

GENERAL PROVISIONS

§ 51.35 WATER PRESSURE REGULATORS.

Upon the sale or transfer, by contract, deed, or otherwise, of any property served by the city water system, the new owner of the property shall forthwith cause to be installed a water pressure regulator on the owner's side of the curb cock so as to restrict the amount of water pressure to the property to not more than 80 pounds per square inch. If it is shown that the water pressure to any certain piece of property does not ever exceed 80 pounds per square inch, then this section shall be of no force and effect with respect to the property.

(Ord. 395, passed 5-5-1980) Penalty, see § 51.99

§ 51.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person violating any of the provisions of §§ 51.01 through 51.20 shall, upon conviction thereof, be punished by a fine not exceeding \$500. Each day's violation constitutes a separate offense. This penalty shall be in addition to any other remedies available to the city.

(Ord. 98-471, passed 5-4-1998)

CHAPTER 52: CROSS-CONNECTION CONTROL

Section

52.01	General provisions
52.02	Definitions
52.03	Administration
52.04	Requirements
52.05	Degree of hazard
52.06	Existing backflow devices
52.07	Periodic testing
52.08	Oregon Administrative Rules adopted
52.09	Effective date

§ 52.01 GENERAL PROVISIONS.

Cross Connection

(A) *Purpose.*

(1) To protect the public potable water supply served by the City Public Works Department from the possibility of contamination or pollution by isolating, within its customer's internal distribution system, the contaminants or pollutants which could backflow or backsiphon into the public water system;



(C) *Damage to Water Department distribution system, facilities, and equipment.* The customer shall be liable for any damage to distribution system, facilities, and equipment owned by the Water Department which is caused by an act of the customer, his or her tenants, agents, employees, contractors, licensees, or permittees. Damage shall include, but not be limited to, breaking of seals and locks, tampering with meters, injury to meters, injury to distribution lines, including, but not limited to, damage by hot water or steam and damaged meter boxes, curb stops, meter stops, and other appurtenances. Failure to make restitution in full within 90 days of notice and billing shall result in a lien being assessed against the customer's property, as provided for in § 51.13(B).
(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

§ 51.18 FIRE HYDRANTS.

(A) *Operation.* No person or persons other than those designated and authorized by the Water Department shall open any fire hydrant belonging to the Water Department, attempt to draw water from it, or in any manner damage or tamper with it. Any violation of this regulation will be prosecuted according to law. No tool other than special hydrant wrenches shall be used to operate a hydrant valve. In cases where a temporary service has been granted and received water through a fire hydrant, an auxiliary external valve will be provided to control the flow of water.

(B) *Moving a fire hydrant.* When a fire hydrant has been installed in the locations specified by the proper authority, the Water Department has fulfilled its obligation. If a property owner or other party desires to change the size, type, or location of the hydrant, he or she shall bear all costs of the changes. Any changes in the location of a fire hydrant must be approved by the Water Department and the Fire Department.
(Ord. 98-471, passed 5-4-1998) Penalty, see § 51.99

§ 51.19 SUSPENSION OF RULES.

No employee of the Water Department is authorized to suspend or alter any of the policies, rules, and regulations cited herein without specific approval or direction of the City Council, except in cases of emergency involving loss of life or property or which would place the water system operation in jeopardy.
(Ord. 98-471, passed 5-4-1998)

§ 51.20 EASEMENTS.

Each applicant and user, as a condition of service, gives and grants to the city an easement and right-of-way in, on, across, and under his or her property for the installation and maintenance of water lines, water meters, and the necessary valves and equipment in connection therewith.
(Ord. 98-471, passed 5-4-1998)

(2) To promote the elimination of, or control of, existing cross-connections, actual or potential, between the potable water system and source or non-potable water or other hazardous substances; and

(3) To provide for the maintenance of a continuing program of cross-connection control which will effectively prevent the contamination or pollution of all potable water systems by cross-connections.

(B) *Authority.*

(1) The Federal Safe Drinking Water Act of 1974, the statutes of the state, including, but not limited to, the State Drinking Water Quality Act of 1981, and Oregon Administrative Rules encompassed by O.A.R. 333-061-0005 through 333-061-0098, give the water supplier the primary responsibility of preventing water from unapproved sources, or any other substances, from entering the public potable water system; and

(2) The City Charter and ordinances of the city, including, but not limited to, §§ 51.01 through 51.20, as may be amended.

