

Enabling Authority

Water System Name: City of Dallas

Water System PWS ID # 41- 00248 Revised Date: 03-28-2017

Purpose

The purpose of this ordinance is to protect the health of the people served by this water system by preventing contaminants from flowing backwards into the water supply. To accomplish this, these rules are in compliance with Oregon Administrative Rules (OARs) 333-061-0070 through 333-061-0074.

Requirements

Actual or potential cross connections are prohibited. If a potential exists for a cross connection the water system must be protected by an appropriate backflow prevention device or assembly.

Any high hazards, as specified in the OARs will be given the highest priority, and protected with an approved air gap or reduced pressure backflow assembly.

Enforcement

The water system has the right to refuse or terminate water service to any customer who does not:

- Install a backflow device or assembly, when an actual or potential cross connection exists.
- Test the assembly at least annually and complete necessary repairs

The water system reserves the right to require a backflow device at the customer's side of the water meter if access is not allowed to determine if a backflow device or assembly is necessary.


The water system will allow a reasonable time to achieve compliance with our rules, but should a backflow incident occur, the water system has the right to terminate service immediately and restore it only after compliance.

Additional

A list of all high hazard connections and how they are protected from a cross connection is attached to this enabling authority.

This enabling authority is approved and adopted and will remain in effect as of this date until such time as revised or eliminated.

Printed Name: Megan Beyer Title: Technical Assistant

Signature:  Date: 3-29-17

Printed Name: _____ Title: _____

Signature: _____ Date: _____

WATER REGULATIONS AND RATES

4.450 Application for Service.

(1) Applications for the use of water must be made on printed forms furnished by the city manager and signed by the owner or lessee of the premises to which water is sought to be furnished or by an authorized agent of either of them. The applicant must state on the form the purpose or purposes for which the water is to be used and must agree to conform to the rules and regulations of the city water department concerning use of water. The application is a written request for service and does not bind the city to provide such service.

(2) At the time an application is filed, the applicant shall pay a fee set by resolution of the city council for each service connection covered by the application. The fee shall be nonrefundable unless the city refuses to provide the service applied for.

[Section 4.450(2) amended by Ordinance No. 1648, passed 11-1-04.]

4.452 Connection of Service.

(1) The city will furnish, install, own, operate, maintain, and replace all connections to the customer's service outlet.

(2) The service outlet on a customer's premises shall be located at or near the curb lines to make the meter easily accessible from the city's distribution lines and convenient for the installation, operation, protection, and maintenance of the city's meters and equipment.

(3) The city shall not be required to install or maintain more than one connection direct from its distribution lines to the service outlet of any one customer. Each customer shall install and maintain, at his own expense, all piping, plumbing, equipment, and faucets to the point of connection to the city's service.

(4) All plumbing and equipment of the customer shall be connected at the expense of the customer to the service piping so that all water used by the customer passes through the meter.

(5) There shall be only one water connection for each single-family dwelling or each separate living unit in a multi-family dwelling.

4.454 Refusal of Service.

(1) The city may decline to serve a customer until the customer has fully complied with all the rules and regulations prescribed by sections [4.450](#) to [4.486](#) or any city laws regulating the use and distribution of water.

(2) The city may decline to serve or to increase the service to a customer if, in the opinion of the council, adequate facilities are not available to provide the service applied for or if the desired service is of a character likely to unfavorably affect service to other customers.

(3) The city may refuse to serve a customer if the customer's plumbing or equipment is of such a character that satisfactory service cannot be given.

(4) The city may refuse to reconnect a service under the name of a member of a household when service has previously been disconnected for nonpayment of bills by another member of the same household.

[Section 4.454(5) repealed by Ordinance No. 1514, passed December 4, 1995.]

4.455 Cross-connections.

(1) Purpose and Scope. The purpose of this ordinance is to protect the public health of water consumers by the control of actual and/or potential cross-connections to customers and to set forth uniform requirements for the city of Dallas to comply with all applicable state and federal laws including the Safe Drinking Water Act PL 93-523.

