

41-00959

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JUN 17 2003  
TECHNICAL SERVICES  
DRINKING WATER PROGRAM

**CITY OF WOODBURN**

**CROSS CONNECTION ORDINANCE #**



Pursuant to Chapter 333, Division 61 of the Oregon Administrative Rules and Chapter 10 of the Uniform Plumbing Code, it is the responsibility of The City of Woodburn to protect its drinking water by systematically identifying and controlling cross connections.

Now therefore, the City of Woodburn ordains as follow:

(C) "Health Hazard" means 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.

(D) "Plumbing Hazard" means an internal or plumbing-type cross-connection in a consumer's potable water system than may be either a polluttional or a contamination-type hazard.

(E) "Polluttional Hazard" means an actual or potential threat to the physical properties of the water system or the potential 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 of 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.

(F) "System Hazard" means an actual or potential threat of sever danger to the physical properties of the public or consumer's potable water supply or of a pollution or contamination that would have a detrimental effect on the quality of the potable water in the system.

(14) "Detector Check Valve Assembly (DA)" means a assembly which is a hybrid version of a mainline (Double Check or Reduce Pressure Check) valve assembly with a smaller factory installed (Double Check or Pressure Check) valve assembly and meter in a bypass configuration to detect leakage or usage.

(15) "Premises" means any piece of property to which water is provided including all structures, improvements, mobile home(s) and structure located on it.

(16) "Service Connection" means the pipe, valves and other equipment by means of which the City conducts water from its mains to and through the meter to the property line, but not including piping from the property line to the premises served.

(17) "Thermal Expansion" means heated water that doesn't have the space to expand.

## **1:02 PURPOSE**

The purpose of these regulations is to protect the water supply of the City of Woodburn from contamination or pollution due to any existing or potential cross connection.

## **1:03 CROSS CONNECTIONS REGULATED**

No cross connection shall be created, installed, used or maintained within the territory served by the City of Woodburn, except in accordance with these regulations.

## 1:04 BACKFLOW PREVENTION ASSEMBLY REQUIREMENT

Approved backflow prevention assembly shall be installed at the expense of the user, either at the service connection or within the premises, as determined by the City of Woodburn in each of the following circumstances:

- (1) If the nature and extent of any activity of the premises, or the materials used in connection with any activity of the premises, or materials stored on the premises, could contaminate or pollute the drinking water supply.
- (2) On premises having any one or more cross connections as that term is defined in section 1:01 Number # 11.
- (3) Internal cross connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross connections exist.
- (4) A repeated history of cross connections being established or re-established.
- (5) Unduly restricted entry so that inspections for cross connections cannot be made with sufficient frequency or with sufficient notice to assure that cross connection do not exist.
- (6) Materials of a toxic or hazardous nature being used such that, if back siphonage should occur, a health hazard could result.
- (7) On any premise where installation of an approved backflow prevention assembly is deemed to be necessary to accomplish the purpose of these regulations in the judgment of a certified cross connection specialist employed by the City of Woodburn.
- (8) On any premise where an appropriate cross connection report form has not been filed with the office of the City's Cross Connection Inspectors.
- (9) All new construction if deemed necessary in the customer service inspection. The type of assembly will be commensurate with the degree of hazard as determined by the representative of the water system.
- (10) When a building is constructed on premises, and the end use of such building is not determined or could change, a reduced pressure principle backflow prevention assembly shall be installed at the service connection that supplies water for public domestic use.
- (11) All facilities that require continuous, uninterrupted water service and are required to have a backflow assembly must make provisions for the parallel installation of assemblies of the same type so that testing, repair and maintenance can be performed.



(12) If it is determined that additions or rearrangements have been made to the plumbing system without obtaining proper permits as required by the City Code Enforcement Division, or notifying the City, premises isolation will be required.

(13) Retrofitting will be required on all high hazard connections and wherever else the city deems necessary to retrofit.

