

CROSS CONNECTION CONTROL ORDINANCE

For

Fayette

System, No. 20002

The purpose of this ordinance is to protect the water supply of Fayette from contamination or pollution from any cross connections existing or potential; and to assure that approved backflow prevention assemblies are tested when put into service and at least on an annual basis thereafter. This ordinance is in compliance with Section R309.105.12 of the Utah Public Drinking Water Rules (UPDWR) and the International Plumbing Code as adopted by the State of Utah.

The installation or maintenance of any unprotected cross connection which would endanger the water supply of Fayette is prohibited. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be immediately protected or eliminated.

The control or elimination of cross connections and the criteria for determining the degree of hazard and prescribing appropriate levels of protection shall be in accordance with the Plumbing Code as adopted by the State of Utah and the UPDWR. Water service to any premises shall be contingent upon the customer providing appropriate cross connection control if determined necessary. Determinations and enforcement shall be the responsibility of Fayette's water supervisor in conjunction with the mayor. Water service may be refused or terminated to any premises where an unprotected cross connection may allow contamination or pollutants to backflow into the public drinking water system.

Authorized employees of Fayette with proper identification, shall have access at reasonable hours of the day, to all areas of a premise or building to which drinking water is supplied for the purpose of conducting cross connection hazard assessment surveys. Water service may be refused or terminated, or maximum backflow protection may be required, to the premise where access to perform surveys is denied, where unprotected cross connections are located, or if installed assemblies are not tested and maintained as required by State and local regulations.

Before any water service is terminated, a due process of notifying the customer and providing a reasonable time for compliance to be achieved will be observed according to the operating procedures of Fayette. However, in the event of an actual backflow incident which endangers the

public health, water service may be terminated immediately and not be restored until the cross connection is either eliminated or adequately protected.

WHEREAS on _____, The Fayette city Council held a public hearing to discuss the below Ordinance and invited public comment; and

WHEREAS The Fayette City Council finds good cause for adopting the provisions set forth herein.

NOWHEREFORE be it ordained by the city council of Fayette; Utah as Follows:

ORDINANCE for the CONTROL OF BACKFLOW AND CROSS CONNECTIONS

SECTION 1. CROSS CONNECTION CONTROL –GENERAL POLICY

1.1 Purpose of Ordinance:

1.1.1 To protect the public drinking water supply of Fayette from the possibility of contamination or pollution by requiring compliance with the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah, that require cross connection control protection of all public drinking water systems in the State of Utah. Compliance with these codes will be considered reasonable diligence for the prevention of contaminants or pollutants which could backflow into the public drinking water system; and,

1.1.2 To promote the reasonable elimination or control of cross connection in the plumbing fixtures and industrial piping system(s) of the consumer, as required by the state and plumbing regulations to assure water system safety; and,

1.1.3 To provide for the administration of a continuing program of backflow prevention which will systematically examine risk and effectively prevent the contamination or pollution of the drinking water system.

1.2 Responsibility: Drinking Water Purveyor

1.2.1 Fayette shall be responsible for the protection of the drinking water distribution system from the foreseeable condition leading to the possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.

1.2.2 Drinking water system surveys/inspections of the consumer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing Fayette. Survey records shall indicate compliance with the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah. All such records will be maintained by Fayette.

1.2.3 Fayette shall schedule and notify in writing all consumers of the need for the periodic system survey to ensure compliance with existing applicable minimum health and safety standards.

1.2.4 Selection of an approved backflow preventer for containment protection required at the service connection shall be determined from the results of the cross-connection hazard assessment survey.

1.3 Responsibility: Consumer

1.3.1 To comply with this ordinance as a term and condition of water supply and consumer's acceptance of service is admittance of his/her awareness of his/her responsibilities as a water system user.

1.3.2 It shall be the responsibility of the consumer to purchase, install, and arrange testing and maintenance of any backflow prevention device/assembly required to comply with this ordinance. Failure to comply with this ordinance shall constitute grounds for discontinuation of service.

1.5 Responsibility: Certified Backflow Technician, Surveyor, or Repair Person

1.5.1 Whether employed by the consumer or a utility to survey, test, repair, or maintain backflow prevention assemblies the Certified Backflow Technician, Surveyor, or Repair Person will have the following responsibilities:

- a. Ensuring that acceptable testing equipment and procedures are used for testing or repairing backflow prevention assemblies.
- b. Record all testing and/or repairs and submit report forms to the consumer and the water purveyor within 30 days of work performed.
- c. Report to the water purveyor of any failed backflow assembly test within 5 days of work performed.
- d. Ensuring that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
- e. Not changing the design, material, or operational characteristics of the assembly during testing, repair, or maintenance.
- f. Performing all tests of the mechanical devices/assemblies and shall be responsible for the competence and accuracy of all tests and reports.
- g. Ensuring that his/her Backflow Technician license is current, the testing equipment being used is acceptable to the State of Utah and is in proper operating condition.
- h. Being equipped with, and competent to use, all necessary tools, gauges, and other equipment necessary to properly test, and maintain backflow prevention assemblies.

