

City of Fairview 41-00296

**Chapter 13.15  
CROSS-CONNECTION CONTROL**



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**13.15.005 Designation.**

This chapter shall be referred to and may be cited as the "Fairview Cross-Connection Control Chapter." (Ord. 3-2011 § 1 (Exh. A))

**13.15.010 Purpose.**

The purpose of this chapter is to protect the water supply and distribution system of the city of Fairview from contamination or pollution due to any existing or potential cross-connections and to comply with Oregon Administrative Rule (OAR) 333-061-0070, 333-061-0071, 333-061-0072, 333-061-0073 and 333-061-0074 and the city's most recent written program plan. (Ord. 3-2011 § 1 (Exh. A))

**13.15.015 Definitions.**

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. If a word or term used in this chapter is not contained in the following list, its definition, or other technical terms used, shall have the meanings or definitions listed in OAR Chapter 333, or the most recent edition of the

Manual of Cross-Connection Control published by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California ("USC").

A. "Backflow prevention assembly" or "backflow assembly" or "assembly" shall mean an assembly to counteract backpressure and/or prevent back-siphonage. This assembly must appear on the list of approved assemblies issued by the Oregon Department of Human Services.

B. "Auxiliary water supply" shall mean any water source or system other than the city of Fairview water system.

C. "Backflow" shall mean the flow in the direction opposite to the normal flow or the introduction of any foreign liquids, gases, or substances into the water system of the city of Fairview.

D. "Certified backflow assembly tester" shall mean a person who has successfully completed and maintains all requirements as established by the Department of Human Services – Health Services to be a tester in the state of Oregon.

E. "Certified cross-connection control specialist" shall mean a person who has successfully completed and maintains all requirements as established by the Department of Human Services – Health Services to be a specialist in the state of Oregon.

F. "City" shall mean the city of Fairview.

G. "City of Fairview water system" shall mean the system for the provision of piped water for human consumption provided by the city of Fairview, which shall include wells, treatment mechanisms or processes, pumping stations, reservoirs, supply trunk or feeder lines, service lines, meters and all other appurtenances, device lines and items necessary to the operation of the system and to supply water service to individual property or premises and shall include the city of Fairview's potable water with which the system is supplied.

H. "Contamination" shall mean the entry into or presence in a public water supply system of any substance which may be deleterious to health and/or quality of the water.

I. "Cross-connection" shall mean any physical arrangement where a potable water supply is connected, directly or indirectly, with any other nondrinkable water system or auxiliary water supply, sewer, drain conduit, swimming pool, storage reservoir, plumbing fixture, swamp coolers or any other device which contains, or may contain, contaminated water, sewage or other liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices or other temporary or permanent devices through which or because of which backflow may occur are considered to be cross-connections.

J. "Degree of hazard" shall mean either the non-health hazard or health hazard classification that shall be assigned to all actual or potential cross-connections.

K. "DHS" shall mean Department of Human Services.

L. "Director" shall mean the public works director for the city of Fairview or their designee.

M. "Double check detector assembly" shall mean a specially designed assembly composed of a line size approved double check valve assembly assembled with a bypass containing a specific water meter and an approved double check valve assembly. The meter shall register accurately for only very low rates of flow up to three gallons per minute and shall show a registration for all rates of flow. This assembly is designed to protect against a non-health hazard.

N. "Double check valve assembly" shall mean an assembly of two independently acting approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. This assembly is designed to protect against a non-health hazard.

O. "Health hazard" shall mean an actual or potential threat of impairment of the quality of water that would be a danger to health.

P. "Mobile units" shall mean units that are temporary in nature, connecting to the water system through a legally permitted hydrant, hose bib, or other appurtenance of a permanent nature that is part of the city of Fairview's water system or a permanent water service to a premise. Examples can include but are not limited to the following: water trucks, pesticide applicator vehicles, chemical mixing units or tanks, waste hauler's trucks or units, sewer cleaning equipment, carpet or steam cleaning equipment other than homeowner use, rock quarry or asphalt/concrete batch plants or any other mobile equipment or vessel that poses a threat of backflow in the city of Fairview water system. Uses that are excluded from this definition are recreational vehicles at assigned sites or parked in accordance with other city of Fairview policies pertaining to recreational vehicles and homeowner devices that are used by the property owner in accordance with other provisions of this, or other, city of Fairview policies pertaining to provision of water service to a premise.

Q. "Non-health hazard" shall mean an impairment of the quality of the water to a degree that does not create a hazard to the public health, but does adversely affect the aesthetic qualities of such water for potable use.