(C) *Responsibility.*

(1) Water suppliers are responsible for taking all reasonable precautions to assure that the water delivered to water users does not exceed maximum contaminant levels, to assure that water system facilities are free of public health hazards, and to assure that water system operation and maintenance are performed as required. In order to prevent contamination or pollution of the city water system due to the backflow or backsiphonage of contaminants or pollutants through the water service connections, all owners and water users shall be responsible for installing, maintaining, repairing, inspecting, and testing approved backflow preventer devices on all water service connections or at any other connection where a cross-connection is possible in the judgment of the Administrator or the cross-connection control staff.

(2) The owner or water user shall, within 90 days of notification, install and have tested by a certified tester an approved backflow preventer device(s) for all new and existing water service connections. All backflow preventer devices shall be inspected and tested once per year, or more frequently as determined by the Administrator or the cross-connection control staff, by a certified inspector and tester. All installations, inspections, testing, maintenance, and repairs shall be at the expense of the owner or water user. In the event of an emergency where the imminent contamination of the water supply is possible, the cross-connection control staff may make any repairs to a device as are necessary; the owner or water user shall be responsible for paying for any parts.

(3) Failure, refusal, or inability on the part of the owner or water user to install, have tested and inspected, and maintain the device or devices within 90 days of notification shall constitute grounds for summary discontinuation of water service to the premises until the device has been properly installed, inspected, tested, and/or maintained. (Ord. 97-464, passed 3-3-1997; Ord. 476, passed 1-10-2000) Penalty, see § 10.99

§ 52.02 DEFINITIONS. *XC*

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATOR. The Administrator of the Health Division of the Department of Human Resources, or his or her designee.

APPROVED. Accepted by the city as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.

AUXILIARY WATER SUPPLY. Any water supply, on or available, to the premises other than the purveyor's will be considered as an **AUXILIARY WATER SUPPLY**.

BACK PRESSURE. Any elevation of pressure in the downstream piping system (by pumping, elevation of piping, steam or air pressure) above the supply pressure at the point of consideration which would cause, or tend to cause, a reversal of the normal direction of flow.

BACKFLOW. The undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable supply of water from any source or sources.

BACKFLOW PREVENTER. An assembly or means designed to prevent backflow or backsiphonage.

(1) **AIR GAP.** A physical separation between free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An **APPROVED AIR GAP** shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel; in no case be less than one inch.

(2) **ATMOSPHERE VACUUM BREAKER.** A device which prevents backsiphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure on a water system.

(3) **DOUBLE CHECK VALVE ASSEMBLY.** An assembly of two independently operating spring-loaded check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of the check valve.

(4) **PRESSURE VACUUM BREAKER.** A device consisting of one or more spring-loaded check valves and an independently operating air inlet valve installed as a unit between two tightly closing shut-off valves on each side of the check valves and properly located test cocks for testing. The air inlet valve is internally loaded to the open position.

(5) **REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER.** A device consisting of two independently acting, spring-loaded check valves separated by a spring-loaded differential pressure relief valve. This device shall be installed as a unit between two tightly closing shut-off valves and properly located test cocks for the testing of the check valves and relief valves.

BACKSIPHONAGE. The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of the pressure in the potable water supply system.

CONTAMINANT. Any physical, chemical, biological, or radiological substance or matter in water.

CROSS-CONNECTION. Any link or channel between the public water supply and piping or fixtures which carry other water or other substances.

CROSS-CONNECTION CONTROL STAFF. The person(s) designated by the city to administer and enforce the city water system's cross-connection control program.

DISTRIBUTION SYSTEM. The network of pipes and other facilities which are used to distribute water from the source, treatment, transmission, or storage facilities to the water user.

DIVISION. The Health Division of the State Department of Human Resources.

OWNER. Any person who has legal title to, or license to operate or habitat in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

PERMIT. A document issued by the utility which allows the use of a backflow preventer.

PERSON. Any individual, partnership, company, public or private corporation, political subdivision or agency of the State Division, agency or instrumentality of the United States, or any other legal entity.

UTILITY. City water section of the Public Works Department.

WATER SERVICE ENTRANCE (CONNECTION). The point in the owner's water system beyond the sanitary control of the utility; generally considered to be the outlet end of the water meter and always before any unprotected branch.

WATER USER. Any customer or person utilizing water from the city water system.
(Ord. 97-464, passed 3-3-1997; Ord. 476, passed 1-10-2000)

§ 52.03 ADMINISTRATION.

(A) The utility will operate a cross-connection control program to include the keeping of necessary records, which fulfills the requirements of the Division's cross-connection regulations.

