

ORDINANCE NO. 611
CITY OF DAYTON, OREGON

An Ordinance Amending Chapter 8 of the Dayton Municipal Code to authorize City to contract for cross connection backflow prevention device testing to simplify the inspections and testing processes the City currently uses

WHEREAS, Section 8.3.2(9) of the Dayton Municipal Code (Code) requires backflow prevention device testing and inspections where these devices are installed; and

WHEREAS, currently these inspections and tests are at the expense of the water users and must be performed by a certified tester; and

WHEREAS, the City desires to streamline the existing testing and inspection process to reduce staff time that is devoted to sending out notices, data entry and checking qualifications of numerous testers and instruments; and

WHEREAS, the City can simplify and streamline the process by amending the Code to authorize contracting with a licensed tester who can provide multiple backflow tests and inspections for multiple customers for a reduced price once customer consent is obtained.

The City of Dayton ordains as follows:

Section 1: The City of Dayton hereby approves the amendments to Chapter 8 of the Code as proposed in the attached Exhibit A.

Section 2: This ordinance will be effective thirty (30) days after adoption by the City Council.

Date of first reading: September 4, 2012 In full _____ or by title only

Date of second reading: October 1, 2012 In full _____ or by title only

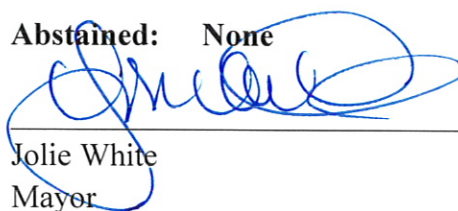
ADOPTED this 1st day of **October, 2012**

In Favor: Bixler, Blackburn, Utt, White, Wytoski

Opposed: None

Absent: Evers, Frank

Abstained: None



Jolie White
Mayor

10/16/12

Date of Signing

ATTESTED BY:



Peggy Selberg,
City Recorder

10/1/2012

Date of Enactment

EXHIBIT A

Note: ~~Strikeout~~ indicates text proposed to be deleted
Underline indicates proposed text

Section 8.3.2 Use of Backflow Prevention Device

- (1) No water service connection to any premises shall be installed or maintained by the city unless the water supply is protected as required by state law and Section 8.3 of this Code. Service of water to any premises shall be discontinued by the city if a backflow prevention device required by this Code is not installed, tested and maintained, or if it is found that a backflow device has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- (2) The customer's system should be open for inspection and tests at all reasonable times to authorized representatives of the city to determine whether cross connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the city administrator shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with the state and city statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.
- (3) An approved backflow prevention device shall also be installed on each service line to a customer'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.
- (4) Backflow prevention devices shall be installed under circumstances including but not limited to the following:
 - (a) Premises having an auxiliary water supply;
 - (b) Premises having cross connections that are not correctable, or intricate planning arrangements which make it impractical to ascertain whether or not cross connections exist;
 - (c) Premises where entry is restricted so that inspections for cross connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross connections do not exist;
 - (d) Premises having a history of cross connections being established or reestablished;
 - (e) Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross connection could reasonably be

expected to occur. This shall include the handling of process waters and cooling waters;

- (f) Premises where materials of a toxic or hazardous nature are handled in such a way that if back siphonage should occur, a serious health hazard might result;
- (g) The following types of facilities will fall into one of the above categories where a backflow prevention device is required to protect the public water supply. A backflow prevention device shall be installed at these facilities unless the city determines that no hazard exists:

- 1) Hospitals, mortuaries, clinics,

- 2) Laboratories,

- 3) Metal plating industries,

- 4) Piers and docks,

- 5) Sewage treatment plants,

- 6) Food or beverage processing plants,

- 7) Chemical plants using a water process,

- 8) Petroleum processing or storage plants,

- 9) Radioactive material processing plants or nuclear reactors,

- 10) Facilities with fire service lines as specified by Oregon State Health Division,

- 11) Others specified by the purveyor.

- (5) The type of protective device required shall depend upon the degree of hazard which exists:

- (a) An air-gap separation or a reduced-pressure principle backflow prevention device shall be installed where the public water supply may be contaminated with sewage, industrial waste of a toxic nature, or other contaminant which could cause a health or system hazard;

- (b) In the case of a substance which may be objectionable, but not hazardous to health, a double check valve assembly, air-gap separation, or a reduced-pressure-principal backflow prevention device shall be installed.

- (6) Backflow prevention devices required by this section shall be installed under the supervision, and with the approval of, the city or its building inspector.

- (7) Any protective device required by this section of the Code shall be approved by the superintendent of public works or the building inspector.
- (8) These devices shall be furnished and installed by, and at the expense of, the customer.
- (9) It shall be the duty of the customer-user at any premises where backflow prevention devices are installed to have certified inspections and operational tests made at least once each year. In those instances where the Superintendent of Public Works deems the hazard to be great enough, he may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by a certified tester approved by the city. The city may choose to enter into a contract with a licensed tester who will provide multiple backflow tests for a reduced price. The customer must give advanced written consent to have the device tested by the city's contracted tester and the fee will be added to the customer's utility bill. It shall be the responsibility of the Cross Connection Specialist to ensure that the devices to be tested by the city's licensed tester are tested in a timely manner. That these timely tests are made. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests, repairs and overhaul shall be kept and copies sent to the superintendent of public works. It shall be the duty of the superintendent of public works to assure that these timely tests are made. The customer-user shall notify the superintendent of public works in advance when the tests are to be undertaken so that the superintendent of public works or a representative may witness the tests if so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests, repairs and overhaul shall be kept and copies sent to the superintendent of public works.
- (10) No underground sprinkling device will be installed without adequate backflow prevention devices.
- (11) Failure of the customer to cooperate in the installation, maintenance, testing or inspection of backflow prevention devices required by Section 8.3 of this Code or by state law shall be grounds for the termination of water service to the premises.