R. "OAR" shall mean OAR Chapter 333, Division 61.

S. "Person(s)" shall mean a natural person (individual), corporation, company, city, partnership, firm, limited liability company, joint venture company or city, and other such entity.

T. "Plumbing code" shall mean the Oregon Plumbing Specialty Code, as adopted by OAR Chapter 918, Division 750.

U. "Premises" or "premise" shall mean any piece of property serviced by the city of Fairview water system, including, but not limited to, all improvements, mobile structures and other structures located upon it.

V. "Premises isolation assembly" shall mean the appropriate backflow prevention at the service connection between the public water system and the premises. This location will be at or near the property line and downstream from the service connection meter.

W. "Reduced pressure principle backflow prevention assembly" or "RP assembly" shall mean an assembly containing two independently acting approved check valves together with a hydraulically operated, mechanically independent pressure differential relief valve located between the check valves, and at the same time, below the first check valve. The assembly shall include properly located test cocks and two tightly closing shut-off valves.

X. "Reduced pressure principle detector assembly" shall mean an approved assembly consisting of two approved reduced pressure backflow prevention assemblies, set in parallel, equipped with a meter on the bypass line to detect small amounts of water leakage or use. The assembly should include properly located test cocks and two tightly closing shut-off valves.

Y. "Retrofitting" shall mean to furnish a service connection with parts or equipment made available after the time of construction or assembly installation.

Z. "Specialist" shall mean a DHS-certified cross-connection specialist, either employed by the city of Fairview or under contract with the city of Fairview.

AA. "Thermal expansion" shall mean the pressure created by the expansion of heated water.

BB. "Used water" shall mean city of Fairview water that has moved beyond the point of the city's control. (Ord. 3-2011 § 1 (Exh. A))

#### **13.15.020 Application and responsibilities.**

This chapter applies throughout the city of Fairview water system and to every premises served by the city of Fairview water system. It applies to all premises, regardless of date of connection to the city of Fairview water system. Every owner, occupant or person in control of any concerned premises is responsible for the terms and provisions contained in this chapter. (Ord. 3-2011 § 1 (Exh. A))

#### **13.15.025 Cross-connections regulated.**

No cross-connections shall be created, installed, used or maintained within the area(s) served by the city of Fairview water system, except in accordance with this chapter.

The specialist, under the supervision of the director, shall carry out surveys or cause surveys to be carried out to determine if any actual or potential cross-connection exists. If found necessary, the specialist may direct the owner, occupant or person in control of the premises to install at the service connection an assembly commensurate with the degree of hazard determined by the specialist.

The owner, occupant or person in control of any given premises is responsible for all cross-connection control within the premises.

The owner, occupant or person in control of any premises found on the table "Premises Requiring Isolation" in the currently filed OAR shall install a reduced pressure principle backflow assembly at the service connection in accordance with this chapter.

It is the responsibility of the owner, occupant or person in control of any premises to purchase, install, test, repair and maintain all backflow assemblies.

If there is a change in ownership of any premises within the city's service area, it shall be the responsibility of the new owner to determine that all assemblies are in compliance with this chapter.

All parts of the city's code will apply to this chapter. (Ord. 3-2011 § 1 (Exh. A))

**13.15.030 Backflow prevention assembly requirements.**

A specialist shall determine the type of backflow assemblies to be installed within the city of Fairview's water system. All assemblies shall be installed at the service connection immediately behind the meter in the city right-of-way unless it is determined by the specialist that it should be installed at the point of use. An approved assembly commensurate with the degree of hazard shall be required in each of the following circumstances, but the specialist is in no way limited to the following circumstances:

A. In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to permit entry into the potable water system, the potable water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention assembly.

B. When the nature and extent of any activity at a premises, or the materials used in connection with any activity at a premises, or materials stored at a premises, could contaminate or pollute the potable water supply.

C. When a premises has one or more cross-connections, as that term is defined in FMC [13.15.015](#).

D. When internal cross-connections are present that are not correctable.

E. When intricate plumbing arrangements are present making it impractical to ascertain whether cross-connections exist.

F. When the premises has a repeated history of cross-connections being established or re-established.

G. When entry to the premises is restricted so that surveys for cross-connections cannot be made with sufficient frequency to assure cross-connections do not exist.

