

ORDINANCE NO. 281-23

AN ORDINANCE OF UINTAH CITY AMENDING TITLE 12 - WATER DEPARTMENT, ORDINANCE NO. 192-06, CHAPTER 3

RECITALS

Uintah City ("the City") is a municipal corporation created and existing under the laws of the State of Utah.

Uintah City has authority, pursuant to Utah Code Ann. Section 10*8-84 to enact all ordinances which "are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city."

NOW THEREFORE be it ordained by Uintah's City Council as follows:

SECTION 1. Title 12, Chapter 3 of the Uintah City Municipal Ordinance Code is hereby amended to read as follows:

TITLE 12 - WATER DEPARTMENT

CHAPTER 3 - CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

SECTION:

12-3-1 DEFINITIONS

12-3-2 PURPOSE

12-3-3 POLICY

12-3-4 REQUIREMENTS

12-3-5 RESPONSIBILITY OF PURVEYOR

12-3-6 RESPONSIBILITY OF CONSUMER

12-3-7 RESPONSIBILITY OF PLUMBING OFFICIAL

12-3-8 RESPONSIBILITY OF CERTIFIED BACKFLOW TECHNICIAN, SURVEYOR,
OR REPAIR PERSON

12-3-9 VIOLATIONS/PENALTIES

CHAPTER 3 - CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

SECTION: 12-3-1

DEFINITIONS:

A. Water Purveyor:

The person designated to oversee the Water Department of Uintah City, 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.

B. Approved Backflow Assembly:

An assembly accepted by the Utah State Department of Environmental Quality, Division of Drinking Water, as meeting an applicable specification or as suitable for the proposed use.

C. 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 or any natural source(s) such as a well, spring, river, stream, etc., or "used waters" 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 for sanitary control.

D. Backflow:

The reversal of the normal flow of water caused by either backpressure or backsiphonage.

E. Back-Pressure:

The flow of water or other liquids, mixtures, or substances from a region of high pressure to a region of lower pressure into the water distribution pipes of a potable water supply system from any source(s) other than the intended source.

F. Backsiphonage:

The flow of water or other liquids, mixtures, or substances under vacuum conditions into the distribution pipes of a potable water supply system from any source(s) other than the intended source, caused by the reduction of pressure in the potable water system.

G. Backflow Prevention Assembly:

An assembly or means designed to prevent backflow as approved by USC, ASSE, and IAPMO. Specifications for backflow prevention assemblies are contained within the Plumbing Code, and amendments as adopted by the State of Utah.

H. Contamination:

Means a degradation of the quality of the potable water supply by sewage, industrial fluids or waste liquids, compounds or other materials that may create a health hazard.

- B. The installation or maintenance of any unprotected cross connection which would endanger the water supply of Uintah City is prohibited.
- C. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be immediately protected or eliminated.
- D. The control or elimination of cross connections and the criteria for determining degree of hazard and prescribing appropriate levels of protection shall be in accordance with the Plumbing Code and amendments as adopted by the State of Utah. Water service to any premise shall be contingent upon the customer providing appropriate cross connection control if determined necessary. Determinations and enforcement shall be the responsibility of the Water Department in conjunction with the building inspector.
- E. 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 or in the case of a backflow incident, or noncompliance with the installation and testing requirements of backflow preventers.
- F. Authorized employees of Uintah City with proper identification shall have free 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 hazard assessment surveys.
- G. 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, installed, or maintained as required by State and local regulations.
- H. 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 Uintah City. 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.

SECTION: 12-3-4 REQUIREMENTS:

- A. 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 State laws, regulations, codes, and this ordinance. Service of water to a consumer found to be in violation of this ordinance shall be discontinued by the water purveyor after due instances where the Public Water Purveyor deems the hazard to be great, they may require certified surveys/inspections and test at a more frequent interval. All backflow prevention assemblies shall be tested within ten (10) working days of initial installation.
 - a. No backflow prevention assemblies shall be installed to create a safety hazard.
Example: Installed over an electrical panel, steam pipes, boilers, or above ceiling level.

SECTION: 12-3-5 RESPONSIBILITY OF PURVEYOR:

- A. Uintah City shall be responsible for the protection of the drinking water distribution system from the foreseeable conditions 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.
- B. 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

Uintah City. Survey records shall indicate compliance with the State of Utah Regulations. All such records will be maintained by Uintah City.

- C. Uintah City shall schedule and notify in writing all consumers of the need for the periodic system survey to insure compliance with existing applicable minimum health and safety standards.
- D. Selection of an approved backflow prevention for containment control required at the service entrance shall be determined from the results of the system survey.

SECTION: 12-3-6 RESPONSIBILITY OF CONSUMER:

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

B. 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.

SECTION: 12-3-7 RESPONSIBILITY OF PLUMBING OFFICIAL:

- A. The City's plumbing official or Certified Backflow Technician is responsible to enforce the applicable sections of the plumbing code begins at the point of service or consumer side of the meter and continues throughout the length of the consumer's water system.
- B. The plumbing official or Certified Backflow Technician will review all plans to ensure that unprotected cross connections are not an integral part of the consumers' water system. If a cross connection cannot be eliminated, it must be protected by the installation of an air gap or an approved backflow prevention device/assembly, in accordance with the Uniform Plumbing Code.
- C. Maintenance and repair, including materials or replacement parts used for approved backflow prevention assemblies/devices within the consumers jurisdiction.

SECTION: 12-3-8 RESPONSIBILITY OF CERTIFIED BACKFLOW TECHNICIAN, SURVEYOR, OR REPAIR PERSON:

- A. 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. Insuring that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.
 - b. Make reports of such testing and/or repairs to the consumer and the water purveyor on form approved for such use by the water purveyor within time frames as described by the Division of Drinking Water. Backflow Technician, Surveyor, or Repair Person is responsible for submitting test and repair forms to the Water Purveyor within 30 days of test/repairs performed.
 - c. Include the list of materials or replacement parts being used in the reports.
 - d. Insuring 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. Insuring that his/her 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.
- i. Tagging each backflow prevention assembly, showing the serial number, date tested and by whom. The certified technician's license number must also be on the tag. B. Responsibility: Repair of backflow assemblies.
- j. In the case of a consumer requiring an assembly to be tested, any currently Certified Backflow Technician is authorized to do the test and report the results to the consumer and the water purveyor. If any commercially tested assembly needs repair the Construction Trade License Act requires a licensed plumber to make actual repairs on any assembly within a building.

SECTION: 12-3-9 VIOLATIONS/PENALTIES:

- A. If violations of this ordinance exist or if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of the deficiencies noted within the survey or test results, then the water purveyor shall 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.
- B. Any person who refuses to comply with the requirements of this ordinance shall be guilty of a Class C misdemeanor and may be sentenced accordingly. Each day for which corrective action has not been taken by a consumer shall be a separate offense.

SECTION 2: This ordinance shall be effective immediately after passage and posting as required by law.

PASSED AND ADOPTED by the City Council of Uintah this 1st day of August 2023.

MAYOR:


Gordon Cutler

ATTEST:


Michelle Mortensen, City Recorder

**CITY COUNCIL VOTE AS
RECORDED:**

Ordinance No. 281-23
Title 12, Water Department Chapter 3,
Backflow & Cross Connections
August 1, 2023
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	Aye	Nay
Mayor Cutler:	<u>✓</u>	<u> </u>
Council Member Roberts:	<u>✓</u>	<u> </u>
Council Member Bell:	<u>✓</u>	<u> </u>
Council Member Boothe:	<u> </u>	<u> </u>
Council Member Smith:	<u>✓</u>	<u> </u>
