

**VINEYARD
ORDINANCE 2024-12**

**A ORDINANCE OF THE VINEYARD CITY COUNCIL AMENDING MUNICIPAL
CODE TITLE 7 PUBLIC UTILITIES ADDING SECTION 7.06.050 CROSS
CONNECTION CONTROL REQUIREMENTS AND ADDING CHAPTER 8.06
CROSS CONNECTION CONTROL REQUIREMENTS.**

WHEREAS, the City of Vineyard (the “City”) is committed to protecting the public health, safety, and welfare of its residents by ensuring the safety of its public drinking water system; and

WHEREAS, cross connections between potable and non-potable water systems can pose significant risks of contamination or pollution to the public drinking water system through backflow incidents; and

WHEREAS, the State of Utah requires compliance with Section R309.105.12 of the Utah Administrative Code and the current Utah Plumbing Code to prevent contaminants or pollutants from entering the public water system; and

WHEREAS, the Vineyard City Council has determined that adopting a Cross Connection Control Ordinance is necessary to ensure reasonable diligence in preventing backflow contamination, to comply with state regulations, and to safeguard the public water system; and

WHEREAS, the proposed Cross Connection Control Ordinance establishes procedures and responsibilities for the City, the Consumers, and Certified Technicians to eliminate or control cross connections and to ensure that backflow prevention assemblies are properly installed, tested, and maintained.

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “7.06.050 Cross Connection Control Requirements” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

7.06.050 Cross Connection Control Requirements(*Added*)

[For Cross Connection Control Requirements refer to Chapter 8.06.](#)

SECTION 2: ADOPTION “8.06 Cross Connection Control Requirements”
of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

8.06 Cross Connection Control Requirements(*Added*)

Purpose

This ordinance protects Vineyard City's water supply from contamination or pollution due to any existing or potential cross-connections. It ensures that approved backflow prevention assemblies are tested upon installation and at least annually thereafter. This ordinance complies with Section R309.105 titled “Administration: General Responsibilities of Public Water Systems” of the Utah Public Drinking Water Rules (UPDWR) and the current Plumbing Code, adopted by the State of Utah.

The installation or maintenance of any unprotected cross connection that endangers Vineyard City's (the “City”) water supply is prohibited. Any such cross connection, whether existing or installed in the future, is declared unlawful and must be immediately protected or eliminated.

The control or elimination of cross connections and determining the degree of hazard and appropriate protection levels shall comply with the Plumbing Code adopted by the State of Utah and the UPDWR. Water service to any premises is contingent upon the customer providing appropriate cross connection control, if necessary. The City’s Public Works Water Manager, or designee, in conjunction with the City’s Building Official, or designee, shall determine and enforce this. Water service may be refused or terminated to any premises where an unprotected cross connection poses a risk of contamination or backflow into the public drinking water system.

Authorized City employees, with proper identification, shall have access to all areas of any premises receiving drinking water from the City for hazard assessment surveys. Water service may be refused or terminated, or maximum backflow protection required, if access for such surveys is denied, unprotected cross connections are found, or installed assemblies are not tested and maintained as required by state and local regulations.

Before terminating water service, the City will follow due process by notifying the consumer in writing and providing reasonable time t, ten (10) business days, to comply. In the event of an actual backflow incident which is determined to be an immediate endangerment to public health, then water service shall be terminated immediately and restored only after the cross connection is eliminated or adequately protected as determined by the City.

SECTION 3: **ADOPTION** “8.06.010 Purpose Of Ordinance” of the Vineyard Municipal Code is hereby *added* as follows:

A D O P T I O N

8.06.010 Purpose Of Ordinance(*Added*)

A. Purpose of Ordinance:

1. To protect the public drinking water supply of Vineyard City (the “City”) from contamination or pollution by requiring compliance with the Utah State Rules for Public Drinking Water Systems (PDWS) and the Utah Plumbing Code, as adopted by the State of Utah. Compliance with these codes ensures reasonable diligence in preventing contaminants or pollutants from backflowing into the public drinking water system.
2. To promote the reasonable elimination or control of cross connections in plumbing fixtures and industrial piping systems, as required by state and plumbing regulations, to ensure water system safety.
3. To administer an ongoing backflow prevention program that systematically assesses risks and effectively prevents contamination or pollution of the drinking water system.

