

41-00389

CITY OF HUBBARD

ORDINANCE NO. 191-94

A RESOLUTION ESTABLISHING RULES TO PREVENT CROSS-
CONNECTION OR POTENTIAL CROSS-CONNECTION BETWEEN THE
MUNICIPAL WATER SYSTEM AND CUSTOMERS OF THE SYSTEM

WHEREAS, the City of Hubbard recognizes the potential health hazards which may result from a cross-connection between the municipal water system and any not-potable water, chemical, fluid, gas or other objectionable substance; and

WHEREAS, employees of the City of Hubbard Public Works Department have been specially trained to identify potential cross-connections; and

WHEREAS, it is apparent that real or potential cross-connection do exist in Hubbard at this time and could become a more serious problem in the future if steps are not taken to abate the existing cross-connection situation and prevent new situations from developing in the future;

NOW, THEREFORE, it is in the interest of the public health, safety and general welfare the following rules shall apply to cross-connection or potential cross-connection to the municipal water system of Hubbard, including those caused by existing water users or any future developments which may occur:

SECTION I DEFINITIONS

- A. Backflow - the undesirable reverse flow (whether from back siphonage or back pressure) of any water or mixture of water and other liquid, gasses or other substances into the distribution pipes of the municipal potable supply of water.
- B. BACKFLOW PREVENTION DEVICE - a device approved by the State of Oregon to prevent backflow into a potable water system. The type of device used shall be based on the

degree of hazard existing or possible hazard as a result of the conditions.

- C. CONTAMINATION - the entry into or presence in the municipal water supply of any substance which may be deleterious to health and/or quality of the water as defined by the Health Division of the State of Oregon.
- D. CROSS-CONNECTION - any unprotected actual or potential connection between the municipal potable water system and any other source or system through which it is possible to introduce into any part of the municipal system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied, By-pass arrangements, jumper connection, removable sections, swivel or changeover devices of which "backflow" can or may occur are also considered to be potential cross-connections.

SECTION II CROSS-CONNECTION PROHIBITED

The installation or maintenance of a cross-connection which will endanger the water quality of the Municipal potable water system is strictly prohibited. Any such cross-connection now existing or hereafter installed is hereby declared to be a public hazard and the same shall be abated. The control or elimination of cross-connection shall be in accordance with the requirements of this and applicable provisions of Oregon Administrative rule, Chapter 33, and the official plumbing codes of the State of Oregon as amended.

SECTION III RULES AND REGULATIONS

The City of Hubbard reserves the right to establish rules, regulations or requirements which are more stringent than those of the State of Oregon when deemed necessary because of local conditions. In any event, the strictest applicable rule shall be applied. The Public Works Superintendent of the City of Hubbard or designated representative, is hereby authorized to enforce the provisions of this Resolution.

SECTION IV USE OF BACKFLOW PREVENTION DEVICES

- a. Service of water to any premises shall be discontinued if a backflow prevention device required by this Ordinance is not installed, tested and maintained, or if it is found to be removed, by-passed, or if an unprotected cross-connection

exists on the premises. Service will not be restored until such conditions or defects are corrected.

- B. Each customer shall provide ample opportunity, at reasonable times, to allow for inspection by the City to determine whether cross-connection or potential cross-connections exist. When such a condition becomes know, the public works superintendent shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition. However, it is determined by the Superintendent that no immediate threat to the public health or safety exists as a result of the condition, the Superintendent may specify a given length of time for the customer to correct the condition prior to having service discontinued.
- C. In all cases where it is determined that an approved backflow prevention device is to be required, one such device shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but in all cases, before the first branch line leading off the service line.
- D. Approved backflow prevention devices shall be installed under circumstances including, but not limited to, the following:
 - 1. Premises having an auxiliary water supply, including a private well
 - 2. Premises have cross-connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross-connections exist.
 - 3. Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency at sufficiently short notice to assure that cross-connections do not exist.
 - 4. Premises having a history of cross-connections being established or re-established.
 - 5. Premises on which any substance is handled under pressure so as to permit entry into the public water supply or where a cross-connection could reasonable by expected to exist. This shall include the handling of processed water and cooling waters.