(B) The owner shall allow his or her property to be inspected, when given reasonable notification and during reasonable times, for possible cross-connections and shall follow the provisions of the utility's program, and the Division's regulations if a cross-connection is identified.

(Ord. 97-464, passed 3-3-1997) Penalty, see § 10.99

§ 52.04 REQUIREMENTS.

(A) *Utility.*

(1) On new installations, the utility will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required, will issue permit, and perform inspection.

(2) For premises existing prior to the start of this program, the utility will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary.

(a) Ordinarily 90 days will be allowed for the correction; and

(b) This 90-day period may be shortened depending on the degree of hazard or the history of the device.

(3) The utility will not allow any cross-connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be regularly tested to insure satisfactory operation.

(4) The utility will inform the owner by letter of any failure to comply, within ten working days of the first re-inspection.

(a) The utility will allow an additional 15 days for the correction.

(b) At the end of the additional 15 days, a second re-inspection will be made to determine if corrections have been made.

(c) If corrections have not been made, the utility will inform the owner by letter that the water service to the owner's premises will be terminated five days from the date of this notice.

(d) In the event that the owner informs the utility of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the utility, but in no case will exceed an additional 30 days.

(5) If the utility determines at any time that a serious threat to the public health exists, the water services will be terminated immediately.

(6) The utility shall have 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 building or property.

(B) *Owner.*

(1) The owner shall be responsible for the elimination or isolation of all cross-connections on his or her premises.

(2) The owner, after having been informed by a letter from the utility, shall, at his or her expense, install, maintain, and test or have tested any and all backflow preventers on his or her premises.

(3) The owner shall correct any malfunctions of the backflow preventer which is revealed by periodic testing.

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

(5) The owner shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners shall not tamper with backflow devices.

(6) The owner shall install backflow preventers in a manner approved by the utility.

(7) The owner shall install only backflow preventers approved by the Health Division.

(8) Any owner having a private well or other private water source must have a permit if the well or source is cross-connected to the utility's system. Permission to cross-connect may be denied by the utility. The owner may be required to install a backflow preventer at the service entrance if a private water source is maintained, even if it is not cross-connected to the utility's system.

(9) In the event the owner installs plumbing to provide potable water for domestic purposes which is on the utility's side of the backflow preventer, the plumbing must have its own backflow preventer installed.

(Ord. 97-464, passed 3-3-1997) Penalty, see § 10.99

§ 52.05 DEGREE OF HAZARD.

(A) The utility recognizes the threat to the public water system arising from cross-connections. All threats will be classified by degree of hazard and will require the installation of an approved backflow prevention device.

(B) The term **DEGREE OF HAZARD** shall mean either a polluttional (nonhealth-low) or contamination (health-high) hazard and is derived from the evaluation of conditions within a system.
(Ord. 97-464, passed 3-3-1997)

§ 52.06 EXISTING BACKFLOW DEVICES.

(A) Any existing backflow preventer shall be allowed by the utility to continue in service unless the degree of hazard is such as to supersede the effectiveness of the preventer, or result in an unreasonable risk to public health.

(B) Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow device must be replaced with an approved device suitable for that degree of hazard.
(Ord. 97-464, passed 3-3-1997)

§ 52.07 PERIODIC TESTING.

(A) All testable backflow devices shall be tested and inspected at least annually.

(B) Periodic testing shall be performed by a certified tester from a list provided by the utility. This testing will be done at the owner's expense.

(C) Any backflow preventer which fails during a periodic test will be repaired or replaced. When repairs are necessary, upon completion of the repair, the device will be re-tested 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. In other situations, a compliance date of not more than 30 days after the test date will be established. The owner is responsible for spare parts, repair tools, or a replacement device. Parallel installation of two devices is an effective means of the owner ensuring uninterrupted water service during testing or repair of devices and is strongly recommended when the owner desires the continuity.

(D) Backflow prevention devices will be tested more frequently than specified in division (A) above if the utility feels that there is a history of test failures. Cost of additional testing will be borne by the owner. Any circumstance not covered by this chapter or any of the authorities in § 52.01(B) shall be left to the judgment of the Administrator or designee.
(Ord. 97-464, passed 3-3-1997)

§ 52.08 OREGON ADMINISTRATIVE RULES ADOPTED.

The city hereby adopts Oregon Administrative Rules as outlined in Chapter 333, Subsection 42-200 through 42-245, as may be amended.
(Ord. 97-464, passed 3-3-1997)

§ 52.09 EFFECTIVE DATE.

*Adopted
1997*

FALLS CITY, CITY OF

41-00297

2