

CITY OF AURORA

ORDINANCE NO. 477

AN ORDINANCE PROVIDING FOR A CROSS CONNECTION CONTROL PROGRAM.

WHEREAS, Chapter 333, Division 61, of the Oregon Administrative Rules, mandate the responsibility of the City of Aurora to protect its drinking water by instituting and enforcing a cross connection control program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AURORA ORDAINS THAT:

SECTION 1. DEFINITIONS.

- (1) "APPROVED BACKFLOW PREVENTION ASSEMBLY" or "BACKFLOW ASSEMBLY" or "ASSEMBLY" means an assembly to counteract backpressure and/or prevent back-siphonage. This assembly must appear on the list of approved assemblies issued by the Oregon Health Authority.
- (2) "AUXILIARY SUPPLY" means any water source or system other than the City of Aurora Water System.
- (3) "BACKFLOW" means the flow in the direction opposite to the normal flow or the introduction of any foreign liquids, gases, or substances into the water system of the City of Aurora.
- (4) "BORESIGHT" or "BORESIGHT TO DAYLIGHT" means providing adequate drainage for backflow prevention assemblies installed in vaults through the use of an unobstructed drain pipe.
- (5) "CERTIFIED BACKFLOW ASSEMBLY TESTER" OR "TESTER" shall mean a person who has successfully completed and maintains all requirements as established by the Oregon Health Authority to be a tester in the state of Oregon.
- (6) "CERTIFIED CROSS CONNECTION CONTROL SPECIALIST" or "SPECIALIST" shall mean a person who has successfully completed and maintains all requirements as established by the Oregon Health Authority to be a Specialist in the state of Oregon and is either employed with the City of Aurora or contracted by the City of Aurora.
- (7) "CITY" shall mean the City of Aurora.
- (8) "CONTAMINATION" means the entry into or presence in a public water supply system of any substance which may be deleterious to health and/or quality of the water.
- (9) "CROSS CONNECTION" means any physical arrangement where a potable water supply is connected, directly or indirectly, with any other non-drinkable water system or auxiliary system, sewer, drain conduit, swimming pool, storage reservoir, plumbing fixture, swamp coolers or any other device which contains, or may contain, contaminated water, sewage or other liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices or other temporary or permanent devices through which or because of which backflow may occur, are considered to be cross connections.
- (10) "DEGREE OF HAZARD" means the *non-health hazard* or *health hazard* classification that shall be assigned to all actual or potential cross connections.

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- (11) "DOUBLE CHECK VALVE BACKFLOW PREVENTION ASSEMBLY", "DOUBLE CHECK ASSEMBLY", "DOUBLE CHECK" or "DCVA" means an assembly which consists of two (2) independently-operating check valves which are spring-loaded or weighted. The assembly comes complete with a resilient seated shut-off valve on each side of the checks, as well as test cocks to test the checks for tightness.
- (12) "HEALTH HAZARD" means an actual or potential threat of contamination of a physical, chemical or biological nature to the public potable water system or the consumer's potable water system that would be a danger to health.
- (13) "NON-HEALTH HAZARD" shall mean the classification assigned to an actual or potential cross connection that could allow a substance that may be objectionable, but not hazardous to one's health, to backflow into the potable water supply.
- (14) "OHA" shall mean Oregon Health Authority.
- (15) "OAR" shall mean Oregon Administrative Rule.
- (16) "PLUMBING HAZARD" means an internal or plumbing-type cross connection in a consumer's potable water system that may be either a pollutional or a contamination-type hazard. This includes, but is not limited to, cross connections to toilets, sinks, lavatories, wash trays, domestic washing machines and lawn sprinkling systems. Plumbing-type cross connections can be located in many types of structures including homes, apartment houses, hotels and commercial or industrial establishments.
- (17) "POINT OF USE ISOLATION" means the appropriate backflow prevention within the consumer's water system at the point at which the actual or potential cross connection exists.
- (18) "POLLUTIONAL HAZARD" means an actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system, but which would not constitute a health or system hazard, as defined. The maximum intensity of pollution to which the potable water system could be degraded under this definition would cause minor damage to the system or its appurtenances.
- (19) "POTABLE WATER SUPPLY" means any system of water supply intended or used for human consumption or other domestic use.
- (20) "PREMISES" means any piece of property to which water service is provided, including, but not limited to, all improvements, mobile structures and other structures located upon it.
- (21) "PREMISES ISOLATION" means the appropriate backflow prevention at the service connection between the public water system and the premises. This location will be at or near the property line and downstream from the service connection meter.
- (22) "REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ASSEMBLY" or "REDUCED PRESSURE PRINCIPLE ASSEMBLY" or "RP ASSEMBLY" or "RPBA" shall mean an assembly containing two independently-acting approved check valves together with a hydraulically-operated, mechanically-independent pressure differential relief valve located between the check valves, and at the same time, below the first check valve. The assembly shall include properly located test cocks and two tightly closing shut-off valves.
- (23) "SUPERINTENDANT" means the Public Works Superintendent or their designee.
- (24) "SYSTEM HAZARD" means an actual or potential threat of severe danger to the physical properties of the public or consumer's potable water system or of a pollution or contamination which would have a detrimental