H. When materials are being used such that, if backflow should occur, a health hazard could result.

I. When an appropriate cross-connection survey report form has not been filed with the city.

- J. On any and all used water return systems.
- K. If a point-of-use isolation assembly has not been tested or repaired as required by this chapter, the installation of a reduced pressure principle assembly will be required at the service connection.
- L. When there is piping or equipment for conveying liquids other than potable city of Fairview water and that piping or other equipment is under pressure and installed and operated in a manner that could cause a cross-connection.
- M. When installation of an approved backflow prevention assembly is deemed by a specialist to be necessary to accomplish the purpose of this chapter.
- N. When there is use of any type of chemical spray attachment connected to the premises plumbing, including garden hose fertilizers and pesticide applicators.
- O. When there is use of any type of radiator flush kits attached to the premises plumbing.
- P. Wherever reclaimed water or ditch water is used on premises.
- Q. When there is a premises with an auxiliary water supply which is interconnected to the city of Fairview water system.
- R. In any multi-story building or any building with a booster pump or elevated storage tank.
- S. All water services two inches or larger. (Ord. 3-2011 § 1 (Exh. A))

#### **13.15.035 New construction.**

- A. On all new commercial/industrial connections, an approved backflow assembly shall be installed at the service connection. The type of the assembly will be commensurate with the degree of hazard as determined by a specialist.
- B. When a building is constructed on commercial/industrial premises, and the end use of the building is not determined or could change, a reduced pressure principle backflow prevention assembly shall be installed at the service connection to provide protection of the public water supply in the event of the most hazardous use of the building. (Ord. 3-2011 § 1 (Exh. A))

#### **13.15.040 Retrofitting.**

Retrofitting shall be required at all service connections where an actual or potential cross-connection exists, and wherever else the city deems retrofitting necessary to comply with the OAR and this chapter. (Ord. 3-2011 § 1 (Exh. A))

#### **13.15.045 Irrigation systems.**

All irrigation systems shall be protected according to the plumbing code. In the event any system is equipped with an injector system, a reduced pressure principle assembly will be required. (Ord. 3-2011 § 1 (Exh. A))

**13.15.050 Thermal expansion.**

If a closed system has been created by the installation of a backflow prevention assembly, or other appurtenances, it is the responsibility of the owner, occupant, or person in control of the premises to eliminate the possibility of damage from thermal expansion in accordance with the plumbing code. (Ord. 3-2011 § 1 (Exh. A))

**13.15.055 Mobile units.**

Any mobile unit or apparatus using city water or water from a premises attached to the city of Fairview water system shall first meet all cross-connection requirements imposed by the city including complying with the city's hydrant meter process. (Ord. 3-2011 § 1 (Exh. A))

**13.15.060 Installation requirements.**

All backflow prevention assembly installations shall follow the requirements of the city and the OAR.

If the premises isolation assembly is allowed to be installed at an alternate location, the city of Fairview must have access to the assembly. If access is denied, the city will require an RP assembly at the meter. No connections can be made between the meter and the backflow assembly.

The type of backflow prevention assembly required shall be commensurate with the degree of hazard that exists and must, at all times, meet the standards of the DHS. All backflow prevention assemblies required under this chapter shall be of a type and model approved by the DHS. (Ord. 3-2011 § 1 (Exh. A))

**13.15.065 Pressure loss.**

Any decrease in water pressure caused by the installation of a backflow assembly shall not be the responsibility of the city. (Ord. 3-2011 § 1 (Exh. A))

**13.15.070 Fire systems.**

An approved double check detector assembly shall be the minimum protection on all new fire sprinkler systems using piping material that is not approved for potable water use, and/or that does not provide for periodic flow-through. A reduced pressure principle detector assembly must be installed if any substance other than potable water can be introduced into the sprinkler system. Retrofitting on fire sprinkler systems will be required in each of the following circumstances:

- A. Where improper maintenance has occurred;
- B. On all systems that are a health hazard;
- C. Wherever a specialist deems necessary; and
- D. Wherever required by the OAR.

In the event an assembly is installed on a designated lateral, a detector assembly commensurate with the degree of hazard will be required. (Ord. 3-2011 § 1 (Exh. A))

**13.15.075 Temporary meters and hydrant valves.**

Backflow protection will be required on all temporary meters and hydrant valves before any use. The type of assembly will be commensurate with the degree of hazard and will be determined on a case-by-case basis by a specialist. (Ord. 3-2011 § 1 (Exh. A))

**13.15.080 Plumbing code.**

As a condition of water service, customers shall install, maintain, and operate their piping and plumbing systems in accordance with the plumbing code and the OAR.

Temporary plumbing systems including hose bibs not covered by the plumbing code will be governed by this chapter and the OAR. (Ord. 3-2011 § 1 (Exh. A))

**13.15.085 Access to premises.**

Authorized personnel of the city, with proper identification and sufficient notice, shall have access during reasonable hours to all parts of a premises and within the structure to which water is supplied. However, if any owner, occupant or person in control of the premises refuses authorized personnel access to a premises, or to the interior of a structure, during these hours for inspection, a reduced pressure principle assembly must be installed at the service connection to that premises.

