

41-00246

CITY OF CRESWELL Ordinance No.

AN ORDINANCE PROVIDING FOR THE CONTROL OF CROSS-CONNECTIONS WITH THE CITY WATER SYSTEM.

THE CITY OF CRESWELL, OREGON ORDAINS AS FOLLOWS:

Section 1. Definitions.

(a) "Air Gap Separation" means the physical vertical separation between the free-flowing discharge end of a potable water supply pipeline and the open or non-pressure receiving vessel.

(b) "Approval" or "Approved" means approved in writing.

(c) "Auxiliary Water Supply" means any supply of water used to augment the supply obtained from the city water system which serves the premises in question.

(d) "AWWA" means the American Water Works Association.

(e) "Backflow" means the flow in the direction opposite to the normal flow.

(f) "Backflow Prevention Device" or "Backflow Prevention Device Assembly" means a backflow prevention device such as a pressure vacuum breaker, a double check valve, or a reduced pressure principle device, and the attached shut-off valves on the inlet and outlet ends of the device assembled as a complete unit.

(g) "Check Valve" means a valve which allows flow in only one direction.

(h) "City Water System" shall mean the potable water system of the City of Creswell.

(i) "Cross Connection" means any link or channel between the piping which carries drinking water and the piping or fixtures which carry other water or other substances.

(j) "Division" means the Health Division of the Oregon Department of Human Resources.

(k) "Double Check Valve Assembly" means an assembly of two independently acting check valves with shut-off valves on each side of the check valves and test cocks for checking the water-tightness of each check valve.

(l) "Owner" means any person owning a beneficial interest with a right of possession in property served by the municipal water system, any occupant of any premises served by the city water system, and any customer or water user of the city water system.

(m) "Person" includes any individual, corporation, association, firm, partnership, municipal, state or federal agency, or joint stock company and includes any receiver, special master, trustee, assignee or other similar representative thereof.

(n) "Potable Water" means safe drinking water.

(o) "Public Works Director" means the public works director for the City of Creswell or the Public Works Director's designee.

(p) "Reduced Pressure Principle Backflow Prevention Device (R.P. Device)" means a device for preventing backflow which has two check valves, a differential relief valve located between the two check valves, two shut-off valves, one on the upstream side and the other on the downstream side of the check valves, and four test cocks for checking the watertightness of the check valves and the operation of the relief valve.

(q) "Safe Drinking Water" means water which has sufficiently low concentrations of microbiological, inorganic chemical, organic chemical, radiological or physical substances so that individuals drinking such water at normal levels of consumption, will not be exposed to disease organisms or other substances which may produce harmful physiological effects.

(r) "Service Connection" means the piping connection by means of which water is conveyed from a distribution main of public water system to a customer's premises. The portion of the service connection which conveys water from the distribution main to the customer's property line, or to the service meter where provided, is owned by and under the jurisdiction of the water supplier.

(s) "Water System" means a system for the provision of piped water for human consumption.

Section 2. Cross-Connection Control Requirements.

(a) Whenever a water user or the owner of the premises obtaining water from the city water system treats the water in any way or adds any chemical or substance to the water, such person shall immediately notify the Public Works Director.

(b) Backflow prevention device assemblies for protecting the city water system shall be installed on the owner's side of the service connection to premises where an approved air gap does not exist and:

(1) There is an auxiliary water supply which is connected to the potable water piping.

(2) There is an auxiliary water supply which could be connected to the potable water piping, unless all of the following requirements are met:

(A) The auxiliary water supply is not, in fact, connected to the potable water piping.

(B) The auxiliary water supply is conspicuously posted with a sign identifying it as a non-potable water supply and prohibiting it from being connected to the city water supply or any potable water supply system on the premises. The location and contents of the sign shall be determined by the Public Works Director.

(C) The owner permits inspections, at such time as the Public Works Director may determine, to determine whether the auxiliary water supply has been connected to the potable water supply system or the city water supply system.

(D) If any inspection reveals that the auxiliary water system has been connected to the city water system or any potable water system on the premises, the Public Works Director may, upon thirty (30) days written notice to the owner, require installation of a backflow prevention device assembly at the service connection.

(3) There is intricate plumbing which makes it impractical to ascertain whether or not cross-connections exist.

(4) There is back siphonage potential.

(5) Cross-connections or potential cross-connections exist.

(c) The type of backflow prevention device required under paragraph (b) of this section, shall be commensurate with the degree of hazard which exists:

(1) An approved air gap of at least twice the inside diameter, but not less than one inch, of the incoming supply line measured vertically above the top rim of the vessel, or an approved reduced pressure (RP) device assembly shall be installed where the substance which could backflow is hazardous to health, such as but not limited to; sewage treatment plants, sewage pumping stations, chemical manufacturing plants, plating plants, hospitals, mortuaries, car washes, medical clinics.

(2) An approved double check valve assembly shall be installed where the substance which could backflow is objectionable, but does not pose an unreasonable risk to health.

(3) An approved pressure vacuum breaker or an atmospheric breaker shall be installed where the substance which could backflow is objectionable, but does not pose an unreasonable risk to health and where there is no possibility of back pressure in the downstream piping. A shut-off valve may be installed on the line downstream of a pressure vacuum breaker, but shall not be installed downstream of an atmospheric vacuum breaker.

(d) Except as set forth in paragraph (e) of this section, all backflow prevention device assemblies required under this section shall be of a type or model approved by the Division.