## 1:05 INSTALLATION REQUIREMENTS

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

(1) DCc may be installed below grade in a vault provided water tight plugs are installed in the test cocks, but the assembly shall not be subject to continuous immersion. RPs and other approved backflow assemblies shall always be installed above the flood level unless approved by the local authority.

(2) 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 prior to installations.

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

(4) All backflow prevention assemblies shall be of a type and model approved by the State of Oregon, Health Division and City's Certified Cross Connection Inspector.

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

(6) The assembly shall be readily accessible with adequate room for maintenance and testing. For detailed Installation Requirements refer to Installation Standards on the following pages section 1:21.

(7) The property owner assumes all responsibility for all maintenance and annual testing of the assembly.

(8) 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.

(9) If a assembly, with written permission, is installed inside of the premises and is 4" or larger and is installed more than 5' above the floor, it must be equipped with a rigidly and permanently installed scaffolding acceptable to the City Engineer. 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. (OSHA)

RECEIVED  
JUN 17 2003

COUNCIL BILL NO. 1983

ORDINANCE NO. 2242

TECHNICAL SERVICES  
DRINKING WATER PROGRAM

AN ORDINANCE PROVIDING FOR CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION PROCEDURES; COMPLYING WITH OREGON ADMINISTRATIVE RULES 333-61-0070; AND DECLARING AN EMERGENCY.

WHEREAS, the Oregon Health Division through its administrative rules requires that the City institute a cross connection and backflow prevention program; and

WHEREAS, this ordinance will serve as the enabling authority required by Oregon Administrative Rules 333-061-0070 which authorizes the discontinuance of water services to a premises for the failure to install an approved backflow device or to conduct a required annual test on a backflow device; and

WHEREAS, the City will also administratively implement a local cross connection program as further specified in the Oregon Administrative Rules; and

WHEREAS, it is in the public interest for the City to require the installation of backflow prevention devices and the inspections of those devices as set forth in this ordinance; NOW, THEREFORE,

**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1. Title.** This ordinance shall be known as the "City of Woodburn Cross Connection Control and Backflow Prevention Ordinance".

**Section 2. Policy and Purpose.** As required by the Oregon Health Division, pursuant to Oregon Administrative Rules 333-61-0070, and in order to prevent any possibility of backflow contaminating the water system, it shall be the policy of the City of Woodburn to require the installation of backflow prevention devices, and inspections of those devices, as set forth in this ordinance. The City of Woodburn shall also administratively implement a local cross connection program as further specified in the Oregon Administrative Rules and the City of Woodburn Cross Connection Implementation Manual.

**Section 3. Definitions.** The words and phrases used in this ordinance shall have the meaning provided in Oregon Administrative Rules 333-061-0020.

**Section 4. Records and Reports.** The City shall maintain current records of backflow assemblies installed, inspections completed, and backflow assembly test results, and shall report such data as may be required by State law.

**Section 5. Discontinuance of Service for Violations of Policy.**

A. After proper notice to the customer as required by this ordinance, and until the violation has been corrected, the City shall discontinue water service to any premises under any of the following circumstances:

(1) For failure to install an approved backflow prevention device;

(2) For failure to conduct an annual test on the backflow device;

(3) When the City has reasonable cause to believe that an existing or potential cross connection is located on the user's premises, until an appropriate backflow prevention assembly is installed or until the cause of the hazard is eliminated.

(4) For any other violation of this ordinance.

B. This section shall not in any way be construed to impair the City's ability to immediately discontinue water service in the event of imminent threat to the City's water system or other emergency situations.

**Section 6. Backflow Prevention; When Required.**

A. Backflow prevention assemblies shall be installed at the service connection to premises where an approved airgap does not exist and:

(1) There is an auxiliary water supply which is, or can be, connected to the potable water piping; or

(2) There is piping for conveying liquids other than potable water, and where that piping is under pressure and is installed in proximity to potable water piping; or

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

(4) There is backsiphonage potential; or

(5) Cross connections or potential cross connections exist.



