

(11) To install, maintain or use any water siphon or injector type pump operation for drainage purposes which uses the water supply from the City's distribution system.

13.002 Prohibitions. It shall be unlawful for any water user to do, commit or assist in committing any of the following:

(1) To allow any obstruction or debris to accumulate on or near any water meter box.

(2) To allow any debris to accumulate in any water meter box more than 6 inches below the water meter, except during the months of November, December, January and February.

(3) To pay any water bill upon which payment, or upon the envelope or outside cover of which, are any delineations, epithets, terms, or language of an indecent, lewd, lascivious, or obscene character are printed or written or otherwise impressed or apparent.

(4) To receive or use water through the water user's service line after water service has been turned off by the Supervisor and before water service is restored by the Supervisor.

SECTION 14: RESPONSIBILITY FOR WATER USER EQUIPMENT.

14.001 City not responsible. The water user shall, at his or her own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the City shall not be responsible for any loss or damage caused by improper installation of such equipment, or the negligence, want of proper care or wrongful act of the customer or any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, using, operating or interfering with such equipment. Further, the City shall not be liable for damage to property caused by spigots, faucets, valves, water heaters or other equipment that are open when water is turned on or off at the meter or curb stop, either when the water is turned on originally or when turned on after a temporary shut-down.

SECTION 15: CROSS CONNECTION CONTROL REQUIREMENT.

15.001 Identifying cross connections. The Supervisor shall identify and evaluate the premises where potential cross connections exist.

15.002 Discontinue service. Where the Supervisor has reasonable cause to believe that an existing or potential cross connection is located on the water user's premises, the Supervisor shall deny or discontinue service to those premises until an appropriate

backflow prevention device is installed or until the cause of the hazard is eliminated.

15.003 Water user to notify Supervisor. Whenever a water user obtaining water from the water works system treats the water in any way or adds any chemical or substance to the water, the water user shall immediately notify the Supervisor.

15.004 Installation of backflow prevention devices. Backflow prevention devices for protecting the water works system shall be installed on the service connection to the premises where:

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

(2) There is piping for conveying liquids other than potable water, and where the piping is under pressure and is installed and operated in a manner which could cause a cross connection;

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

(4) There is a back siphonage potential;

(5) All backflow devices shall be installed in accordance with the American Water Works Association Standards.

15.005 Type of backflow prevention device. The type of backflow prevention device required under Section 15.004 shall be commensurate with the degree of hazard which exists:

(1) 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, or an approved reduced pressure (RP) device shall be installed where the substance which could backflow is hazardous to health. Examples; sewage treatment plants, sewage pumping stations, chemical manufacturing plants, plating plants, hospitals, mortuaries, carwashes, medical clinics;

(2) An approved doublecheck valve assembly shall be installed where the substance which could backflow is objectionable, but does not pose an unreasonable risk to health;

(3) An approved pressure vacuum breaker or an atmospheric vacuum breaker 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 back pressure in the downstream piping. A shut-off valve may be installed on the line downstream of a pressure vacuum breaker but shall not be installed downstream of an atmospheric vacuum breaker.

(4) All backflow prevention devices required under this section shall be of a type and model approved by the Supervisor or the Oregon Health Division. The City shall maintain a list of backflow prevention devices approved for use in Oregon.

15.006 Testing and inspection of backflow prevention devices.

(1) The water user, where one or more reduced pressure device, doublecheck valve assembly, or pressure vacuum breaker have been installed, shall have the device tested at least once per year. Backflow prevention devices found not to be functioning properly shall be promptly repaired by the water user or the City may deny or discontinue service as provided in Section 15.002.

(2) Backflow prevention devices installed before the effective date of this ordinance which were approved at the time they were installed, but are not on the current list of approved devices maintained by the Oregon Health Division, 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 devices of this type are moved, or require more than minimum maintenance, they shall be replaced by devices which are on the Oregon Health Division list of approved devices.

SECTION 16: PENALTIES.

16.001 Violation. Any person violating Sections 2.001, 7.002, 13.001 and 13.002 commits a Violation, punishable by a fine of not more than \$250.00. Each day that a Violation continues is a separate offense.

SECTION 17: ADDITIONAL REMEDIES.

17.001 Money judgement. In addition to the penalties provided in Section 16 of this ordinance, the City may sue in a court of competent jurisdiction to obtain a judgement for any fee due under this ordinance and enforce collection of judgement as allowed by law.

17.002 Injunction. The City may seek an injunction to prohibit a person engaged in any activity regulated by this ordinance without first complying with it.

17.003 Attorney fees and costs. In any civil action authorized by this section, if the City prevails, it shall be entitled to recover its reasonable attorney fees to be set by the court in addition to its costs and disbursements. These fees are recoverable at all levels of trial and appeal.

SECTION 18: SAVINGS, SEVERABILITY AND REPEAL CLAUSES.

18.001 Savings clause. Ordinances No. 12 and 12-77 and Resolution 82-23, repealed by this ordinance, shall remain in force to authorize the arrest, prosecution, conviction and punishment of a person who violates Ordinance No. 12 before the effective date of this Ordinance.

18.002 Severability. The sections of this Ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

18.003 Repeal. Ordinance No. 12, entitled "An Ordinance Fixing and Establishing Water Rates for Service Inside and Outside the Corporate Limits of the City of Irrigon, Prescribing Rules and Regulations for the Conduct and Operations of the Water System", enacted July 25, 1968; Ordinance No. 12-77, entitled "An Ordinance Amending Ordinance No. 12 to Establish New Water Installation Rates Within the City, and Declaring an Emergency", enacted June 14, 1977; and Resolution No. 82-23, entitled "A Resolution Authorizing the Increase in Water Consumption Rates", enacted June 22, 1982; and any other resolutions affecting the water rates enacted between the dates July 25, 1968 and June 10, 1986 are repealed.

SECTION 19: DECLARING AN EMERGENCY.

19.001 Inasmuch as it is necessary for the health, safety, comfort and convenience of the inhabitants of the City of Irrigon that its water system be improved, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect upon its passage by the Council and approval by the Mayor.

PASSED by the Common Council and APPROVED by the Mayor on this 10th day of June, 1986.

CITY OF IRRIGON, OREGON

By: Donald V. Eppendick
Mayor

ATTEST:

Joel W. Stahl
Mayor Protem

(S E A L)



IRRIGON, CITY OF
4100403

2