(e) Backflow prevention device assemblies installed before the effective date of this ordinance which were approved at the time they were installed, but are not on the current list of approved device assemblies maintained by the Division, shall be permitted to remain in service provided they are properly maintained, are commensurate with the degree of hazard, are tested at least annually, and perform satisfactorily. When devices of this type are moved, or require more than minimum maintenance, they shall be replaced by device assemblies which are on the Division list of approved device assemblies.

(f) The water user or the owner of the premises where one of more reduced pressure device assemblies, double check valve assemblies or pressure vacuum breakers have been installed shall have the device or devices tested, at the owner's or user's expense, at least once per year. Devices shall be tested immediately after installation and after they are moved. Reports

on the test shall be prepared by the tester and copies of the reports shall be provided to the water user or the owner of the premises, to the City of Creswell, and to the Division within fifteen (15) days of the date the test is conducted. Tests shall be performed by certified testers in conformance with the latest edition of procedures established by the Foundation for Cross-Connection Control and Hydraulic Research, Manual of Cross-Connection, University of Southern California.

(g) If any backflow prevention devices are found not to be functioning properly, the Public Works Director shall give notice to the water user or owner of the premises. The notice shall require that the owner or water user repair the backflow prevention device within thirty (30) days of the mailing of the notice, unless the Public Works Director determines that the potential backflow could be hazardous to health, in which case the notice period may be shortened to such time as the Public Works Director may determine.

Section 3. Installation Requirements.

To ensure proper operation and accessibility of all backflow prevention assemblies, the following requirements shall apply to the installation of these devices.

(a) No part of the backflow prevention assembly shall be submerged in water or installed in a location subject to flooding. If installed in a vault or basement, adequate drainage shall be provided.

(b) Assemblies must be installed at the point of delivery of the water supply, before any branch in the line, on private property located just inside of the property line. Alternate locations must be approved in writing by the City of Creswell prior to installations.

(c) The assembly must be protected from freezing and other severe weather conditions.

(d) All backflow prevention assemblies to be installed shall be of a type and model pre-approved by the State of Oregon, Health Division and City of Creswell.

(e) Only assemblies specifically approved by the Oregon Health Division for vertical installation may be installed vertically.

(f) The assembly shall be readily accessible with adequate room for maintenance and testing. Devices 2" and smaller shall have at least 6" clearance on all sides of the device. All devices larger than 2" shall have a minimum clearance of 12" on the back side, 24" on the test cock side, 12" below the device and 36" above the device.

(g) If written permission is granted to install the backflow assembly inside of the building, the assembly shall be readily accessible during regular working hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

(h) If an assembly with written permission, is installed inside of the premises and is 4" or larger and is installed 4' above the floor, it must be equipped with a rigidly and permanently installed scaffolding acceptable to the City of Creswell. This installation must also meet the requirements set out by the U.S. Occupational Safety and Health Administration and The State of Oregon Occupational Safety and Health Codes.

(i) Reduced Pressure Principle Assemblies may be installed in a vault only if relief valve discharge can be drained to daylight through a "boresight" type drain. The drain shall be of adequate capacity to carry the full rated flow of the device and shall be screened on both ends.

(j) An approved air gap shall be located at the relief valve orifice. This air gap shall be at least twice the inside diameter of the incoming supply line as measured vertically above the top rim of the drain and in no case less than 1".

(k) Where a backflow device is deemed necessary, the model of assembly and installation plans shall be submitted to the City of Creswell for approval prior to installation.

Any variances from these installation requirements shall be requested in writing by the owner and approved by the City of Creswell prior to device installation.

Section 4. Notices. Any notice required or permitted under this ordinance shall be deemed given upon mailing to the address of the premises served or to the billing address of the water user listed with the city water department.

Section 5. Shut-Offs. The Public Works Director may shut off the water service to any premises when:

(a) A violation of this ordinance continues after the expiration of any notice period provided under this ordinance.

(b) Immediately, upon determination that an emergency exists or that a substantial hazard exists due to the potential for backflow of hazardous substances.

(c) Immediately upon the refusal of any water user or owner of premises to permit inspection, or if the Public Works Director is unable to contact the water user or owner to arrange for an inspection.

Section 6. Inspections. All water users and owners of premises served by the city water system shall permit inspections by the Public Works Director, at such times as the Public Works Director may designate, for purposes of determining whether the water user or owner is in compliance with this ordinance.

Section 7. Fees. Fees for inspections by the Public Works Director, and for signs posted in accordance with Section 2(b)2(B), shall be set by resolution.

Section 8. Penalties. Violations of this ordinance shall be punishable by a fine not to exceed \$1500.00.

Section 9. Separate Violations. Each day that a violation of this ordinance continues shall constitute a separate violation.

Section 10. Severability. If any clause, sentence, paragraph, section, article or portion of this ordinance shall, for any reason, be adjudged invalid or unenforceable by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

Section 11. Emergency Clause. Whereas, it is necessary to maintain the peace, health and safety of the citizens of Creswell, an emergency is hereby declared to exist. This ordinance therefore, shall become effective immediately and put into full force upon its passage by the council and approval by the mayor.

Passed by the common council this 8th day February, 1993.
Approved by the mayor this 8th day of February, 1993.

Eddie McCluskey, Mayor

Attest: _____

Connie D. Dersham
City Recorder