

#41-00899

ORDINANCE NO. 1320

ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF RULES GOVERNING CROSS CONNECTION CONTROL MEASURES FOR THE CITY OF TOLEDO AND AMENDING TOLEDO MUNICIPAL CODE, TITLE 13, SECTION 13.12.030 AND REPEALING SECTION 13.12.240

TOLEDO WATER UTILITIES

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FIELD SERVICES
DRINKING WATER PROGRAM

WHEREAS, with the passage of time, various code sections require updating; and

WHEREAS, the Public Works Department has requested updates.

NOW, THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

Section 1: Toledo Municipal Code Section 13.12.030 (Definitions) shall be amended, adding the following words and phrases and shall be placed in alphabetical order with the existing definitions and terms:

“**Air Gap** means the vertical physical separation between the free flowing discharge end of the potable supply line and the overflow rim of the receiving vessel. This separation must be at least twice the inside diameter of the supply line, but never less than one inch.”

“**Atmospheric Vacuum Breaker (AVB)** means a device, which contains a float check (poppet), a check seat, and an air inlet vent. This device is not approved by the City of Toledo for use on irrigation systems.”

“**Backflow Device Installer** means a person who is a plumber, an irrigation installer, Public Works Employee, or a pipe fitter all licensed by the State of Oregon. All installers are required to obtain a permit from the City of Toledo in order to perform the work.”

“**Certified Backflow Assembly Tester** means a person who is certified by the Oregon State Health Division, holds a contractors license with the Construction Contractor’s Board, and is approved by the City of Toledo to test backflow prevention assemblies.”

“**Certified Cross Connection Control Specialist / Inspector** means a person who is certified by the Oregon State Health Division to administer a cross connection control program and to conduct a cross connection survey.”

“**Cross Connection** means a cross connection is any actual or potential physical connection between a potable water line and any pipe or vessel containing a non-potable fluid so that it is possible to introduce the new non-potable fluid into the potable system by “backflow”.”

“**Department** means the Public Works Department of the City of Toledo.”

“Double Check Detector Assembly (DCDA) means an approved assembly consisting of two approved double check valve assemblies, set in a parallel manner, equipped with a meter on the bypass line to detect small amounts of water leakage or use.”

“Double Check Valve Assembly (DCVA) means an approved assembly consisting of two independently operating check valves, loaded to the closed position by springs or weights, and installed as a unit with and between two resilient seated shutoff valves and having suitable connections for testing.”

“Fire Department Inlet Connection means a connection, sometimes referred to as a Siamese connection, through which the fire department can pump water into a standpipe system or sprinkler system.”

“Pressure Vacuum Breaker Assembly (PVBA) means an approved assembly consisting of a spring loaded check valve loaded to the closed position, an independently operating air inlet valve loaded to the open position and installed as a unit with and between two resilient seated shutoff valves and having suitable connections for testing.”

“Reduced Pressure Backflow Assembly (RPBA) means an approved assembly consisting of two independently operating check valves, spring loaded to the closed position, separated by a spring loaded differential pressure relief valve loaded to the open position, and installed as a unit with and between two resilient seated shutoff valves and having suitable connections for testing.”

“Reduced Pressure Detector Assembly (RPDA) means an approved assembly consisting of two reduced pressure backflow assemblies, set in a parallel manner, equipped with a meter on the bypass line to detect small amounts of water leakage or use.”

“Service Protection means the appropriate type or method of backflow protection at the service connection, commensurate with the degree of hazard of the consumer’s potable water system.”

“Spill-Resistant Pressure Vacuum Breaker means an assembly containing an independently operating internally loaded check valve and independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with a properly located resilient seated test cock, a properly located bleed/vent valve, and tightly closing resilient seated shutoff valves attached at each end of the assembly.”

“Standard means the quality of materials and standards for sizing and design adopted by the City of Toledo for the construction of improvements to be added to or served from the City water system.”

“Water Department means the Water Department of the City of Toledo.”