(2) Definitions:

(a) Backflow shall mean the undesirable reversal of water or mixtures of water and other liquids, gases or other substances from any source or sources into the distribution pipes of the potable water supply.

(b) Backflow prevention device (approved) shall mean a device that is a type and model approved by the Oregon State Health Division.

(c) Backflow prevention device (type) shall mean any approved device used to prevent backflow into a potable water system. The type of device used should be based on the degree of hazard either existing or potential.

(d) City shall mean the city of Dallas or the city council of Dallas, Oregon, or the city's designee.

(e) Contamination shall mean the entry into or presence in a public water supply of any substance which may be deleterious to health and/or quality of water.

(f) Cross-connection shall mean any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removeable sections, swivel or changeover devices and other temporary or permanent devices through which or because of which backflow can or may occur are considered to be cross-connections.

(g) Director shall mean the Director of Public Works of the city of Dallas, or authorized agent.

(h) Hazard, degree of shall be derived from the evaluation of a health, system, plumbing or pollution hazard.

(i) Hazard, health shall mean an actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be a danger to health.

(j) Hazard, plumbing shall mean an internal or plumbing type cross-connection on 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.

(k) Hazard, pollutional shall mean 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 degree or intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.

(l) Hazard, system shall mean 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 protracted effect on the quality of the potable water in the system.

(m) Health Division Officer shall mean the Oregon State Health Division Officer, or other state authorized agent.

(n) Potable water supply shall mean any system of water supply intended or used for human consumption or other domestic use.

(o) State shall mean the State of Oregon.

(3) Cross-connections Prohibited. The installation or maintenance of a cross-connection which will endanger the water quality of the potable water supply system of the city shall be unlawful and is prohibited. Any such cross-connection now existing or hereafter installed is declared to be a public hazard and the same shall be abated. The control or elimination of a cross-connection shall be in accordance with this ordinance and any manual of standard practice pertaining to cross-connection control approved by the city of Dallas, and any requirements set forth by the United States Environmental Protection Agency as authorized by the Safe Drinking Water Act PL 93523 and subsequent applicable legislation. The city shall adopt rules and regulations as necessary to carry out the provisions of this ordinance.

(4) Use of Backflow Prevention Devices:

(a) No water service connection to any premise shall be installed or maintained by the city unless the water supply is protected as required by state law and regulation and this section. Service of water to any premise may be discontinued by the city, according to the degree of hazard, if a backflow prevention device required by this ordinance is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

(b) The customer's system shall be open for inspection and tests at all reasonable times to authorized representatives of the city to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the city shall have the right to deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with the state and the city statutes relating to plumbing and water supplies and the regulations herein.

(c) Where required, an approved backflow prevention device shall be installed on each service line to a customer's water system at or near the property line; but, in all cases, before the first branch line leading off the service line.

(d) Backflow prevention devices shall be installed under circumstances including, but not limited to, the following:

(i) Premises having an auxiliary water supply;

(ii) Premises having cross-connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connections exist;

(iii) Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist;

(iv) Premises having a history of cross-connections being established or re-established;

(v) Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters;

(vi) Premises where materials of a toxic or hazardous nature are handled in such a way that the customer's water system is subject to being submerged by a hazardous substance or if back siphonage should occur, a serious health hazard might result;

(vii) Premises where a booster pump is needed to provide pressure;

(viii) Premises having a new irrigation system;

(ix) Premises having a plumbing system greater or equal to thirty feet above the city water main from which it is served;

(x) A **backflow** prevention device shall be installed at the following facilities unless the city determines that no hazard exists:

- (i) Hospitals, mortuaries, clinics;
- (ii) Laboratories;
- (iii) Metal plating industries;
- (iv) Water districts;
- (v) Sewage treatment plants;
- (vi) Food or beverage processing plants;
- (vii) Chemical plants using a water process;
- (viii) Petroleum processing or storage plants;
- (ix) Radioactive material processing plants or nuclear reactors;
- (x) Facilities with fire service lines as specified by the Oregon State Health Division;
- (xi) Water customers outside the city limits;
- (xii) Others specified by the city.