effect on the quality of the potable water in the system.

- (25) "THERMAL EXPANSION" means the pressure created by the expansion of heated water.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the water supply and distribution system of the City of Aurora from contamination or pollution due to any existing or potential cross connections.

SECTION 3. CROSS CONNECTIONS REGULATED.

- (1) No cross connections shall be created, installed, used or maintained within the area(s) served by the City of Aurora Water System, except in accordance with this Ordinance.
- (2) The Specialist shall carry out or cause surveys to be carried out to determine if any actual or potential cross connection exists. If found necessary, an assembly commensurate with the degree of hazard will be required at the service connection.
- (3) The owner, occupant or person in control of any given premises is responsible for all cross connection control within the premises.
- (4) All premises found on Table 48 of the OAR shall install a Reduced Pressure Backflow Assembly at the service connection in accordance with this Ordinance.
- (5) It is the responsibility of the property owner/occupant to purchase, install, test, repair and maintain all backflow assemblies.
- (6) If there is a change in ownership of any and all property within the City's service area, it shall be the responsibility of the new owner to determine that all assemblies are in compliance with this Ordinance.
- (7) The use of any type of chemical spray attachment connected to the premises plumbing, including garden hose fertilizers and pesticide applicators, is not allowed within the City of Aurora Water System without proper protection from the potential of backflow occurring.
- (8) The use of any type of radiator flush kits attached to the premises plumbing is not allowed within the City of Aurora Water System without proper protection from backflow occurring.
- (9) In the event a backflow assembly that has been installed at the service connection to a residential property is deemed unnecessary by the City's Specialist, it may be removed.

SECTION 4. BACKFLOW PREVENTION ASSEMBLY REQUIREMENTS.

A Specialist employed by or under contract with the City of Aurora, shall determine the type of backflow assemblies to be installed within the City of Aurora Water System. All assemblies shall be installed at the service connection unless it is determined by the Specialist and approved by the Public Works Superintendent that in-premises protection would be adequate. An approved assembly shall be required in each of the following circumstances, but the Specialist is in no way limited to the following circumstances:

- (1) In the case of any premises where there is any material dangerous to health which is handled in such a

fashion as to permit entry into potable water system, the potable water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention assembly.

- (2) activity at premises, or materials stored at a premises, could contaminate or pollute the potable water su
When a premises has one (1) or more cross connections, as that term is defined in Section 1.
- (3) When internal cross connections are present that are not correctable.
- (4) When intricate plumbing arrangements are present making it impractical to ascertain whether cross connections exist.
- (5) When the premises has a repeated history of cross connections being established or re-established.
- (6) When entry to the premises is restricted so that surveys for cross connections cannot be made with sufficient frequency to assure cross connections do not exist.
- (7) When materials are being used such that, if backflow should occur, a health hazard could result.
- (8) When an appropriate cross connection survey report form has not been filed with the City of Aurora Public Works Superintendant.
- (9) Any and all used water return systems.
- (10) If an in-premises assembly has not been tested or repaired as required by this Ordinance, the installation of a reduced pressure principle assembly will be required at the service connection.
- (11) There is piping or equipment for conveying liquids other than potable City of Aurora water and that piping or other equipment is under pressure and installed and operated in a manner that could cause a cross connection.
- (12) When installation of an approved backflow prevention assembly is deemed by a Specialist to be necessary to accomplish the purpose of this Ordinance.
- (13) Wherever reclaimed water or separate irrigation water is used on premises.
- (14) When there is a premises with an auxiliary water supply which is interconnected to the City of Aurora Water Service or supply system.

