

41-00187 - Clackamas

41-00594 - Clairmont

**CLACKAMAS RIVER WATER
ORDINANCE NO. 2-2006**



AN ORDINANCE PROVIDING FOR A CROSS CONNECTION CONTROL PROGRAM AS MANDATED BY THE OREGON HEALTH DIVISION AND REPEALING ORDINANCE NO. 1-2000.

WHEREAS, the Board of Commissioners of Clackamas River Water previously adopted Ordinance No. 1-2000, which provided for a Cross Connection Control Program; and

WHEREAS, the Board of Commissioners finds upon recommendation of staff and legal counsel, that it is necessary to repeal Ordinance No. 1-2000, and adopt this Ordinance No. 2-2006 and being fully advised,

NOW, IT IS HEREBY ORDAINED, by the Board of Commissioners of Clackamas River Water that the following Cross Connection Control Program is hereby approved and adopted.

Section 1. Purpose and Scope

The purpose of this ordinance is to protect the health and welfare of the customers of Clackamas River Water by the control of actual or potential cross connections to the public water supply that may cause contamination.

Section 2. Definitions

- a) "Access" means CRW personnel may enter a customer's premises at reasonable times to determine compliance with the Cross Connection Control Program. Denial of reasonable access to premises is a violation of the District's Rules and Regulations.
- b) "Auxiliary Water Supply" means any supply of water on or available to the premises used to augment the supply obtained from the public water supply.
- c) "Backflow" means the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources.
- d) "Backflow Prevention Assembly" means a mechanical device approved by the Oregon Department of Human Services / Health Services to prevent backflow, appropriately placed on a service with the model, type, and manufacture of the assembly listed on the current Oregon "Approved Backflow Prevention Assembly List," as published and periodically amended by the Oregon Department of Human Services / Health Services.
- e) "Contamination" means the entry into or the presence in the public water system of any substance or matter that when present in drinking water above an acceptable level may create a health hazard to the consumer.
- f) "Cross Connection" means any actual or potential unprotected connection or structural arrangement between the public or user'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 substances other than the intended potable water with which the system is supplied.

g) "CRW" means Clackamas River Water.

h) "Customer" means the owner of a property having a connection to the public water system that, in addition, may have access to or be the owner of an auxiliary water supply.

i) "Service Connection" means the terminal end of the pipe carrying water from the water main to the water meter and the point of connection between the public water supply and the customer's piping.

j) "Violation" means a breach of the cross connection prevention program and a cause for assessment of penalty, including but not limited to immediate termination of service under the District's Rules and Regulations.

Section 3. Cross Connection(s)

a) Installing or maintaining of any actual or potential cross connection, capable of contaminating CRW's public drinking water system is prohibited. Any such cross connection now existing is hereby declared a violation and shall be removed.

b) Water service to any property shall be contingent upon the customer providing cross connection control in a manner approved by CRW for each point of connection.

c) Except where the Board of Commissioners of Clackamas River Water establishes more stringent requirements for cross connection control, the control or elimination of cross connection(s) shall be in accordance with the Oregon Administrative Rules 333-061-0005 to 0020, 0070 through 0074 and OAR 166-200-0110, and ORS 448.279 or as published and periodically amended. If any superseding rule or statute is adopted that creates more stringent standards than those adopted hereunder, the more stringent standard shall apply.

d) CRW personnel may enter the premises of a customer at reasonable times to determine compliance with the Cross Connection Control Program. Reasonable access, if denied by a customer, constitutes a violation of this Ordinance and the District's Rules and Regulations.

e) In administration of the Cross Connection Control Program CRW shall, at its discretion, apply the practices, procedures, and criteria for determining appropriate levels of protection in accordance with the most recently published version of the following:

1) Oregon Administrative Rules 333-061-0005 to 0020, 0070 through 0074 and OAR 166-200-0110, and ORS 448.279 or as published and periodically amended.

2) Oregon State Plumbing Specialty Code

f) In administration of the cross connection control program CRW shall, reference as a guideline the following industry standards as consistent with Oregon Administrative Rules and Oregon State Plumbing Specialty Code.

1) The most recent edition of the "Cross Connection Control Manual, Accepted Procedures and Practices," published by the Pacific Northwest Section of the American Water Works Association.

2) The most recent edition of the "Manual of Cross Connection Control," published by the Foundation for Cross Connection Control and Hydraulic Research, University of Southern California.

3) The "Standards and Specifications" of Clackamas River Water.

4) Clackamas River Water's internal Cross Connection Control Procedures.

Section 4. Backflow Assembly Installation

Backflow prevention assemblies that CRW requires to be installed at the service connection shall be approved by the Oregon Department of Human Services / Health Services and shall be installed at the expense of the customer. Installation shall be in accordance with OAR 333-061- 0071 Backflow Assembly Installation and Operation Standards.

Section 5. Backflow Assembly Testing

Backflow assemblies at the service connection, and any backflow assembly on the customers premises shall be tested at the customers expense a minimum of once per year by a tester certified by the Oregon Department of Human Services / Health Services on a date to be set by CRW unless otherwise specified by CRW.

Section 6. Penalty

Service to any premise receiving water from Clackamas River Water shall be contingent upon compliance with all rules and regulations of the Oregon Department of Human Services / Health Services and/or CRW. At the discretion of CRW, and to maintain the integrity of the distribution system, and protect the CRW system from contamination, service may be discontinued to any premise at any time upon five (5) days written notice for failure to comply with the rules and regulations of the Oregon Department of Human Services / Health Services and/or Clackamas River Water. The Customer may appeal this action at any time during the five (5) day period by telephone, email or in writing to Clackamas River Water and stating the nature of the appeal. The General Manager or designee may negotiate a compliance schedule with the customer to avoid undue hardship so long as control of any actual or potential cross connection and/or the testing of any designated backflow assembly, is achieved, in the most expeditious manner, and without risk of contamination of the public water supply. In addition to termination of service under the District's Rules and Regulations, violation of this ordinance shall also be subject to a civil penalty of \$500 for each day of violation.

Section 7. Modifications

Modifications and changes to this Ordinance shall be accomplished by Ordinance. The most recent published version, and updates and revisions, to the attached Exhibits, and CRW's published Standards and Specifications, and other publications noted in Section 3(e), are hereby incorporated when adopted by the applicable agency, entity or legislative, without necessity of action by the Board of Commissioners.

Section 8. ORS Chapter 198

Pursuant to Oregon Revised Statutes, Chapter 198.540, the ordinance was read at two regular meetings of the Board of Commissioners on two different days, at least six (6) days apart and prior to the adoption thereof.

Section 9. Adoption

This ordinance was adopted by at least the affirmative vote of a majority of the members of the Board of Commissioners of Clackamas River Water at a public meeting and was attested to by the General Manager. The Secretary of Clackamas River Water is instructed to cause the ordinance to be filed in the records of CRW and file a certified copy of this ordinance with the County Clerk.

Section 10. Effective Date

Ordinance 1-2000 is repealed as of the effective date of this Ordinance. This Ordinance shall take effect at 12:01 a.m., Pacific Standard Time, on March 11, 2006, being at least thirty (30) days from the date of its adoption.

INTRODUCED AND READ at a regular meeting of the Board of Commissioners on January 12, 2006, and read for a second time at a regular meeting of the Board of Commissioners on February 9, 2006, and adopted.

CLACKAMAS RIVER WATER



Mark Neslen, CRW Board Chairman



Scott Reinhardt, CRW Board Secretary

ATTEST:



Gary Kerr, General Manager