner's expense to insure correct operation. High hazard situations will not be allowed to continue if the backflow preventer fails the test and cannot be repaired immediately. Failing devices which are the sole financial responsibility of the owner will be dealt with by the District pursuant to 6.3(a) and 6.5(a)(4) above. The property owner is responsible for spare parts, repair tools or replacement devices if the owner is responsible for the repairs according to the terms of this Ordinance. Parallel installations of two devices is an effective means for the property owner to insure

uninterrupted water service during testing or repair devices and is recommended when the property owner desires such continuity.

6.9 Records and Audits

(a) Records

- (1) The District may initiate and maintain the following:
 - (i) Master files on customer's cross connection tests and/or inspections.
 - (ii) Copies of compliance letters sent to customer.
 - (iii) Copies of lists and summaries supplied to the District.
 - (iv) Initial listing of low hazard cross connections.
 - (v) Initial list of high hazard cross connections.
 - (vi) A list of State approved cross connection assemblies.

(b) Audits

- (1) The District will submit the following to the Division:
 - (i) Annual summary of cross connection inspections.

ARTICLE FOUR. AMENDMENT OF PRIOR ORDINANCES

4.1 All prior ordinance provisions inconsistent with the provisions set forth herein are hereby amended.

ARTICLE FIVE. RATIFICATION

5.1 All prior ordinances that are still in full force and effect as of the date of the adoption of this Ordinance 2007-1 are hereby readopted, ratified and confirmed except as herein modified or amended.

Passed by the Board of Commissioners present at the meeting on the 7 day of May, 2007.

Young's River Lewis & Clark Domestic Water Supply District


By: 
Board President

By: 
Board Secretary

ATTEST:

Presiding Secretary


Board Member


Board Member

Randy Bean
Board Member

Jayda Lee
Board Member

Paul Miller
Board Member

APPROVED AS TO FORM:

W. Louis Larson, Attorney for District