

Article 38.12
Cross Connection. Revised 12/16

Sections:

- [38.12.120](#) Cross Connection Prohibited.
- [38.12.122](#) Cross Connection Control Requirements.
- [38.12.124](#) Backflow Prevention Devices.
- [38.12.126](#) Backflow Prevention Device Testing Program. Revised 12/16

**38.12.120 Cross Connection Prohibited.**

1. No person shall install or maintain a physical interconnection between the City water supply system and any other source of water supply unless such interconnection has an approved and tested backflow prevention device.
2. The installation and maintenance of any cross-connection which has the possibility of endangering the water quality of the potable water supply system of the City shall be a violation of this Code.
3. New or existing cross connections which do not have an approved and tested backflow prevention device is hereby declared to be a public nuisance which may be abated as provided in LOC 34.10.400 to 34.10.435.

(Ord. No. 2057, Sec. 1; 06-29-92.)

38.12.122 Cross Connection Control Requirements.

1. If the City has reasonable cause to believe that an existing or potential nonconforming cross connection is located on a customer's premises, upon ten days written notice the City shall deny or discontinue water service to those premises until:
 - a. An approved backflow prevention device is installed; or
 - b. The cause of the hazard is eliminated.
2. The City may grant an extension of the ten day correction period provided in subsection (1) of this section if the customer demonstrates to the City's satisfaction that the correction cannot reasonably be completed within ten days.
3. A property owner shall be required to install backflow prevention devices on the premises served where:
 - a. There is an auxiliary water supply such as a well which is or can be connected to the potable water piping; or
 - b. There is piping for conveying liquids other than potable water and that piping is under pressure or vacuum and is installed and operated in a manner which could cause a cross connection; or
 - c. There is intricate plumbing which makes it impractical to ascertain whether or not cross connection exists;

or

 - d. There is a fire line or domestic service larger than two (2) inches in size, or an irrigation service of any size. Backflow prevention devices are required on all domestic services two (2) inches and smaller if the building is more than two (2) stories or higher than thirty-two (32) feet above the water

main. Buildings which are on one or two story, but which exceed thirty-two (32) feet in height may be exempted upon a determination that no backflow hazard exists.

- e. There is back siphonage potential.
- f. Cross connections or potential cross connection exists.

(Ord. No. 2057, Sec. 1; 06-29-92.)

38.12.124 Backflow Prevention Devices.

1. The type of backflow prevention device required pursuant to LOC [38.12.120](#) to [38.12.126](#) shall be commensurate with the degree of hazard that exists and meet the standards of the Oregon State Health Division on file with the City and the Oregon State Plumbing Code.
2. All backflow prevention devices required under this section shall be of a type and model approved by the Oregon State Health Division.
3. The City may specify the location and method of installation of a backflow prevention device. The control or elimination of cross connections shall be in accordance with any manuals of standard practice pertaining to cross connection control approved by the City, and any requirements establish by the United States Environmental Protection Agency (EPA) as authorized by the Safe Drinking Water Act.
4. Any installation or change to a backflow prevention device shall conform to these standards and be at the sole expense of the owner. The cost of any change required in the City's water system outside the property and any charges for cutoff or disconnection shall be added to the water bill for the premises which necessitated the expenditure.
5. Any backflow prevention device installed prior to the effective date of this ordinance but not approved pursuant to this ordinance may remain in service if:
 - a. The device is properly maintained; and
 - b. The type of device is commensurate with the degree of hazard; and
 - c. The device is tested annually as required by LOC [38.12.126](#); and
 - d. The device performs satisfactorily.
6. If a backflow prevention device does not meet the requirements of subsections (1) and (2) of this section, but may be used pursuant to subsection (5) of the section, the device must be replaced if it is moved, requires more than maintenance, or if there is a change in use or tenancy of the premises.
7. Any person operating any mobile apparatus which uses the City water system or water from any premises within the City must provide for backflow prevention pursuant to this section.

(Ord. No. 2057, Sec. 1; 06-29-92.)

38.12.126 Backflow Prevention Device Testing Program. Revised 12/16

1. All backflow prevention devices required by this Code shall be tested as follows:
 - a. Within ten days of installation, relocation, or repairs to the device;
 - b. Annually between January 1 and July 15; and
 - c. Within ten days following notice to the customer of a determination by City that the device could create a serious health hazard, pursuant to subsection (6) of this section.

2. The customer is responsible for ensuring that the testing of the backflow device is performed by a tester certified by the state of Oregon.
3. The tester shall file, and the customer shall ensure that the tester files, the test results with the City within ten days of testing.
4. If the City does not receive the test results:
 - a. For testing under subsection (1)(a) of this section: within ten days of testing;
 - b. For testing under subsection (1)(b) of this section: by July 25;
 - c. For testing under subsection (1)(c) of this section: within ten days following the notice of the City's determination that the device could create a serious health hazard; or
 - d. Within ten days following notice to the customer of the City's discovery that the device was installed, relocated, or repaired without testing,

the City may test the device and add the cost of the test to the water bill.

5. If the results of the test indicate that repairs are necessary, the repairs must be made within 30 days of notice of the need for repairs.
6. If the City determines that the situation could result in a health hazard, the City may notify the customer that the backflow device requires immediate correction and/or may immediately terminate service until the problem is corrected.

(Ord. 2727, Amended, 11/01/2016; Ord. No. 2057, Sec. 1; 06-29-92.)

The Lake Oswego Municipal Code is current through Ordinance 2734, passed May 2, 2017.

Disclaimer: The City Recorder's Office has the official version of the Lake Oswego Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

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