**Section 7. Approved Devices and Installation Thereof; Required Methods of Backflow Prevention.**

**A. New Assemblies.** All backflow prevention assemblies required under this ordinance shall be of a type and model approved by the Oregon Health Division, and shall be installed in accordance with Oregon Administrative Rules 333-61-0071 Sections (1) through (4), as now existing or later amended. Suitable pressure-relief devices to prevent damage from thermal expansion shall be required in conjunction with the installation of all new backflow prevention assemblies.

**B. Existing Assemblies.** Backflow prevention assemblies installed before the adoption of this ordinance and which were approved by the Oregon Health Division at the time they were installed, but are not on the current list of approved assemblies, 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 assemblies of this type are moved, or require more than minimum maintenance or are on services that are modified, changed size or remodeled, they shall be replaced by assemblies which are on the Oregon Health Division list of approved assemblies.

**C. Required Backflow Prevention Methods.** The method of backflow prevention required under this ordinance shall at a minimum be commensurate with the degree of hazard which exists, and not less than the following:

- (1) When the substance which could backflow could be hazardous to health, 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 shall be installed, or an approved reduced pressure backflow (RPBA) assembly shall be installed.
- (2) When the substance which could backflow is objectionable but does not pose an unreasonable risk to health, an approved double check valve assembly (DCVA) shall be installed. An approved double check valve assembly shall be the minimum protection for fire sprinkler systems using piping material that is not approved for potable water use and /or which does not provide for periodic flow through during each 24 hour period.
- (3) An approved pressure vacuum breaker assembly (PVBA) or an atmospheric vacuum breaker (AVB) 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 backpressure in the downstream piping. A shutoff valve may be installed on the line downstream of a pressure vacuum breaker but shall not be installed downstream of an atmospheric vacuum breaker.

**Section 8. Testing Required.**

**A. When Required.** The water user or the owner of the premises where one or more

reduced pressure assembly (RPBA), double check valve assembly (DCVA), or pressure vacuum breaker (PVBA) have been installed shall have the assemblies tested by a certified tester at least once per year. Assemblies installed at facilities which pose an extreme health risk and assemblies which repeatedly fail shall be tested on a more frequent basis as determined by the City. Backflow assemblies which have been moved or which have been installed shall be tested before use.

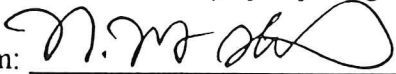
**B. Malfunctioning Assemblies.** Backflow prevention assemblies found not to be functioning properly shall be promptly repaired by the owner or water user, and failure to do so may result in the denial or discontinuance of service as provided in this ordinance.

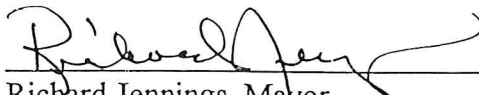
**C. Test Procedures and Reports.** Tests performed by certified testers shall be in conformance with procedures adopted under OAR 333-061-0070 (10), as now existing or later amended. Reports on the tests shall be prepared by the certified tester and copies shall be provided to the City and to the water user or owner of the premises.

**Section 9. Administrative Subsidy Program.** Consistent with the terms of this ordinance and subject to the City budget, the City Engineer may authorize administrative subsidies for the installation of required backflow prevention devices after a finding that such installation will protect the City water system and will benefit the public interest.

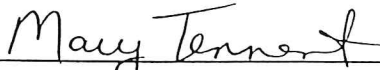
**Section 10. Severability.** The provisions of this ordinance are severable. If a portion of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

**Section 11. Emergency Clause.** This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this ordinance shall take effect immediately upon passage by the City Council and approval by the Mayor.

Approved as to form:  8-20-99  
City Attorney Date

Approved:   
Richard Jennings, Mayor

Passed by the Council	<u>August 23, 1999</u>
Submitted to the Mayor	<u>August 24, 1999</u>
Approved by the Mayor	<u>August 24, 1999</u>
Filed in the Office of the Recorder	<u>August 24, 1999</u>

ATTEST:   
Mary Tennant City Recorder  
City of Woodburn, Oregon