

ORDINANCE NO. 2014-03

An Ordinance Repealing and Recreating Title 9, Public Utilities Chapter 1, Water Utility Regulations and Rates Section 9-1-54, Cross Connection Control

1. Purpose The purpose of this ordinance is:

To protect the health and welfare of users of the public potable water supply of the Village of Colfax from the possibility of contamination or pollution of the potable water system(s) under the direct authority of the Village of Colfax.

To promote for the control and/or elimination of existing cross connections (actual or potential) between the customer's potable water system(s) and other environment(s) containing substance(s) which may contaminate or pollute the water supply.

To provide for the maintenance of a continuing Comprehensive Program of Cross Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water system(s) under the direct authority of the Village of Colfax Water System.

2. Definitions

- a. Backflow: The undesirable flow of water or mixtures of water and other liquids, solids gases or other substances under positive or reduced pressure into the Colfax Water System potable supply of water from any source.
- b. Backflow Prevention: A means designed to prevent backflow caused by backpressure or backsiphonage; most commonly categorized as air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, backsiphonage backflow vacuum breaker (spill resistant pressure vacuum breaker) assembly, pipe applied atmospheric vacuum breaker, flush tank ballcock, laboratory faucet backflow preventer, backflow preventer for carbonated beverage machine, vacuum breaker wall hydrants, (freeze resistant automatic draining type), chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent and barometric loop.
- c. Backpressure: An elevation of pressure in the downstream piping system (i.e. Pump, elevation of piping, or steam and/or air pressure) above the utility supply pressure, which would cause or tend a reversal of the normal direction of flow.
- d. Backsiphonage: The flow of water or other liquids, mixtures or substances into the utility's potable water system from any source caused by the sudden reduction of pressure in the utility's potable water supply system.
- e. Cross Connection: Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the utility, and the other containing water from a private source, water of unknown or questionable safety, or steam, gases or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- f. Cross Connection Control Manual: Policies and procedures for cross connection control and backflow prevention for the Village of Colfax, Wisconsin.

3. Cross Connection Prohibited: No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply, other than the public water supply of the utility, unless such private, auxiliary or emergency water supply and the method of

connection and use of such supply have been approved by the utility and the Wisconsin Department of Natural Resources.

4. Responsibility: The Village of Colfax water utility shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow of contaminants or pollutants. The utility shall charge fees according to the utility's "*Cross Connection Control Manual*" for maintaining a Comprehensive Cross Connection Control Protection Plan.
5. Owner Responsibility: The property owner shall be responsible for the protection of the customer's potable water system. The responsibilities include the elimination of or protection from all cross connections on their premises. The owner shall, at their own expense, install, maintain and test any and all backflow preventers on their premises in compliance with the Department of Safety and Professional Services Code SPS 382.21 requirements and the utility's "*Cross Connection Control Manual*". The property owner shall have corrected any malfunction revealed by periodic testing of any backflow preventer on their premises. The property owner shall inform the utility of any proposed or modified cross connections and also any existing cross connections that are not protected by an approved backflow prevention means.

The property owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type in the by-pass. Property owners who cannot shut down operation for testing of the backflow prevention assembly must supply additional assemblies necessary to allow testing and maintenance to take place. In the event the property owner installs potable water using fixtures, equipment or appurtenances upstream of a backflow preventer, such must have its own approved backflow prevention means.

The property owner is required to follow the protection practices described in the American Water Works Association publication AWWA M-14 titled "*Recommended Backflow Prevention and Cross Connection Control*", United States Environmental Protection Agency publication titled "*Cross Connection Control Manual*", Wisconsin Department of Safety and Professional Services, SPS 382-384 and the utility's "*Cross Connection Control Manual*", unless the utility requires or authorizes other means of protecting the potable water supply system. These requirements or authorizations will be at the discretion of the utility.