(e) The type of protective device required shall depend on the degree of hazard which exists.

(f) **Backflow** prevention devices required by this section shall be installed under the supervision, and with the approval of the city.

(g) Any protective device required by this section shall be approved by the director.

(h) These protective devices shall be furnished and installed by and at the expense of the customer.

(i) It shall be the duty of the customer-user at any premises where **backflow** prevention devices are installed to have certified inspections and operational tests made at least once per year. In those instances where the city deems the hazard to be great enough, the city may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by a certified tester approved by the director. The customer-user shall notify the director in advance when the tests are to be undertaken so that the director or a representative may witness the tests if so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests, repairs and overhauls shall be kept and copies sent to the director. If a test report is not completed within 30 days of the date on which the annual test certification is due or within 10 days of the date of an initial installation, the city may elect to order such test, and that repairs to the device, if necessary, be completed and that the cost thereof, plus city administration fees, be added to the customer's water bill.

(j) Failure of the customer to cooperate in the installation, maintenance, testing or inspection of **backflow** prevention devices required by this section or by state law shall be grounds for termination of water service to the premises.

(k) All water trucks obtaining water from the public water supply shall fill at a city approved supply location where a **backflow** prevention device is installed. An alternate water supply site may be approved by the director after the required **backflow** prevention device has been installed.

(5) Cross-connection Inspection:

(a) No water shall be delivered to any structure hereafter built within the city of Dallas or within areas served by city water until the same has been inspected by the city for possible cross-connections and has been approved as being free of cross-connections.

(b) Any construction for industrial or other purposes which is classified as a hazardous facility, where it is reasonable to anticipate intermittent cross-connections, or as determined by the director, shall be protected by the installation of one or more backflow prevention devices at the point of service from the public water supply or any other location designated by the city.

(c) Inspections shall be made at the discretion of the director of all buildings, structures, or improvements for the purpose of ascertaining whether cross-connections exist. Such inspections shall be made by the city.

(6) Liability. This section shall not be construed to hold the city responsible for any damage to persons or property resulting from the inspection or testing, or the failure to inspect or test, or by reason of approval, of any cross-connections.

(7) Penalties.

(a) An unintentional and non-reckless violation of this section is punishable by a fine of up to \$1,000 per violation per day.

(b) An intentional or reckless violation of this section is a class C misdemeanor.

(c) An intentional or reckless violation of this section which results in the introduction of any substance into the city water system which causes personal injury or property damage is a class A misdemeanor.

(d) Each day a violation continues shall be a separate offense.

(e) In addition to the penalties set forth herein, a person who violates this section shall be liable to the city for the city's costs, including attorney fees, of remedying the violation and repairing any damage resulting from the violation.

[Section 4.455 added by Ordinance No. 1514, passed December 4, 1995.]

4.456 Discontinuance of Service.

(1) A customer who is about to vacate premises supplied with service by the city or who wishes to have service discontinued shall give two days' notice in writing in advance of the specified date of discontinuance of service. Until the city has the notice, the customer shall be held responsible for all services rendered at the location.

(2) (a) Service may be discontinued for nonpayment of bills or for violation of rules or regulations after three days' written notice that bills are delinquent or that the violation of rules must cease.

(b) Customers shall be notified that they have the opportunity to be heard by a city official or employee empowered to resolve any valid objections to the billing prior to the disconnection.

(c) If a dangerous condition is found to exist on the customer's premises, service may be discontinued without advance notice.

(3) When service is discontinued for nonpayment of bills or for violation of the rules and regulations, service shall not be restored until the person requesting the restoration of service pays a fee of \$16 to cover the cost of restoring service and the past due amount, and, in the case of an unauthorized hookup, the city's reasonable estimate of the amount of water service the person received without being charged.

(4) During a major emergency, the city manager may impose reasonable and necessary restrictions on all types of water use after reasonable notice. Failure to comply with the restrictions shall be grounds for discontinuance of water service.