

## **ORDINANCE 94-5**

**AN ORDINANCE CREATING A CITY WATER CROSS CONNECTION CONTROL PROGRAM; LISTING DEFINITIONS; SETTING REQUIREMENTS; APPROVAL AND INSTALLATION REQUIREMENTS; MAINTENANCE REQUIREMENTS; SETTING OF VIOLATIONS AND PENALTIES; AND FOR OTHER PURPOSES.**

### **Section 1. Authority**

**1.1 Responsibility of the director.** The director, department of pottsville water works or his designated agent, shall inspect the plumbing in every building or premises that use the water system as frequently as in his judgment may be necessary to ensure that such plumbing has been installed in such a manner as to prevent the possibility of pollution of the water supply of the city by the plumbing. The director shall notify or cause to be notified in writing the owner or authorized agent of the owner of any such building or premises, to correct, within a reasonable time set by the director, any plumbing installed or existing contrary to or in violation of this ordinance, the state plumbing code, or that which in his judgment may, therefore, permit the pollution of the city water supply or otherwise adversely affect the public health.

**1.2 Inspection.** The director, or his designated agent, shall have the right of entry into any building, during reasonable hours, for the purpose of making inspection of the plumbing systems installed in such building or premises provided that with respect to the inspection of any single family dwelling, consent to such inspection shall first be obtained from a person of suitable age and discretion therein or in control thereof.

### **Section 2. Definitions**

**2.1 Agency.** The department of the municipal government invested with the authority and responsibility for the enactment and enforcement of this ordinance.

**2.2 Air gap.** The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood-level rim of the receptacle.

**2.3 Approved.** Accepted by the agency as meeting an applicable specification stated or cited in this ordinance, or as suitable for the proposed use.

**2.4 Auxiliary supply.** Any water source or system other than the potable water supply that may be available in the building or premises.

**2.5 Backflow.** The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source. Backsiphonage is one type of backflow.

**2.6 Backflow preventer.** A device or means to prevent backflow.

**2.7 Backsiphonage.** Backflow resulting from negative pressures in the distributing pipes of a potable water supply.

**2.8 Check valve.** A self-closing device that is designed to permit the flow of fluids in one direction and to close if there is a reversal of flow.

**2.9 Contamination.** See Pollution.

**2.10 Cross connection.** Any physical connection between a potable water supply and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Furthermore, it is any potable water supply outlet that is submerged or can be submerged in wastewater and/or any other source of contamination.

**2.11 Drain.** Any pipe that carries wastewater or waterborne waste in a building drainage system.

**2.12 Fixture, plumbing.** Installed receptacles, devices, or appliances supplied with water or that receive or discharge liquids or liquid-borne waste.

**2.13 Flood-level rim.** The edge of the receptacle from which water overflows.

**2.14 Hazard, health.** Any conditions, devices, or practices in the water supply system and its operation that create, or, in the judgment of the director, may create, a danger to the health and well-being of the water consumer.

**2.15 Hazard, plumbing.** Any arrangement of plumbing including piping and fixtures whereby a cross connection is created.

**2.16 Inlet.** The open end of the water supply pipe through which the water is discharged into the plumbing fixture.

**2.17 Plumbing system.** Includes the water supply and distribution pipes, plumbing fixtures, and traps, soil, waste, and vent pipes, building drains and building sewers including their respective connections, devices, and appurtenances within the property lines of the premises, and water-treating or water-using equipment.

**2.18 Pollution.** The presence of any foreign substance (organic, inorganic, radiological, or biological) in the water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

**2.19 Reduced-pressure-backflow-preventer.** An assembly of differential valves and check valves including an automatically opened spillage port to the atmosphere designed to prevent backflow.

**2.20 Vacuum.** Any pressure less than that exerted by the atmosphere.

**2.21 Vacuum breaker, nonpressure type.** A vacuum breaker designed so as not to be subjected to static line pressure.

**2.22 Vacuum breaker, pressure type.** A vacuum breaker designed to operate under conditions of static line pressure.

**2.23 Water, potable.** Water free from impurities in amounts sufficient to cause disease or harmful physiological effects. Its bacteriological and chemical quality shall conform to the requirements of the Federal Drinking Water Standards or to the regulations of the public health authority having jurisdiction.

2.24 Water, nonpotable. Water that is not safe for human consumption or that is of questionable potability.

### Section 3. General Requirements.

3.1 General. A potable water supply system shall be designed, installed, and maintained in such manner as to prevent contamination from nonpotable liquids, solids, or gases being introduced into the potable water supply through cross connections or any other piping connections to the system.