6. Premises where materials of a toxic or hazardous nature are handled in such a way that if backflow should occur, a serious health hazard might result.
 7. Backflow prevention devices shall be required for each of the following businesses or operations:
 - Hospitals, mortuaries, medical clinics
 - Car washes
 - Metal plating industries
 - Sewage treatment plants and pump stations
 - Chemical plants using a water process
 - Other potentially hazardous facilities as may be identified by the Public Works Superintendent
- E. the type of protective device required shall depend on the degree of hazard which exists:
1. an air-gap separation or a reduced-pressure-principle backflow prevention device shall be installed where the public water supply may be contaminated with sewage, industrial waste of toxic nature or other contaminate which could cause a health or system hazard.
 2. In the case of substance which may be objectionable but not hazardous to health, double check valve assembly, air gap separation, or a reduced-pressure-principle backflow prevention device shall be installed, at the option of the Public Works Superintendent.
- F. Backflow prevention devices required by this Ordinance shall immediately be inspected and tested by a State-certified backflow prevention device tester.
- G. Any protective device required must be of a type approved for the specific use by the State Health Division.
- H. Backflow prevention devices shall be furnished and installed by and at the expense of the customer.
- I. It shall be the duty of the customer at any location where backflow prevention devices are installed to have certified inspections and operational tests made at least once per year. In those instances where the City deems the hazard to be great enough to warrant such action, certified inspections may be required at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by a certified tester licensed by the State Health division to perform such

services. it shall be the duty of the Superintendent to see that these timely tests are made. The customer shall notify the Superintendent in advance when the tests are to be undertaken so that he or his representative may witness the test if so desired. These devices shall be repaired, overhauled, or replaced at the expense of the customer whenever said devices are found to be defective. Records of such tests, repairs, and overhauls shall be kept and copies sent by the water user to the Public Works Superintendent.

- J. No underground sprinkling system shall be installed without adequate backflow prevention devices meeting the requirements of the State of Oregon Plumbing Code.
- L. Failure of the customer to cooperate in the installation, maintenance, testing or inspection of backflow prevention devices required by this Ordinance or by State law shall be grounds for the termination of water service to the premises.

SECTION V: CROSS-CONNECTION INSPECTION

- A. No water shall be delivered to any public, commercial, or industrial facility until the site has been inspected by appropriately trained members of the Public Works Department and found to be free of cross-connections.
- B. Any construction for industrial or other purposes which is classified as creating a potentially hazardous situation where it is reasonable to anticipate intermittent cross-connections, shall be protected by the installation of one or more backflow prevention devices at the point of service from the public water supply or any other location designated by the Public Works Superintendent.
- C. Inspections shall be made at the discretion of the Public Works Superintendent of all buildings structures, or improvements of any nature now receiving water through the municipal system, for the purpose of ascertaining whether cross-connections exist.

SECTION VI: NOTIFICATION OF INSTALLATION

If backflow prevention devices are found to be necessary, the owner of the property being serviced must notify the City of the

pending installation of such devices, indicating the type and design of the device to be used.

SECTION VII: LIABILITY

This Ordinance shall not be construed to hold the City of Hubbard responsible for any damage to persons or property by reason of the inspection or testing herein, or the failure to inspect or test or by reason of approval of any system which eventually results in a cross-connection.

SECTION VIII: APPLICABILITY

The requirements of this Ordinance are intended to apply primarily to commercial, industrial, multiple family residential, and public or semi-public facilities. The potential for cross-connection also exists in small residential facilities, but is not generally of a hazardous nature. Public Works staff may take appropriate enforcement steps where an actual or potential serious cross-connection situation is found in a small residential facility, including single family dwellings, as well as larger facilities.

SECTION IX: SEVERABILITY

If any one or more sections, sub-sections or sentences of this Ordinance are for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect.

SECTION X. EMERGENCY CLAUSE

The Common Council finds and declares that an emergency hereby exists and that the immediate passage of this Ordinance is necessary for the health, safety, peace and welfare of the residents of the City of Hubbard; and this Ordinance shall go into full force and effect upon its passage by the Common Council and approval by the mayor


PASSED BY THE COMMON COUNCIL OF THE CITY OF HUBBARD this 11th day of October, 1994 by the following vote:

5 Ayes

0 Nays


0 Abstentions

APPROVED BY THE MAYOR this 11th day of October, 1994.



Misty D. Lee, Mayor

Attest:



Janice C. Victoria
City Recorder