

AN ORDINANCE TO PROVIDE FOR A CROSS CONNECTION
AND BACKFLOW PREVENTION PROGRAM, TO PROVIDE
FOR DEFINITIONS, RESPONSIBILITIES, REQUIREMENTS FOR
CROSS CONNECTIONS AND BACKFLOW PREVENTORS,
ENFORCEMENTS, PENALTIES AND FOR OTHER PURPOSES

IT IS HEREBY ORDAINED by the City Council of the City of Commerce, Georgia, that the Code of Ordinances of the City of Commerce, Georgia, is hereby amended by adding a new Article IV to Chapter 14 of the City Code to read as follows:

Chapter 14, Article IV: Cross Connection and Backflow Prevention

Section 14-80 Definitions:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceptable entry conditions means the conditions that must exist in a permitted space to allow entry and to ensure that employees involved with a permit requiring a confined space can safely enter into and work within the space.

Approved is used in reference to a water supply that has been approved by the mayor and council. As used in air gap separation, double check valve assembly or other backflow prevention assemblies or methods, the term shall mean as allowed or sanctioned by the latest edition of the Standard Plumbing Code adopted by the City.

Backflow means the undesirable reversal of flow of water or mixtures of water and other liquids, gasses, or other substances into the distribution pipes of potable supply of water.

Backflow prevention assembly (approved) means an assembly that has been investigated and approved by state or federal regulatory agency, used to prevent backflow into a potable water system, based on the degree of hazard either existing or potential.

Backpressure means an elevation of pressure in the downstream piping system above the supply pressure at the point of consideration that would cause or tend to cause a reversal of the normal flow through the backflow prevention assembly.

Backsiphonage means a form of backflow due to a reduction in system pressure that causes a negative or sub atmospheric pressure to exist at a site in the water system.

Confined space means a space that:

- (1) Is large enough and so configured that an employee can bodily enter and perform assigned work;
- (2) Has limited or restricted means of entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults and pits are spaces that may have limited means of entry or exit); and
- (3) Is not designed for continuous employee occupancy.

Customer means the owner, renter, or lessee of residential, commercial, industrial or government facilities receiving service from the City water system.

Containment means the total isolation of a facility with a potential hazard from the public water supply system commensurate with the degree of hazard.

Cross Connection means any unprotected, actual or potential connection or structural arrangement between a public or a customer's potable water system and any other source system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied.

Degree of hazard shall be derived from the evaluation of conditions within the City water system that can be classified as either a pollutant (non-health) or a contaminant (health) hazard.

Health hazard means an actual or potential threat of contamination of a physical or toxic nature to the public potable water system that would be a danger to health.

Owner means the person who has legal title to, or license to operate or inhabit in, a property upon which a cross connection inspection is to be made or upon which a cross connection is present.

Pollution means an impairment of the quality of water to a degree that does not create a hazard to the public health but does adversely and unreasonably affect the aesthetic qualities of such water for domestic use.

Purveyor means a water supplier.

Service connection means the point of delivery of water to the premises, the normal location of the meter. It is the end of the water purveyor's jurisdiction and the beginning of the customer's responsibility.

Section 14-81 Owner Responsibilities:

- (a) Thermal expansion. It shall be the responsibility of the owners of the commercial, industrial and residential premises to provide necessary protection against thermal expansion as needed and specified by relevant standards and enforced by the City.
- (b) Confined space. Customers shall comply with OSHAS regulations codified at 29CFR 1910.146, regarding permit-confined spaces.

Section 14-82 Inspections and Notice of Violations:

- (a) The City shall provide an onsite evaluation and/or inspection of plans in order to determine whether a backflow preventer will be required, and if so, which type.
- (b) Plans for new installations must be approved by the City prior to installation.
- (c) For premises existing prior to the adoption of the ordinance from which this section derives, the City will perform evaluations and inspections of plant and/or premises and inform the owner by letter of any corrective action deemed necessary, the method of implementing the correction and the time allowed for the correction to be made, depending on the degree of hazard. Ordinarily, 90 days will be allowed; however, this time may be shortened depending upon the degree of hazard involved and the history of the device in question.

- (d) The City will not allow any service connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be tested regularly to ensure satisfactory operation.
- (e) The City shall provide written notice of violations at the time of the first re-inspection. The City will allow an additional 15 days for the required corrective action. If the owner fails to complete corrective action at the time of the second re-inspection, the water service to the premises will be terminated. If the owner demonstrates corrective action to the City, a time extension may be granted by the City. However, in no case shall the extension exceed an additional 30 days.
- (f) If the City determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.
- (g) The City shall have on file a list of private contractors who are certified backflow device testers. All charges for these tests will be paid by the customer or the owner of the building or property.
- (h) The City will begin initial premises inspection to determine the nature of existing or potential hazards, following the approval of this Article by the City Council. Initial focus will be on high hazard industries and commercial properties.

Section 14-83 Owner Requirements:

- (a) The owner's system will be open for inspection at all reasonable times to authorized representatives of the City to determine the existence of a cross connection, other structural or sanitary hazards, or violations of this article.

- (b) The owner shall be responsible for elimination or protection of all cross connections on his premises.
- (c) The owner shall correct any malfunction of the backflow preventer revealed by periodic testing.
- (d) The owner, after being informed by the City, shall at his expense, install, maintain and test or have tested any backflow preventers on the premises.
- (e) The owner shall inform the City of any proposed or modified cross connections and also any existing connections of which the owner is aware but has not been found by the City.
- (f) The owner shall install only backflow preventers approved by the City.
- (g) The owner shall be responsible for the payment of all fees for permits, annual or semi-annual device testing, retesting in case the device fails to operate correctly, and second re-inspections for compliance with the City water system.
- (h) The owner shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners who cannot shut down operation for testing of the device must supply additional devices necessary to allow testing to take place.
- (i) The owner shall install backflow preventers in a manner approved by the City.
- (j) Any owner having a private well or other private water source must have a permit if the well or source is cross connected to the City's system. Permission to cross connect may be denied by the City. The owner shall be required to install a

backflow preventer at the service entrance if a private water source is maintained, even if it is not cross connected to the City's system.

- (k) If the owner installs plumbing to provide potable water for domestic purpose which is on the City's side of the backflow preventer, such plumbing must have its own backflow preventer installed.

Section 14-84 Discontinuance of Water Service; Required Installation of Backflow Prevention Devices:

- (a) The City is authorized to discontinue water service when necessary to prevent contamination of the public water system due to possible cross connections, when it is necessary to protect the water system or individual properties from emergency cross connection or backflow situations.
- (b) The City is further authorized to install or require to be installed suitable backflow prevention devices at the customer's service connection or other areas as needed to prevent contamination or the risk thereof to the public water system.

Section 14-85 Enforcement/Penalties:

- (a) A written notice of noncompliance will be given, including a recommendation that will bring the customer into compliance within a specific time period. The time period will be determined based on the degree of hazard.
- (b) Failure of compliance at the expiration of the specified time period may be subject to:

- (1) Assessment of a fine not to exceed \$1000.00 per day per offense and/or termination of the water, sewer, and garbage service;
- (2) Issuance of a citation and summons to appear in court for each violation; and/or termination of water, sewer, and garbage service until compliance has been achieved and all fines have been satisfied.

This Ordinance shall become effective immediately upon its adoption, the public health, safety and welfare requiring same.

BE IT SO ORDAINED this _____ day of _____, 2013.

CITY OF COMMERCE

By: _____

Mayor

Attest: _____

City Clerk