All parts of this chapter will apply to the installation of the assembly at the service connection required under this section. (Ord. 3-2011 § 1 (Exh. A))

**13.15.090 Annual testing and repairs.**

All backflow prevention assemblies installed within the area(s) served by the city of Fairview water system shall be tested at the following times: immediately upon installation, and at least annually thereafter; within 24 hours of any repair or relocation; more frequently than annually, as determined by the city, for approved backflow prevention assemblies that repeatedly fail or are protecting health hazard cross-connections; after a backflow incident; or after an approved air gap is replumbed.

All tests shall be performed by a certified backflow assembly tester and in accordance with all applicable regulations. All such assemblies found not functioning properly shall be promptly repaired or replaced at the expense of the owner, occupant or person in control of the premises.

All repairs on backflow assemblies within the city of Fairview water system service area must be performed according to all state and county regulations. Assemblies protecting health hazard cross-connections must be repaired or replaced within 24 hours. Assemblies protecting non-health hazard cross-connections must be repaired or replaced within 10 business days. (Ord. 3-2011 § 1 (Exh. A))

**13.15.095 Maintenance of assemblies.**

Backflow prevention assemblies shall be maintained, tested and repaired in accordance with the requirements set out in this chapter, the OAR and all applicable state agencies' regulations. The assembly owner is responsible for protecting their assembly from freezing and vandalism. (Ord. 3-2011 § 1 (Exh. A))



**13.15.100 Responsibilities of backflow prevention assembly testers.**

A. All backflow assembly testers operating within the city of Fairview water system service area shall be certified in accordance with all applicable regulations of the DHS.

B. Persons certified as backflow assembly testers shall agree to abide by all requirements of the United States Occupational Safety and Health Administration ("OSHA") and Oregon Occupational Safety and Health Administration ("OR-OSHA").

C. It is the responsibility of backflow assembly testers to submit records of all backflow assembly test repairs to the city within 10 days of completing the test.

D. No person shall operate as a backflow prevention assembly tester within the city without first annually registering with the city. (Ord. 3-2011 § 1 (Exh. A))

**13.15.105 Costs of compliance.**

All costs associated with purchase, installation, inspections, surveys, testing, replacement, maintenance, parts and repairs of the backflow prevention assembly, and all costs associated with enforcement of this chapter, are the financial responsibility of the owner, occupant, or other person in control of the premises. (Ord. 3-2011 § 1 (Exh. A))

**13.15.110 Recovery of costs.**

Any owner, occupant, or other person in control of the premises violating any of the provisions of this chapter and who causes damage to or impairs the city of Fairview's water system, including, but not limited to, allowing contamination, pollution, any other solution or used water to enter the city of Fairview's water system, shall be liable to the city for any costs, expense, loss or damage caused by such violation, including but not limited to costs and expenses incurred by the city for any cleaning, purifying, repair or replacement work or any other expenses caused by the violation. Refusal to pay the assessed costs shall constitute a violation of this chapter and may result in the termination of service and/or a civil penalty not to exceed \$500.00 per day. Each day that a violation of this chapter continues shall constitute a separate violation.

All costs associated with any disconnect or reconnect fees resulting from the enforcement of this chapter are the sole responsibility of the property owner. (Ord. 3-2011 § 1 (Exh. A))

**13.15.115 Termination of service.**

Failure on the part of any owner, occupant or person in control of the premises to eliminate all cross-connections and/or to install a required assembly, have it tested annually and repaired if necessary in accordance with this chapter is sufficient cause for the discontinuance of public water service to the premises pursuant to OAR 333-061-0070. In the case of an extreme emergency or where an immediate threat to life or public health is found to exist, discontinuance or termination of public water service to the premises shall be immediate.

In lieu of termination of service, the city of Fairview may, at the property owner's expense, cause a reduced pressure assembly to be installed at the meter. Testing, maintenance and repair of the assembly will be the responsibility of the property owner.

In the event an assembly is not properly tested and repaired, the city of Fairview may cause the assembly to be tested and repaired and apply all costs associated with this to the assembly owner's utility bill. These costs will include all administrative and legal costs accrued by the city. (Ord. 3-2011 § 1 (Exh. A))

**13.15.120 Falsifying information.**

Any person who knowingly makes any false statement, representation, record, report or other document filed or required to be maintained pursuant to this chapter or who falsifies, tampers with, or knowingly renders inaccurate any backflow assembly, device or method required under this chapter shall be subject to civil and/or criminal penalties provided by state law. (Ord. 3-2011 § 1 (Exh. A))

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**This page of the Fairview Municipal Code is current through Ordinance 13-2011, passed May 18, 2011.**

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

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