

City of Gaston  
41-00312

ORDINANCE NO. 106.02

AN ORDINANCE PROVIDING FOR AMENDING AND AMPLIFYING ORDINANCE NO. 106 OF THE CITY OF GASTON, REGULATING AND PROHIBITING CROSS-CONNECTIONS TO THE WATER SUPPLY OF THE CITY OF GASTON; DECLARING CROSS-CONNECTIONS TO BE A HAZARD AND PROVIDING FOR THE ABATEMENT THEREOF; STIPULATING RESPONSIBILITY FOR ALL INVOLVED PARTIES; PROVIDING DEFINITIONS; PROVIDING FOR CONTROL AND THE USE OF BACKFLOW PREVENTION DEVICES; PROVIDING FOR INSPECTION AND TEST PROGRAMS; PROVIDING FOR LIABILITY AND PENALTIES; AND DECLARING AN EMERGENCY.

Ordinance No. 106, enacted October 10, 1979, is hereby amended by adding the following sections thereto:

Section 22. Purpose and Scope.

The purpose of this Ordinance is:

A. To protect the public potable water supply of Gaston from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the consumer's private water system(s) such contaminants or pollutants which could backflow into the public water systems; and,

B. To promote the elimination or control of existing cross-connections, actual or potential, between the consumer's in-plant potable water system(s) and non-potable water system(s), plumbing fixtures and industrial piping systems; and

C. To provide for the maintenance of a continuing Program of Cross-Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

Section 23. Definitions.

A. Backflow. The reversal of the normal flow of water caused by either backpressure or backsiphonage.

1. Back Siphonage. A reversal of normal flow in a system caused by a negative pressure (vacuum or partial vacuum) in the supply piping.

Causes of back siphonage - fire fighting, repairs or breaks in mains, low main pressure due to high demand.

2. Back Pressure Backflow. A reversal of normal flow in a system due to an increase in the down stream pressure above that of the supply pressure.

Causes of back pressure backflow - steam boiler, water heaters, systems with booster pumps.

B. Cross Connections. A cross connection shall mean any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices through which or because of which "backflow" can or may occur are considered to be cross-connections.

C. Cross-Connection-Controlled. A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

1. Backflow Preventer. An assembly or means designed to prevent backflow.

(a) Air Gap. An air gap is a physical separation of the potable and non-potable system by an air space.

The vertical distance between the supply pipe and the flood level rim should be two times the diameter of the supply pipe, but never less than 1".

For use on highly toxic substances.

(b) Reduced Pressure Backflow Prevention Device.

Has two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly.

High hazard, possible back pressure, continuous pressure.

(c) Double Check Valve Assembly.

Has two single independently acting approved check valves, including tightly closing shut-off valves, located at each end of the assembly and fitted with properly located test cocks.

Low hazard, possible back pressure, continuous pressure.

(d) Pressure Vacuum Breakers.

Has one or two independently operating loaded check valves and an independently operating loaded air inlet valve located on the discharge side of the check or checks. The device is to be equipped with properly located test cocks and tightly closing shut-off valves located at each end of the assembly.

High hazard, continuous pressure, no possible back pressure.

(e) Atmospheric Vacuum Breaker.

A device containing a shut-off valve followed by a valve body containing a float-check, a check seat and an air inlet port. When the shut-off valve is open the flow of the water causes the float to close the air inlet port. When the shut-off valve is closed the float falls and forms a check valve against back siphonage and at the same time opens an air inlet port.

Medium hazard, no possible back pressure.

D. Cross-Connection-Control by Containment. The installation of an approved backflow prevention assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find and permanently eliminate or control all actual or potential cross-connections within the customer's water system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of the customer's water system where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of the cross-connection.

E. "Person" shall mean and include any natural person, firm, partnership, association or corporation.

Section 24. Cross Connection Control Requirements.

A. Cross-Connections or physical connections of any kind to any other water supply, whether private or public, without the written approval and consent of the Council or Watermaster, and the written approval of the State Board of Health or other appropriate agency, are prohibited. Included in this category are all pipe lines, appurtenances, pumps, tanks, storage reservoirs, facilities, equipment, appliances, etc., of other systems whether located within or on public or private property, or the premises of a water user. Pertinent requirements of the State of Oregon Plumbing Code will be followed, as well as all applicable specialty codes, statutes and regulations.

