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FIELD SERVICES  
DRINKING WATER PROGRAM

BLY WATER DISTRICT

TO ESTABLISH AN ORDINANCE )  
TO PROTECT THE PUBLIC POTABLE )  
WATER SUPPLY )

ORDINANCE #32

WHEREAS, there appears to be a need to comply with Oregon Administrative Rule, Chapter 333, Sections 070, 071 and 072 to establish rules and regulations relating to cross connection control,

THEREFORE, the following ordinance shall be adopted and approved by the Board of Directors at the regular meeting of the Board on the 13th day of December, 1995:

I PURPOSE

A. To protect the public potable water supply served by the Bly Water District from the possibility of contamination or pollution by isolating, within its customers internal distribution system, such contaminants or pollutants which could backflow or backsiphon INTO the public water system.

B. To promote the elimination of, or control of, existing cross connections, actual or potential, between the potable water system and sources of non-potable water or other hazardous substances.

C. 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 connection.

II AUTHORITY

A. The Federal Safe Drinking Water Act of 1974, and the State of Oregon, Administrative Rules Chapter 333-61-071, and 333-61-071, and 333-61-072 state that the water supplier has the primary responsibility for the prevention of water from unapproved sources, or any other substances, from entering the public potable water system.

III RESPONSIBILITY

The Board of Directors shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollutants through the water service connection. If, in the judgement of the Board of Directors, an approved backflow device is required at the district's water connection to any customer's premise, the Board of Directors, or their delegated agent, shall give notice in writing to said customer to install an approved backflow prevention device at each service connection to his

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premises. The customer shall, within ninety (90) days, install such approved device, or devices, at his own expense, and failure or refusal, or inability on the part of the customer to install said device or devices within ninety (90) days, shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

#### IV ADMINISTRATION

A. The District will operate a cross connection 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 property to be inspected for possible cross connections and shall follow the provisions of the District's program and the Division's regulations if a cross connection is identified.

C. If the District requires that the public supply be protected by containment, the Owner shall be responsible for water quality beyond the outlet end of the containment device and should utilize a backflow device for that purpose. He may utilize public health officials, or personnel from the District, or their delegated representatives, to assist in the survey of the facilities and to assist in the selection of proper fixture outlet devices, and the proper installation of those devices.

#### V REQUIREMENTS

##### District

1. On new installations, the District will provide, or arrange to provide, on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required.

2. For premises existing prior to the start of program, the District will perform evaluations and inspections, or arrange to have evaluations and inspections performed, of plans and/or premises and inform the owner by letter of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, ninety (90) days will be shortened depending upon the degree of hazard involved and the history of the device(s) in question.

3. The District will not allow any cross connection to remain unless it is protected by an approved backflow preventer which will be regularly tested to insure satisfactory operation at least once annually.

4. The District shall inform the Owner by letter of any failure to comply within ten (10) working days of the first inspection. The District will allow an additional fifteen (15) days for the correction. In the event the Owner fails to comply with necessary correction by the time of the second re-inspection, the District will inform the Owner by letter that the water service to the Owner's premises will be terminated within a period not to exceed five (5) days. In the event that the Owner informs the District of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the District but in no case will exceed an additional thirty (30) days.

5. If the District determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.

6. The District 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.

7. The District will begin initial premise inspections to determine the nature of existing or potential hazards, during the calendar year 1996. Initial focus will be on high hazard industries and commercial premises.

**B. OWNER**

1. The Owner shall be responsible for the elimination or isolation of all cross connections on his premises.

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

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

4. The Owner shall inform the District 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 District.

5. The Owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the by-pass. Owners shall not tamper with backflow devices.

6. The Owner shall install backflow preventers in a manner approved by the District.

7. The Owner shall install only backflow preventers approved by the Division.

8. Any Owner having a private water source, must have a permit if the well or source is cross connected to the District's system. Permission to cross connect may be denied by the District. 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 District's system.

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

#### VI DEGREE OF HAZARD

The District 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 approved backflow prevention devices.

#### VII EXISTING IN-USE BACKFLOW PREVENTION DEVICES

Any existing backflow preventer shall be allowed by the District 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 the public health. 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.

#### VIII PERIODIC TESTING

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

B. Periodic testing shall be performed by the District's certified tester or from a list provided by the District. 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 retested 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



...a compliance date of not more than thirty days after the test date will be established. The owner is responsible for water meter, repair, testing or replacement device. Parallel installation of backflow prevention device is an effective means of the owner installing backflow prevention device during testing or repair of water meter and is strongly recommended when the water meter is replaced.

Backflow prevention devices will be tested more frequently than specified in A above. The District feels that there is a history of test failures. Cost of additional testing will be borne by the owner.

Passed by the District Board of the Bly Water District, Klamath County, Oregon this 13th day of December, 1995.

Presented to the President and by him approved and signed this 13th day of December, 1995.

*James E. Buchanan*  
President

*Michael J. [unclear]*  
Secretary

ATTEST:  
STATE OF OREGON  
County of Klamath

I, Harvey L. Buchanan, Assistant Secretary of the Bly Water District, Klamath County, Oregon, do hereby certify that the above and foregoing is a true and correct copy of the whole of an Ordinance duly adopted by the District Board and thereafter approved and signed by the President and attested by the Secretary.

*Harvey L. Buchanan*  
Assistant Secretary

NOTARY PUBLIC-OREGON  
My Comm. Expires 12/31/96

ORDINANCE