**Ordinance 2001-1**

An ordinance eliminating or prescribing control of cross connection sin plumbing fixtures to assure water system safety; providing for the inspection and testing or mechanical devices and assemblies used for that purpose by a certified technician; requiring installation of protective devices; and prescribing a penalty for non-compliance.

BE IT ORDAINED, by the town board of the Town of Randolph, Utah that an ordinance be adopted to provide as follows for water supply protection; cross connections:

1. DEFINITIONS

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

Back-Pressure: The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than the intended source, caused by the reduction of pressure in the potable water supply system.

Backflow Prevention Assembly: An assembly or means designed to prevent backflow. See Appendix J, Chapter 10, Utah Plumbing Code as adopted for specifications of such assemblies.

Cross Connection: Any physical connection or arrangement of piping or fixtures which may allow non-potable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a distribution system. This phrase includes any temporary connections, including swing connections, removable section, four way plug valves spools, dummy sections of pipe, swivel or change-over devices, sliding multi-port tubes, or other similar plumbing arrangements.

2. WATER SUPPLY PROTECTION: No water service connection to any premise shall be installed or maintained by the Town or any other water utility, unless the water supplying the premises is protected as required by State and Town laws and regulations.

3, DUTY TO INSPECT ANNUALLY: It shall be the responsibility of the water consumer to purchase, install, test and maintain backflow prevention devices/assembly where necessary and to control cross connections. Certified inspections and operational tests shall be made at least once a year. Where the Town deems the hazard to be great, the consumer may be required to have such inspection and tests at a more frequent interval as prescribed by the Town. All such tests shall be made according to the standard set forth by the Utah State Department of Health, Bureau of /drinking Water and Sanitation.

4. NEW CONTRUCTION: The Building Official of the Town will review all plans for new construction to ensure that unprotected cross connections are not an integral part of the consumer’s water system. If a cross connection cannot be eliminated, protection will be required by installation of an air gap or other approved backflow prevention device/assembly, in accordance with the Utah Plumbing Code as adopted. Water vacating the drinking water supply must do so by means of an approved air gap or mechanical backflow prevention assembly as require by said Code.

5. INSTALLATION REQUIRED: Whenever the Town deems a service connection’s water usage contributes a sufficient hazard to the water supply, installation of an approved backflow prevention assembly shall be required on the lateral service line of the consumer’s water system, at or near the property line, or immediately inside the building being served, but before the first branch line reading off the lateral service line in any event. The type of protective assembly required shall depend upon the degree of hazard existing at the point of cross connection (whether direct or indirect) so as to comply with local and state requirements. The Town shall test all backflow prevention assemblies within 10 workings days after heir initial installation in order to determine their adequacy.

6. EXSITING EQUIPMENT: All backflow prevention assemblies existing at the time this ordinance is adopted but which do not meet the requirements hereof shall nonetheless be excluded from the requirements of this ordinance, provided they were approved for the purposes decried herein at the time of installation and have been properly maintained so as to function in the manner originally intended. Such previously existing assemblies nonetheless shall be subject to the periodic inspection and testing required by Section 3, above. Whenever an existing assembly is moved to another location, or requires more than minimum maintenance, or where it is determined to constitute a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this ordinance.

7. REPAIR AND MAINTENANCE OF EQUIPMENT: The maintenance, including necessary repairs, or all backflow prevention assemblies and cross connection control devices required by this ordinance shall be the responsibility of the consumer, and failure to adequately maintain any required equipment shall be a violation hereof. All installations and repairs of such equipment shall be effected by a certified journeyman plumber of other agent of the owner, provided he is a certified backflow technician as provided in Section 9 in either case.

8. ACESS FOR INSPECTION: A consumer’s system shall be open for inspection at all reasonable times to authorized representative of the Town water department in order to determine whether cross connections or other structural or sanitary hazards. Including violations of this ordinance exist. In order to determine that no backflow prevention assembly is installed in such manner as to create a safety hazard, the inspection shall include access to above sealing areas, pits, paneled interior areas, or other locations where cross connection might exist. The consumer shall be responsible to provide a route of access across hi property for inspection purposes that is free from litter, overgrowth, the threat of vicious animal, or other hindrance that may be detrimental to the safety of the inspector or obstructive to his ease of access.

9. CERTIFIED BACKFLOW TECHNICIAN: All tests of mechanical devices/assemblies shall be conducted by a certified backflow technician who will be responsible for the competence and accuracy of all tests and reports. Such technician shall be responsible for the following:

A. Assure the acceptable testing equipment and procedures are used for the testing, repairing or overhauling of backflow prevention assemblies.

B. Make reports of such testing and or repair to the consumer, the Town and Bureau of Drinking Water on form approved for such use by said Bureau. Reporting shall be within the time allowed by the Bureau.

C. Include in all reports a list of any materials or replacement parts used.

D. Assure that replacement parts are equal in quality to original parts and that nay testing, repair or replacement does not change the design or operational characteristics of the assembly.

E. Maintain his license in current condition and his testing equipment in proper operation condition.

F. Be equipped with and competent to use, all necessary tools, gauges, and other equipment necessary to properly test and maintain backflow prevention assemblies.

G. Tag each double check valve, pressure vacuum breaker, reduce pressure backflow assembly and high hazard air gap, showing the serial number, date tested and by whom, including the technician’s license number.

10. NOTIFICATION OF PUBLIC: Although failure of a consumer to be aware of this ordinance shall be no defense to violation hereof, the water department shall use reasonable means to notify its consumers of the hazards of cross connection and the need to annual inspection of backflow prevention assemblies.

11. RECORDS: The Water department shall keep reasonable records of cross connection hazards and the condition of backflow assemblies, including those records required by State and Federal agencies. It shall provide the tags required by Section 9 (G) upon request by certified backflow technicians.

12. VIOLATIONS: Service of water to a consumer found to be in violation of this ordinance shall be discontinued by the Town after written notice of the violation, and appropriate time suspended for voluntary compliance, and the due process entitlements otherwise extended by the Town before termination of water service. A violation exists if:

A. A backflow prevention assembly required by the ordinance for control of cross connections is not installed, tested or maintained.

B. If it is found that a backflow prevention assembly has been removed or bypassed.

C. If an unprotected cross connection exists on the premises.

D. If the periodic system inspection has not been conducted.

Where written notification of a deficiency is provided by the Town, in the event of a failure by the consumer to take the required corrective action within 10 days after the date of mailing such notice, the Town shall immediately discontinue service in accordance herewith. Water service will not be restored until all such conditions or defects are corrected.

In addition to any penalty provided herein, violation of this ordinance shall be a Class B misdemeanor.

ADOPTED AND APPROVED by the Town Board and Mayor of Randolph, Rich County, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

J K Kearl, Mayor

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tammy Hoffman, Clerk