6. Inspections: It shall be the duty of the utility to cause surveys to be made of all properties serviced by the utility where cross connections with the public water system is deemed possible. Residential properties serviced by the utility shall be surveyed on a ten (10)-year interval. The utility may, but is not required to, perform the cross connection survey of the customer's property. All non-residential properties serviced by the utility shall be surveyed on an interval not exceeding 2 years. The frequency of required surveys and resurveys, based upon the potential health hazards, may be shortened by the utility. If, in the opinion of the utility, the utility is not able to perform the survey, the property owner must, at their own expense, have the water system piping surveyed for cross connections by a person who has been properly trained in accordance with the American Society of Sanitary Engineers (ASSE) Standard number 5120 as a Cross Connection Control Surveyor. The Utility shall charge fees as approved by the State of Wisconsin Public Service Commission for on-premises follow-up visits by utility personnel for re-inspection due to customer noncompliance and for after-hours inspections or re-inspections.
7. Right of Entry: Upon presentation of credentials, representatives of the utility shall have the right to request entry at any reasonable time to examine property served by a connection to the public potable water system of the utility for cross connections. If entry is refused, such representatives shall obtain a special inspection warrant under s.66.122, Wisconsin Statutes. The utility shall charge the property owner a fee of \$5.00 per day for refusal to allow entry to examine any

property. Upon request, the owner, lessee or occupant of any property served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.

8. Authority to Discontinue Service: The utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any damage or contamination of the potable water system. Water service shall be discontinued if the means of backflow prevention required by the utility is not installed, tested, maintained and/or repaired in compliance with this ordinance, the Department of Safety and Professional Services Code SPS 382-384 and the utility's "*Cross Connection Control Manual*", or if it is found that the means of backflow prevention required by this ordinance has been removed or bypassed. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in subsection (9) of this section.
9. Reconnection of Service: Water service to any property disconnected under provisions of this ordinance shall not be restored until the cross connection(s) has been eliminated or a backflow prevention means approved by the utility has been installed in compliance with the provisions of this section. The Utility shall charge fees as approved by the State of Wisconsin Public Service Commission for the reconnection of the water service
10. Emergency Discontinuance of Service: If it is determined by the utility that a cross connection or an emergency endangers public health safety or welfare and requires immediate action, service may be immediately discontinued. The owner, lessee or occupant shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes within 10 days of such emergency discontinuance. Such hearing shall be before the Village of Colfax Water Utility Committee and shall conform to all existing due process requirements.
11. Additional Protection: In the case of premises having (a) cross connections that cannot be permanently corrected or controlled, or (b) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for surveying purposes, making it impractical or impossible to ascertain whether or not dangerous cross connections exist, the public water supply system shall be protected in the service line. In the case of any premises where there is any material dangerous to health that is handled in such a manner that, in the opinion of the utility, could create an actual or potential hazard to the public water supply system, an approved air gap separation or an approved reduced pressure principle backflow assembly shall protect the public water supply system. Examples of premises where these conditions will exist include premises with auxiliary water supplies either interconnected or not interconnected with the public water supply system, premises where inspection is restricted, hospitals, mortuaries, clinics, laboratories, piers, docks, and other water front facilities, sewage treatment plants, sewage lift stations, food and beverage, processing plants, chemical plants using a water process, metal processing plants or nuclear reactors, car washing facilities and premises with reclaimed water systems. In the case of any presence of toxic substances, the utility may require an approved air gap or reduced pressure principle backflow assembly at the service connection to protect the public water supply system. This requirement will be at the discretion of the utility.
12. Public Water Supplies: This section does not supersede the State of Wisconsin Department of Natural Resources Administrative Code NR 810, but is supplementary to it.
13. Plumbing Code: The Village of Colfax Water Utility Committee adopts by reference the Wisconsin Safety and Professional Services being Chapter SPS 382-384, Wisconsin Administrative Code. This section does not supersede the Wisconsin Uniform Plumbing Code and/or the Village of Colfax Plumbing Ordinance, but is supplementary to it.

14. Conflicting ordinances: All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

15. This ordinance shall take effect upon its adoption and publication.

Adopted: May 12, 2014

Village President

Published: May 28, 2014

Village Administrator-Clerk-Treasurer