B. Responsibility: Drinking Water Purveyor

1. The City’s Public Works Department, Environmental Utilities Division, which includes water and sewer, is responsible for providing for drinking water and protecting the drinking water distribution system from conditions that could cause contamination or pollution of the water supply due to backflow.
2. Surveys or inspections of the consumer’s water distribution systems shall be conducted by certified individuals representing the City. Records of these surveys will indicate compliance with the State of Utah regulations and will be maintained by the City..
3. The City shall schedule and notify all consumers in writing of the need for periodic system surveys to ensure compliance with applicable health and safety standards.
4. The selection of an approved backflow prevention assembly for containment control at the service entrance will be based on the results of the system survey.

C. Responsibility: Consumer

1. Consumers must comply with this ordinance as a term and condition of water supply. By accepting water service, consumers acknowledge their responsibility as water system users.
2. Consumers are responsible for purchasing, installing, testing, and maintaining any backflow prevention device or assembly required by this ordinance. Failure to comply will result in discontinuation of service.

D. Responsibility: Building Official

1. The Building Official is responsible for enforcing the applicable sections of

the current Plumbing Code, beginning at the point of service (downstream of the meter) and throughout the consumer's water system.

2. The Building Official, or designee, will require that all plans are reviewed to ensure that unprotected cross connections are not part of the consumer's water system. If a cross connection cannot be eliminated, it must be protected by an air gap or approved backflow prevention device, in accordance with the current Plumbing Code and other Rules as adopted by the State of Utah.

E. Responsibility: Certified Backflow Technician, Surveyor, or Repair Person

1. Whether employed by the consumer or the utility, the Certified Backflow Technician, Surveyor, or Repair Person will be responsible for:
 - a. Using acceptable testing equipment and procedures.
 - b. Reporting testing and repairs to the consumer and the water purveyor.
 - c. Ensuring replacement parts are of equal quality to the original.
 - d. Not altering the assembly's design or operational characteristics.
 - e. Performing all tests and reporting results accurately.
 - f. Keeping testing equipment in proper condition and ensuring licensure is current.
 - g. Tagging each backflow assembly with relevant information.
2. In the case of a consumer requiring an assembly to be tested, any currently State Certified Backflow Technician is authorized to make the test and report the results to the consumer and the Water Purveyor. Any installation repair or relocation shall be done by individuals having appropriate licensure from the state's department of licensing.

SECTION 4: **ADOPTION** "8.06.020 Definitions" of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

8.06.020 Definitions*(Added)*

A. Approved Backflow Assembly: A backflow prevention assembly that is accepted by

the Utah State Department of Environmental Quality, Division of Drinking Water, as

meeting the required specifications for its intended use.

- B. Auxiliary Water Supply: Any water supply available on the premises other than the purveyor's public water supply. This includes natural sources like wells, springs, rivers, streams, and any other non-public water supply. Auxiliary supplies could be contaminated or pose a risk of pollution, and are outside the purveyor's control.
- C. Backflow: The reverse flow of water or other substances into the water distribution system due to either back-pressure or back-siphonage.
- D. Back-Pressure: When water or other substances flow from a region of high pressure to a region of lower pressure, potentially allowing contamination to enter the potable water supply.
- E. Back-Siphonage: A vacuum condition that allows water or other substances to be drawn into the potable water system from an unintended source, usually caused by a drop in pressure in the potable system.
- F. Backflow Prevention Assembly: A device or assembly designed to prevent backflow into the potable water system. Specifications for these devices are outlined in the Utah Plumbing Code and the Cross Connection Control Program for Utah.
- G. Consumer: The property owner, person or entity that has the title to the property, recorded in their name. This may include corporations, governments, partnerships, sole proprietorships, and other legal types.
- H. Contamination: Any degradation in the quality of potable water, which could include sewage, industrial waste, or other materials that pose a health risk.
- I. Cross Connection: Any physical connection between potable water systems and non-potable systems that could allow non-potable water or contaminants to enter the drinking water system. This includes temporary or permanent arrangements, such as removable sections of pipe, swing connections, dummy sections, or other devices.
- J. Cross Connection-Controlled: A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.
- K. Cross Connection-Containment: The installation of a backflow prevention assembly at the water service connection to a premises when it is either impractical or impossible to eliminate all cross-connections within the property. This assembly prevents contaminants from backflowing into the public water system.
- L. Water Purveyor: The entity or designee designated to oversee the Environmental Utilities Division of Vineyard City. This person is responsible for implementing the cross-connection control program and enforcing the provisions of this ordinance.