SECTION 5. INSTALLATION REQUIREMENTS.

All backflow prevention assembly installations shall follow the requirements as stipulated by the City of Aurora and the current OAR Chapter 333, Division 061.

If the premises isolation assembly is allowed to be installed at an alternate location, the City of Aurora must have access to the assembly. No connections can be made between the meter and the backflow assembly.

The type of backflow prevention assembly required shall be commensurate with the degree of hazard that exists and must, at all times, meet the standards of the Oregon Health Authority. All backflow prevention assemblies required under this section shall be of a type and model approved by the OHA.

SECTION 6. PLUMBING CODE.

As a condition of water service, customers shall install, maintain, and operate their piping and plumbing systems in accordance with the current Uniform Plumbing Code, or as amended. If there is a conflict between this Ordinance and the Plumbing Code, the more stringent supersedes.

SECTION 7. ACCESS TO PREMISES.

Authorized personnel of the City of Aurora, with proper identification and sufficient notice, shall have access during the hours of 6:00 AM to 6:00 PM to all parts of a premises and within the structure to which water is supplied. However, if any owner, occupant or person in control refuses authorized personnel access to a premises, or to the interior of a structure, for an inspection during these hours, a reduced pressure principle assembly must be installed at the service connection to that premises.

SECTION 8. ANNUAL TESTING AND REPAIRS.

All backflow prevention assemblies installed within the area(s) served by the City of Aurora shall be tested immediately upon installation, and at least annually thereafter by an OHA certified backflow assembly tester. All such assemblies found not functioning properly shall be promptly repaired or replaced at the expense of the owner, occupant or person in control of the premises. In the event an assembly is moved, repaired or replaced it must be retested immediately. If any such assembly is not promptly repaired or replaced, the City may deny or discontinue water to the premises.

SECTION 9. COSTS OF COMPLIANCE.

All costs associated with purchase, installation, surveys, testing, replacement, maintenance, parts and repairs of the backflow prevention assembly, and all costs associated with enforcement of this document, are the financial responsibility of the property owner, occupant, or other person in control of the premises.

SECTION 10. TERMINATION OF SERVICE.

Failure on the part of any owner, occupant or person in control of the premises to install a required assembly, have it tested a minimum of annually and repaired if necessary, and/or to discontinue the use of all cross connections and to physically separate cross connections in accordance with this Ordinance is sufficient cause for the discontinuance of public water service to the premises pursuant to Oregon Administrative Rule chapter 333-061-0070, or as amended. In the case of an extreme emergency or where an immediate threat to life or public health is found to exist, discontinuance or termination of public water service to the premises shall be immediate.

In lieu of termination of service, the City of Aurora may, at the property owner's expense, install a reduced pressure assembly at the service connection. Testing, maintenance and repair of the assembly will be the responsibility of the property owner.

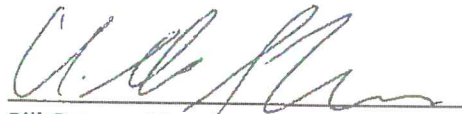
SECTION 11. CONSTITUTIONALITY AND SAVING CLAUSE.

Should any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any

person or set of circumstances, are for any reason held to be unconstitutional, void, invalid, or for any reason unenforceable, the validity of the remaining portions of this Ordinance, or its application to other persons or circumstances, shall not be affected; thereby, it being the intent of the City of Aurora Water System in adopting and approving this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision, or regulation.


ADOPTED by the Aurora City Council at a City Council meeting held on Wednesday, November 12, 2014.

Dated this 12 day of November, 2014.



Bill Graupp, Mayor

Attest:



Kelly Richardson, CMC
City Recorder

APPROVED AS TO FORM:



Dennis Koho, City Attorney