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MIDLAND WATER ASSOCIATION

CROSS CONNECTION ORDINANCE

AN ORDINANCE TO PROTECT THE WATER SUPPLY OF THE MIDLAND WATER ASSOCIATION FROM CONTAMINATION OR POLLUTION DUE TO ANY EXISTING OR POTENTIAL CROSS CONNECTIONS; DEFINING AND DESCRIBING ASSEMBLY AND INSTALLATION REQUIREMENTS; PROVIDING FOR PREMISES ACCESS; TESTING AND REPAIR OF ASSEMBLIES; AND COMPLIANCE COSTS WITH PENALTIES FOR FAILURE TO COMPLY.

The Midland Water Association ordains as follows:

Section 1. Definitions:

1. "Approved backflow prevention assembly" means an assembly to counteract backpressure or prevent backsiphonage. This assembly must appear on the list of approved assemblies issued by the Oregon Health Division.
2. "Auxiliary supply" means any water source or system other than the public water system, that may be available in the building or on the premises.
3. "Backflow" means 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 association's water.
4. "Association" means the Midland Water Association.
5. "Contamination" means 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.
6. "Cross Connection" means any physical arrangement where a public water system is connected, directly or indirectly, with any other non-drinkable water system or auxiliary system, sewer, drain conduit, swimming pool, storage reservoir, plumbing fixture, swamp cooler, 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.
7. "Degree of hazard" shall be derived from the evaluation of a health, system, plumbing, or pollutional hazard.
8. "Health hazard" means an actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be a danger to health.
9. "Plumbing hazard" means an actual or potential threat to the physical properties of the water system or the potability of the public or consumer's potable water system but which would not constitute a health or system hazard, as defined. The maximum degree of intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.

10. "Pollutional hazard" means an actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system but which would not constitute a health or system hazard, as defined. The maximum degree of intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance or be aesthetically objectionable or could cause minor damage to the system or its appurtenances.

11. "President" means President of the Midland Water Association..

12. "System hazard" means an actual or potential threat of severe danger to the physical properties of the public or consumer's potable water system or of a pollution or contamination which would have a detrimental effect of the potable water in the system.

13. "Potable water supply" means any system of water supply intended or used for human consumption or other domestic use.

14. "Premises" means any piece of land to which water is provided including all improvements, mobile home(s) and structures located on it.

15. "Reduced pressure principle 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. The assembly shall include properly located test cocks and tightly closing shutoff valves at the end of the assembly. A check valve is approved if it appears on the list of approved assemblies issued by the Oregon Health Division.

Section 2. No cross connections shall be created, installed, used or maintained within the boundaries of the Midland Water Association's jurisdiction, except in accordance with this ordinance.

Section 3. Approved backflow prevention assemblies shall be installed at the expense of the user, either at the service connection or within the premises, as determined by a certified cross connection inspector employed by the Midland Water Association.

1. The nature and extent of any activity of the premises, or the materials used in connection with any activity of the premises, or materials stored on the premises, could contaminate or pollute the drinking water supply.
2. Premises having any one or more cross connections as that term is defined in Section 1, (6) are identified or are present.
3. Internal cross connections that are not correctable, or intricate plumbing arrangements which make it impractical to ascertain whether or not cross connections exist are present.
4. There is a repeated history of cross connections being established or reestablished.
5. There is unduly restricted entry so that inspections for cross connections cannot be made with sufficient frequency or with sufficient notice to assure that cross connections do not exist.
6. Materials of a toxic or hazardous nature are being used such that, if backflow should occur, a health hazard could result.
7. Any mobile apparatus which uses Midland Water Association's water or water from any premises within the boundaries of Midland Water Association's jurisdiction.

8. Installation of an approved backflow prevention assembly is deemed to be necessary to accomplish the purpose of these regulations in the judgment of a certified cross connection specialist employed by the Midland Water Association.
9. An appropriate cross connection report form has not been filed with the Midland Water Association.
10. A fire sprinkler system using non-potable piping material is connected to the Midland Water Association's water system.
11. An approved air gap shall be located at the relief valve orifice. This air gap shall be at least twice the inside diameter of the incoming supply line as measured vertically above the top rim of the drain and in no case less than one inch.
12. A backflow shall be obtained by the property owner prior to any new backflow assembly installation. With the permit, the owner and/or contractor will be provided with an Association cross connection ordinance and will be advised as to the minimum type of backflow assembly required and as to the locations that will be acceptable to the Association.
13. Upon completion of installation, the Association shall be notified and all assemblies must be inspected and tested. All backflow prevention assemblies must be registered with the Association. Registration shall consist of date of installation, make model, serial number of the backflow assembly, and initial test report.
14. Any water pressure drop caused by the installation of a backflow assembly is not the responsibility of the Midland Water Association.
15. It is the responsibility of the property owner to eliminate the possibility of thermal expansion if a closed system has been created by the installation of a backflow assembly.
16. All new plumbing construction shall be evaluated as to the need for a backflow assembly before the issuance of all plumbing permits within the boundaries of the Midland Water Association.

Section 5. Authorized employees of the Midland Water Association, with proper identification, shall have access during reasonable hours to all parts of the premises and within the building to which water is supplied. However, if any water user refuses access to the premises or to the interior of a structure at a reasonable time and on reasonable notice for inspection by a cross connection specialist appointed by the Association, a reduced pressure principle assembly will be required to be installed at the service connection to the premises.

Section 6. All backflow assemblies installed within the jurisdiction of the Midland Water Association shall be tested immediately after installation and then annually on or before the anniversary date by a state-certified tester. The Association will send out notices of reminder that a test is due. If the test is not completed within 15 days after the anniversary date, a second notice in the form of a registered letter, return receipt requested, will be sent. If the backflow assembly is not tested within 15 days of the second and final notice, the water service will be disconnected from the Association's water system. The Midland Water Association retains the right to have the assembly tested in special circumstances, rather than terminating the water service. Special circumstances may consist of, but are not limited to, retirement homes, rental homes, hospitals, group homes, homes in which water dependent devices are in use (such as kidney dialysis machines), or any other circumstance where the Association deems, it a health risk to terminate water service.


Forty-eight hour notice shall be given prior to all backflow testing to the President. This notice is required to allow the Association cross connection inspector to be on site to observe the test. If the owner, tester, or contractor fails to comply with this 48-hour notice, the Association will not accept the device test

and a re-test will be required in the presence of an Association inspector. All backflow assemblies found not functioning properly shall be promptly repaired or replaced by the water user. If any such assembly is not promptly repaired or replaced, the Midland Water Association may deny or discontinue water to the premises. All testing and repairs are the financial responsibility of the water user.

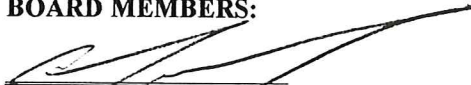
Section 7. All cost associated with purchase, installation, inspection, testing, replacement, maintenance, part, and repair of the backflow assembly are the financial responsibility of the property owner.

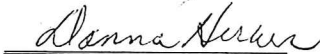
Section 8. Failure on the part of any customer to discontinue the use of all cross connections and to physically separate cross connections is sufficient cause for the immediate discontinuance of public water service to the premises (OAR Chapter 333-061-070, Section 1).

APPROVED by the Board of Directors of Midland Water Association and approved this ~~21st~~ day of February, 1998.

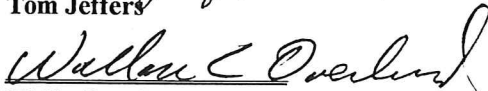

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