1.5.2 Responsibility: Repair of backflow assemblies

In the case of a consumer requiring an assembly installation, repair, or relocation shall be done with individuals having appropriate licensure from the Utah Division of Professional Licensing.

SECTION 2. DEFINITIONS

2.1 Water Purveyor: The person designated to oversee the Water Department of Fayette, is invested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this ordinance.

2.2 Approved Backflow Assembly: An assembly accepted by the Utah State Department of Environmental Quality, Utah State Rules for Public Drinking Water Systems, and the Plumbing Code as adopted by the State of Utah as meeting an applicable specification or as suitable for the proposed use.

2.3 Auxiliary Water Supply: Any water supply on or available to the premises other than the purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply, secondary irrigation water, or any natural source(s) such as a private well, spring, river, stream, etc., or "used water" or "industrial fluids". These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have authority.

2.4 Backflow: The reversal of the normal flow of water caused by back-pressure or back-siphonage.

2.5 Backpressure: The reversal of the normal flow of water or other liquids, mixtures, or substances from a region of high pressure to a region of lower pressure caused by an increase of pressure in the downstream piping.

2.6 Back-Siphonage: The reversal of the normal flow of water or other liquids, mixtures, or substances under vacuum conditions caused by a sub-atmospheric pressure in the potable water system.

2.7 Backflow Preventer: An assembly or device designed to prevent backflow. Specifications for backflow prevention assemblies and devices are contained within the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah.

2.8 Cross Connection: Any actual or potential connection between the public water system or the consumer's water system and any other source or auxiliary supply through which it is possible to introduce anything else. This would include temporary conditions, such as dual source connections, swing connections, removable sections, four-way plug valves, spools,

dummy sections of pipe, swivel, or change-over devices, sliding multiport tubes, or other plumbing arrangements.

2.9 Contamination: Means a quality degradation of the potable water supply by a toxic substance that is introduced which poses a threat to public health. This would include sewage, industrial fluids, irrigation chemicals, boiler compounds, waste liquids, or other materials not suitable for human consumption.

2.10 Cross Connection-Controlled: A connection between a potable water system and an auxiliary supply or other cross connections with an approved backflow preventer properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

2.11 Cross Connection-Containment: The installation of an approved backflow preventer at the water service connection to any customer's premises for cross connection control.

SECTION 3. REQUIREMENTS

3.1 Policy:

3.1.1 No water service connection to any premises shall be installed or maintained by the Water Purveyor unless the water supply is protected as required by the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah and this ordinance. Water service shall be discontinued by the water purveyor after due process of written notifications of violation and an appropriate time suspense for voluntary compliance, if:

- a. A backflow preventer is not installed, tested, and maintained as required by the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah and this ordinance for cross connection control, or
- b. If it is found that a backflow preventer has been removed or by-passed, or
- c. If an unprotected cross connection exists on the premises, or
- d. If the cross-connection hazard assessment survey has not been conducted.
- e. Service will not be restored until such conditions or defects are corrected.

3.1.2 The customer's system(s) shall be open for a cross connection hazard assessment survey at all reasonable times to authorized representatives of the water purveyor to determine whether cross connections or other structural or sanitary hazards, including violation of the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah this ordinance exist.

3.1.3 An approved backflow preventer shall be installed on the service line of the identified consumer'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.

3.1.4 The type of backflow preventer assembly or device installed at this point of containment required under subsection 3.1.3, shall be determined by the Water Purveyor.

3.1.5 It shall be the responsibility of the consumer at any premises where backflow preventers are installed to have certified surveys, inspections, and operational tests at the consumer's expense.

3.1.6 Backflow prevention assemblies shall be installed with 12 inches of surrounding clearance, and safely and readily accessible to Backflow Technicians, Repair Persons, and the Water Purveyor. No backflow prevention assemblies shall be installed to create a safety hazard. (Example: Installed over an electrical panel, steam pipes, boilers, or other unsafe location).

3.2 Violation of this Policy:

A violation of this ordinance exists if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of the deficiencies as noted within the survey or test results. The water purveyor shall then deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with all State and local regulations and statutes relating to plumbing, safe drinking water suppliers, and this ordinance.

Voting:

Yea____ Nay____ Abstain____ Bryan Lyman

Yea____ Nay____ Abstain____ Rusty Jones

Yea____ Nay____ Abstain____ Keith Bartholomew

Yea____ Nay____ Abstain____ Melissa Mellor

Fayette Town

Jed Bartholomew, Mayor

ATTEST:

Kathi Williams

Fayette Town Recorder

Certification

The above resolution was adopted by the Town Council of Fayette on the ____ day of _____2022.

Kathi Williams

Town Recorder

Any Provision of Fayette Town code which predates or conflicts with this Ordinance is here by repealed.