3.2 Cross Connection Prohibited. Cross connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where, as approved by the authority having jurisdiction, suitable protective devices such as the reduced-pressure-zone-backflow-preventer or equal are installed, tested, and maintained to ensure proper operation on a continuing basis.

3.3 Interconnection. Interconnections between an individual water supply and a potable public supply shall be prohibited except when and where, as approved by the authority having jurisdiction, suitable protective devices are installed, tested, and maintained to ensure proper operation on a continuing basis.

3.4 Backflow. The potable water system shall be protected from backflow. Every water outlet shall be protected from backflow, preferably by having the outlet end from which the water flows spaced a distance above the flood-level rim of the receptacle into which the water flows sufficient to provide a "minimum required air gap". Where it is not possible to provide a minimum air gap, the water outlet shall be equipped with an accessibly located, certified backflow preventer, installed on the discharge side of the manual control valve.

### SECTION 4 Approval and installation of devices.

4.1 Approval. Before any device for the prevention of backflow or backsiphonage is installed, it shall have first been certified by a recognized testing laboratory acceptable to the state of Arkansas. Devices installed in a building's potable water supply distribution system for the protection against backflow shall be maintained in good working condition by the person or persons responsible for the maintenance of the system.

a. The following testing laboratory have been qualified by the State Administrative Authority to test backflow preventers subject to backpressure.

The Foundation For Cross-Connection Control  
and Hydraulic Research  
University of Southern California  
University Park  
Los Angeles, California 90007

4.2 Installation. The installation of all backflow preventers, vacuum breakers, air gaps or any other approved devices shall be installed according to the State of Arkansas Plumbing Code chapter 10.

### SECTION 5 Maintenance Requirements

5.1 General requirements. It shall be the responsibility of the building and premise owners to maintain all backflow preventers and vacuum breakers within the building or on the premises in

good working order and to make no piping or other arrangements for the purpose of bypassing any backflow device.

5.2 Backflow Preventers. Periodic testing and inspection schedules shall be established by the State Administrative Authority for all backflow preventers, and the interval between testing and inspection and overhauls of each device shall be established in accordance with the age and condition of the device. Inspection and testing intervals shall not exceed 1 year, and overhaul intervals shall not exceed 5 years. These devices shall be inspected frequently after the initial installation to insure that they have been installed properly and that debris resulting from the installation has not interfered with the functioning of the device. Certified testing and maintenance are required to insure proper function and maintain effectiveness of assemblies. These services must begin upon installation and be provided at intervals NOT to exceed one year and as system conditions warrant.

5.3 Test and Performance. All Test and test performance of backflow devices shall be done in accordance of the Arkansas State Plumbing Code Chapter 10.6.2

#### SECTION 6. Violations and Penalties

6.1 Notification of violation. The director shall notify the owner, or authorized agent of the owner of the building or premises in which there is found a violation of this ordinance, of such violation. The director shall set a reasonable time for the owner to have the violation removed or corrected. On failure of the owner to have the defect corrected by the end of the specified time interval the director may, if in his judgment an imminent health hazard exists, cause the water service to the building or premises to be terminated, and/or recommend such additional fines or penalties to be invoked as herein may be provided.

6.2 Fines. The owner or authorized agent of the owner responsible for the maintenance of the plumbing systems in the building who knowingly permits a violation to remain uncorrected after the expiration of time set by the director shall, on conviction thereof by the court, be required to pay a fine of not more than \$100 for each violation. Each day of failure to comply with the requirements of the ordinance after the specified time provided under Section 6.1, shall constitute a ~~separation~~ violation.

*Separate*

SECTION 7. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED.

SECTION 8. IT IS HEREBY DECLARED TO BE THE INTENTION OF THE CITY COUNCIL THAT THE SECTIONS OF THIS ORDINANCE ARE SEVERABLE AND IF ANY SECTION OF THIS ORDINANCE SHALL BE DECLARED UNCONSTITUTIONAL BY THE VALID JUDGMENT OR DECREE OF A COURT OF COMPETENT JURISDICTION, SUCH UNCONSTITUTIONALITY SHALL NOT AFFECT ANY REMAINING PORTION OR SECTIONS OF THIS ORDINANCE.



Carless F. Teeter  
Recorder/Treasurer



Carless F. Teeter,  
Acting Mayor

ATTESTATION:



L.E. Dumas,  
Alderman

Passed: 10-28-94