SECTION 5: **ADOPTION** “8.06.030 Requirements” of the Vineyard
Municipal Code is hereby *added* as follows:

ADOPTION

8.06.030 Requirements(*Added*)

A. Policy:

1. Water Service Protection: Water service connections to any premises shall not be installed or maintained unless the water supply is protected as required by state laws and regulations. If backflow prevention is not installed, tested, and maintained, or if there are unprotected cross-connections, water service will be discontinued after proper written notification and a grace period for voluntary compliance.
2. Inspection Access: The customer's water system must be accessible for inspection by authorized representatives of the water purveyor. These inspections are necessary to identify cross-connections or other sanitary hazards and to audit the results of required surveys, as per R309.105.12 titled "Cross Connection Control" of the Utah Administrative Code.
3. Backflow Prevention at Service Connection: When the water purveyor determines that a service connection poses a significant hazard to the water supply, an approved backflow prevention assembly must be installed. This device should be placed at or near the property line or immediately inside the building being served, before the first branch line from the service connection.
4. Type of Backflow Protection: The type of backflow prevention assembly required depends on the degree of hazard identified at the point of cross-connection. The level of protection must comply with state and local requirements based on the results of the required survey.
5. Existing Backflow Prevention Devices: Backflow prevention assemblies that were installed and approved at the time of installation but do not meet current standards may continue to be used, provided they have been properly maintained and continue to protect the public water system. However, if a unit needs significant maintenance, is moved, or presents a health hazard, it must be replaced with a compliant assembly.
6. Annual Testing: Consumers are responsible for having certified inspections and operational tests of backflow prevention assemblies performed annually at their own expense. The water purveyor may require more frequent inspections if the hazard is deemed significant.
7. Testing After Installation: Backflow prevention assemblies must be tested within ten (10) working days of installation.
8. No Installation in Hazardous Locations: Backflow prevention assemblies must not be installed in locations that create a safety hazard, such as over electrical panels, steam pipes, or boilers, or above ceiling levels.

B. Violation of Policy: A violation of this ordinance occurs when the consumer does not take corrective action within ten (10) days of written notification regarding deficiencies noted in a survey or test results. In such cases, the water purveyor may deny or immediately discontinue service by physically breaking the service line. Service will only be restored once the customer corrects the issue in compliance with state and local regulations, as well as the provisions of this ordinance.

SECTION 6: **ADOPTION** “8.06.040 Conclusion” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

8.06.040 Conclusion(*Added*)

The Cross Connection Control Ordinance ensures that Vineyard City's drinking water system remains free from contamination by enforcing strict compliance with state regulations and requiring the installation of approved backflow prevention assemblies. The ordinance defines the responsibilities of the water purveyor, consumers, and certified technicians, and outlines the procedures for preventing, testing, and resolving cross connections.

SECTION 7: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 8: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

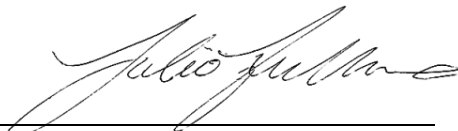
SECTION 9: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from 10/09/2024 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL OCTOBER 09, 2024.

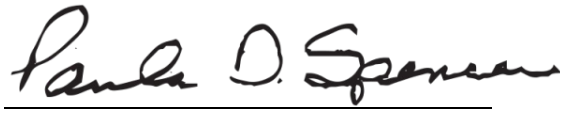
	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Sara Cameron	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jacob Holdaway	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Amber Rasmussen	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Mardi Sifuentes	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Julie Fullmer, Mayor, Vineyard



Pamela Spencer, City Recorder,
Vineyard



CERTIFICATE OF POSTING

I, THE DULY APPOINTED CITY RECORDER FOR VINEYARD, UTAH, HEREBY CERTIFY THAT COPIES OF THE FOREGOING **ORDINANCE SUMMARY** FOR ORDINANCE 2024-12 WERE POSTED AT THE FOLLOWING PUBLIC PLACES WITHIN THE MUNICIPALITY ON THE 11th DAY OF OCTOBER 2024. WHICH PUBLIC PLACES ARE:

POSTED:

1. VINEYARD CITY OFFICES; 125 SOUTH MAIN
2. VINEYARD CITY WEBSITE; www.vineyard.utah.gov
3. UTAH PUBLIC NOTICE WEBSITE

AND THAT SAID NOTICE REMAINED SO POSTED AND AVAILABLE UNTIL THE 11th DAY OF NOVEMBER 2024.



Paula D. Spencer

Name/Signature

City Recorder

Title