

ORDINANCE NO. 3104

AN ORDINANCE ESTABLISHING STANDARDS AND REQUIREMENTS FOR CONTROLLING CROSS CONNECTIONS TO THE MUNICIPAL WATER SUPPLY SYSTEM.

BE IT ORDAINED BY THE CITY OF BAKER CITY, OREGON:

Section 1. Definitions and Explanations: As used in this Ordinance:

- 1) "Approved backflow prevention device" means a device to counteract back pressures or prevent back siphonage. This device must appear on the list of approved devices issued by the Oregon State 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 City's water.
- 4) "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.
- 5) "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 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 change over devices, or other temporary or permanent devices through which, or because of which, backflow may occur are considered to be cross connections.
- 6) "Degree of Hazard" shall be derived from the evaluation of health, system, plumbing or pollution hazard.
- 7) "City" or "The City" means the City of Baker City.
- 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 internal or plumbing-type cross-connection in a consumer's potable water system that may be either a pollution or a contamination-

type-hazard. This includes, but is not limited to, cross connections to toilets, sinks, lavatories, wash trays, domestic washing machines and lawn sprinkling systems. Plumbing-type cross connections can be located in many types of structures including homes, apartment houses, hotels and commercial or industrial establishments.

10) "Pollution 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) "System Hazard" means an actual or potential threat of 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 on the quality of the potable water in the system.

12) "Potable Water Supply" means any system of water supply intended or used for human consumption or other domestic use.

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

14) "Reduced Pressure Principle Device" (RP Device) 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 device shall include properly located test cocks and tightly closing resilient wedge shut-off valves or fully ported ball valves at the end of the assembly. A check valve is approved if it appears on the list of approved devices issued by the Oregon State Health Division.

Section 2 Purpose

The purpose of this ordinance is to protect the water supply of the City of Baker City from contamination or pollution due to any existing or potential cross connections.

Section 3 Cross Connections Regulated

No cross connections shall be created, installed, used or maintained within the territory served by the City of Baker City, except in accordance with this ordinance.

Section 4 Backflow Prevention Device Requirements

Approved backflow prevention devices 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 contracted by or employed by the City of Baker City, whenever:

- 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, paragraph 5 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 at present.
- 4) There is a repeated history of cross connections being established or re-established.
- 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 (i.e. tank, truck) which uses the City's water or water from any premises or facility within the City of Baker City's system.
- 8) Installation of an approved backflow prevention device is deemed to be necessary to accomplish the purpose of these regulations in the judgement of a certified cross connection specialist contracted by or employed by the City of Baker City.
- 9) An appropriate cross connection report form has not been filed with the City.
- 10) A fire sprinkler system is connected to the City's Water System.

Section 5 Installation Requirements

To ensure proper operation and accessibility of all backflow prevention devices, the following requirements shall apply to the installation of these devices:

- 1) No part of the backflow prevention device shall be submerged in water or installed in a location subject to flooding. If installed in a vault or basement, adequate drainage shall be provided.
- 2) Devices must be installed at the point of delivery of the water supply, before any branch in the line, on private property located just inside of the property line. Alternate locations must be approved in writing by the City prior to installations.

- 3) The device must be protected from freezing and other severe weather conditions.
- 4) All backflow prevention device assemblies shall be of a type and model approved by the State of Oregon Health Division and the City.
- 5) Only devices specifically approved by The Oregon Health Division for vertical installation may be installed vertically.
- 6) The device shall be readily accessible with adequate room for maintenance and testing. Devices 2" and smaller shall have at least 6" clearance on all sides of the device. All devices larger than 2" shall have a minimum clearance of 12" on the back side, 24" on the test cock side, 12" below the device and 36" above the device. "Y" pattern double check valve assemblies shall be installed so that the checks are horizontal and the test cocks face upward.
- 7) The property owner assumes all responsibility for all maintenance and testing of the device, as determined and required by the City.
- 8) If written permission is granted to install the backflow device inside of the building, the device shall be readily accessible during regular working hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.
- 9) If a device, with written permission, is installed inside of the premises and is 4" or larger and is installed 4' or more above the floor, it must be equipped with a rigidly and permanently installed scaffolding acceptable to the City. This installation must also meet the requirements set out by the U.S. Occupation Safety and Health Administration and the State of Oregon Occupational Safety and Health Codes.
- 10) RP devices may be installed in a vault only if relief valve discharge can be drained to daylight through a "boresight" type drain. The drain shall be of adequate capacity to carry the full rated flow of the device and shall be screened on both ends. 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 1".
- 11) Upon completion of installation, the City shall be notified and all devices must be inspected and tested. The testing and repairs of all devices are the financial responsibility of the water user.
- 12) All backflow devices must be registered with the City. Registration shall consist of date of installation, make model, serial number of the backflow device, and initial test report.

13) Any water pressure drop caused by the installation of a backflow device is not the responsibility of the City of Baker City.

Section 6 Access to Premises

Authorized employees of the City, or their designated representatives with proper identification, shall have access during reasonable hours to all parts of a premise and within the building to which water is supplied. However, if any water user refuses access to a premise or to the interior of a structure at reasonable times and on reasonable notice for inspection by a cross connection specialist appointed by the City, a reduced pressure principle device will be required to be installed at the service connection to that premise. If the water user refuses to install the reduced pressure principle device, then the City may apply to any court of competent jurisdiction for a warrant authorizing entry onto the premises for purpose of inspection of the water supply system.

Section 7 Annual Testing and Repairs

All backflow devices installed on premises served by the City shall be tested immediately upon installation and at least annually thereafter by a state certified tester. All such devices found not functioning properly shall be promptly repaired or replaced by the water user. If any such device is not promptly repaired or replaced, the City may deny or discontinue water service to the premise. All testing and repairs are the financial responsibility of the water user.

Section 8 Costs of Compliance

All costs associated with purchase, installation, inspections, testing, replacement, maintenance, parts, and repairs of the backflow device are the financial responsibility of the property owner.

Section 9 Termination of Service

Failure on the part of any customer to either protect with approved devices or 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.

Section 10 Emergency Clause and Declaration of Effective Date: It is hereby determined and found that it is in the best interests and welfare of the citizens of Baker City that new regulations regarding the control of cross connections to the municipal water supply system be adopted. By reason of the foregoing, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect on the 13th day of February, 1996.

Read for the first time in full this 23rd day of January, 1996.

Read for the second time by title only this 23rd day of January, 1996, upon the unanimous vote of the members of the Council present, after the text of the

ordinance was offered to all the members of the Council and the press and public attending.

Read for the third time by title only this 13th day of February, 1996, upon the unanimous vote of the members of the Council present, after the text of the ordinance was offered to all the members of the council and the press and public attending.

PASSED by the City Council of the City of Baker City, Oregon and APPROVED by the Mayor of the City of Baker City, Oregon, this 13th day of February, 1996.

ATTEST: Frank C. Conhill
City Recorder

Approved: CITY OF BAKER CITY, OREGON

By: Lawrence D. Rippl
Mayor