Section 2: Toledo Municipal Code Section 13.12.240 shall be repealed and replaced as follows:

- A. Purpose.** The purpose of this Ordinance, in conjunction with the regulations set forth in Chapter 10 of the Uniform Plumbing Code of the State of Oregon, the Uniform Fire Code, and the current edition of the Cross Connection Control Manual - Accepted Procedure and Practice published by the Pacific Northwest Section, American Water Works Association, and regulated by the State of Oregon Department of Human Services is to protect the health of the water consumer and the potability of the water in the distribution system. Inspection and regulation of all actual or potential cross connections between potable and non-potable systems is required in order to minimize the danger of contamination or pollution of the public potable water supply. Controlling or preventing cross connections is accomplished by either removing the cross connection or installing an approved backflow prevention assembly to protect the public potable water supply.
- B. System Control.** The City of Toledo is required to eliminate or control all cross connections throughout its service area. All persons who submit an application for service, and all customers receiving service shall comply with the regulations set forth in this ordinance. The owner of the property upon which a cross connection occurs shall be fully responsible for all damages caused as a result of the cross connection.
- C. Enforcement and Device Standards.** The City Manager will enforce the provisions of this Ordinance. The City Manager may delegate the enforcement responsibilities to a Certified Cross Connection Control Specialist/Inspector. The provisions of this Ordinance may supersede State of Oregon Health Division Regulations but in no case shall they be less stringent. All standards shall be approved by the Department and the City Manager. All backflow prevention assemblies required by this Ordinance shall conform with the models approved by the Oregon State Health Division.

Approved backflow prevention assemblies required by this Ordinance shall be installed under the direction of the Public Works Director and/or under the supervision of the Cross Connection Control Specialist/Inspector, and shall comply with City of Toledo Standard Specifications.

- D. Device Testing.** All DCVAs, DCDAs, PVBA's, RPBAs, RPDAs, and SPVBA's are required to be tested immediately after installation and annually thereafter by a Certified Backflow Device Tester. All Air Gaps and AVBs installed in lieu of an approved backflow prevention assembly shall, at a minimum, be inspected on an annual basis. Reports for initial testing must be submitted to the Department within three (3) business days of installation. Annual testing of devices must occur within thirty (30) days of receipt of the annual test due notification from the Department, and a completed Test Report must be submitted to the Department within three (3) business days of device testing. Test and inspections may be required on a more frequent basis at the discretion of the Director.

All testers testing in the City of Toledo service area for the first time shall provide an opportunity for the Cross Connection Inspector to witness a test performed by them in order for that test and all subsequent tests to be accepted by the City of Toledo. Any

tester or company providing testing inside the Toledo service area shall contact the Cross Connection Inspector of the City of Toledo prior to doing business in Toledo and provide a copy of their contractors license, state certification and current test equipment calibration record. It is the responsibility of any tester or company to keep all licensing, certification and calibration records current and to communicate in writing annually to the City any and all changes related to this requirement which may have occurred during the previous year.

E. Right of Inspectors and Public Works Department Personnel to enter Premises.

Authorized employees of the City of Toledo with proper identification shall have free access at reasonable hours of the day to all areas of a premise or building to which water is supplied, for the purpose of evaluating the need for backflow protection. The City may refuse to supply service, or may terminate service, for failure to allow necessary inspections.

Failure of the customer to cooperate in the installation, maintenance, repair, inspection, or testing of a backflow prevention assembly required by this Ordinance shall be grounds for termination of water service, or for the requirement of an Air Gap separation. The City may elect to install an appropriate backflow protection device at the property line if the immediate health of the citizens of Toledo is threatened. All costs associated with such installations by the City shall be the responsibility of the property owner, due and payable within one month of installation completion.

F. Violations. Any person who violates this ordinance shall be subject to the penalty polices established in Toledo Municipal Code Section 13.12.490.

Section 3: Severability. The sections and subsections of this ordinance are hereby declared severable. The invalidity of any one section or subsection shall not affect the validity of the remaining sections or subsections.

PASSED AND ADOPTED BY the City Council of the City of Toledo, Lincoln County, Oregon, on the 19th day of March, 2008.

ATTEST:

APPROVED:

City Recorder

Mayor