The Council, Watermaster, or other authorized representative shall have the right, without being deemed guilty of trespass or an unlawful act, to check the premises of customers for cross-connections (physical connections), physical connections with other water supplies, and the general condition of the water lines and service facilities, at any reasonable time. Any such connections as above set forth shall be removed by the customer within the time specified after either oral or written notice by the Council, and if not so removed, the Council shall remove or discontinue any connection which it may have for servicing the property.

B. The owner of the property to which the City supplies water is required to install backflow prevention devices on the premises where:

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 and operated in a manner which could cause a cross connection; or

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

4. There is a fireline or irrigation service or domestic service larger than 2" in size. Devices are required on all domestic services 2" and smaller if the building is more than two stories or higher than 32' above the watermain. Buildings which are one or two story, but which exceed 32' in height may be exempted upon a determination that no backflow hazard exists.

C. The type of backflow prevention device required under Subsection B 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 Council.

D. All backflow prevention devices required under this section shall be of a type and model approved by the Oregon State Health Division.

E. The City may specify the locations and methods of installation of the 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 of Gaston, and any requirements set forth by the State of Oregon or by the "United States Environmental Protection Agency" as authorized by the "Safe Drinking Water Act", PL 93-523 and subsequent applicable legislation.

F. Any installation, corrective measure, disconnection or other change to a backflow prevention device shall be at the sole expense of the owner. The cost of any change required in the Council's system outside the property concerned, or between the meter and the supply line or distribution system, and any charges for cut-off or disconnection, shall be at the expense of the owner of the concerned property and shall be paid in accordance with the Council's practice and procedure, and may, if not paid, be collected through legal process or any other appropriate manner approved by law.

G. 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.

H. Any backflow prevention device installed before the effective date of these Rules and Regulations not an approved device as hereinabove set forth shall be permitted to remain in service if:

1. The device is properly maintained; and
2. The type of device is commensurate with the degree of hazard; and
3. The device is tested annually as required by this Section; and
4. The device performs satisfactorily.

If a backflow device does not meet the standards of the Oregon State Health Division as hereinabove set forth, the device must be replaced if it is moved or requires more than minimum maintenance.

Section 25. Backflow Preventer Testing Requirements.

A. Any backflow prevention device which may be required by the Council or State to be installed on property for the protection of a water supply shall be tested at the time of installation and anytime the device is moved or relocated, immediately after relocating or moving. The property owner must forward the results of such testing to the Council office within ten (10) days of the date of installation or relocation.

B. The property owner must order and cause to be performed a test of each backflow prevention device annually on or within thirty (30) days after the anniversary date of the initial testing. The Council or Watermaster may require more frequent testing in order to assure the device is properly functioning in those installations which represent a serious health hazard as determined by the Council or the State Health Division.

C. If the Council office has not received the results of such test within thirty (30) days of the anniversary date for annual testing or within ten (10) days of the date of installation of the device as the case may be, or the date of the Council's discovery that a device was installed without appropriate test as applicable, the Council may order such test and bill the property owner for the cost thereof if the device is for protection of a fire service or for a commercial use; if the device is for protection of a domestic service, the Council may deny or discontinue water service until satisfactory proof is furnished that the device has been tested and is functioning properly.

D. If the results of a test required by the Council as herein set forth indicates that repairs are necessary, such repairs must be undertaken and a new test taken, and the results thereof forwarded to the Council's office within ten (10) days of the date of the test, indicating the defect was repaired.

E. The City of Gaston may discontinue the water service of any person who refuses or fails to pay such testing or repair, and have the charges added to the customer's water bill.

F. All tests required to be performed under this section must be performed by a tester certified by the State Health Division.

Section 26. Liability.

A. This ordinance shall not be construed to hold the City responsible for any damage to persons or property by reason of this inspection or testing herein, or the failure to inspect or test.

Section 27. Penalties.

A. Any person who fails to install or to provide for the testing of a backflow prevention device or who violates any provision of this Ordinance or who fails to comply with an order thereunder, shall suffer immediate termination of water service.

Section 28. Emergency Clause.

A. The Council desires and deems it necessary for the preservation of the health and safety of the City of Gaston that this ordinance take effect at once, and therefore, an emergency is declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

This ordinance was read before the City Council of the City of Gaston for the first time on 6-10, 1987, and for the second time on 7-8, 1987, and finally approved by the following vote:

AYES: 4 NAYES: 0

ENACTED this 8<sup>th</sup> day of July, 1987, by the City Council of the City of Gaston, Oregon

Marilyn Begeth  
City Recorder

APPROVED this 8<sup>th</sup> day of July, 1987, by the Mayor of the City of Gaston, Oregon.

Joan M. Cullers  
Mayor