



ORDINANCE 2021-07

AN ORDINANCE AMENDING PORTIONS OF TITLE 10 OF THE MIDWAY CITY CODE REGARDING MIDWAY CITY'S CROSS CONNECTION CONTROL PROGRAM, RULES, POLICIES, ENFORCEMENT METHODS, AND RELATED MATTERS

WHEREAS, Chapter 10.03 of the Midway City Code contains the City's Cross Connection Control rules, regulations, policies and procedures; and

WHEREAS, the current Code needs to be updated to more fully meet the requirements and policies of the State Division of Water Quality and related entities; and

WHEREAS, it is the desire of the City Council of Midway City to provide clean, safe culinary to its citizens and water customers; and

WHEREAS, unprotected cross connections, with the associated potential for backflow contamination of the culinary water system represent a danger to the health and safety of all users of the Midway Culinary Water System; and

WHEREAS, the adoption of this ordinance will be in the best interests of the citizens of Midway City;

NOW, THEREFORE, be it hereby Ordained by the City Council of Midway City, Utah that

Section 10.03 of the Midway City Code is hereby amended to read as follows:

CROSS CONNECTION CONTROL ORDINANCE

For

Midway City Water System

Utah System No. 26008

City Offices

Midway Municipal City Government

75 North 100 West

Midway, Utah 84049

Phone (435) 654-3223 #117

Fax (435) 654-4120

Contact Information

Cory Lott

Water Operator and Backflow Prevention Supervisor

Crew Supervisor

(435) 671-7205

clott@midwaycityut.org

R. Shane Owens

Water Operator #22025

Public Works Administration Lead

(435) 503-5739

sowens@midwaycityut.org

Chapter 10.03 Control of Backflow and Cross Connections

Section 10.03.010	Purpose
Section 10.03.020	Responsibility for Backflow Prevention – Midway City
Section 10.03.030	Responsibility for Backflow Prevention – Consumer
Section 10.03.040	Responsibility for Backflow Prevention – Public Works Director
Section 10.03.050	Responsibility for Backflow Prevention – Certified Backflow Technician, Surveyor or Repair Person
Section 10.03.060	Responsibility for Repair of Backflow Prevention Assemblies
Section 10.03.070	Definitions
Section 10.03.080	Requirements
Section 10.03.090	Violation and Enforcement

Introduction: The general purpose of this ordinance is to protect the water supply of Midway City from contamination or pollution from any cross connections (existing or potential) and to assure that approved backflow prevention assemblies are tested when put into service and at least on an annual basis thereafter. This ordinance complies with Section R309.105.12 of the Utah Public Drinking Water Rules (UPDWR) and the International Plumbing Code as adopted by the State of Utah.

In order to conserve the limited supply of culinary-quality water available, Midway City requires a property within the City Service Area to connect to the secondary water system if secondary water is available. If secondary water is not available, an irrigation system connection to the Midway City Culinary Water System will be allowed only upon the condition that all such connections comply fully with State and local rules, regulations and policies regarding cross-connections and backflow prevention.

If a Water User desires to install both a culinary and a secondary water system for pressurized irrigation, they will be required to install a separate individual system for each, with no connection or bypass between the two systems, and with the proper backflow prevention devices installed on the culinary water system. Each backflow prevention device must be inspected when first installed, and then not less than annually thereafter by a qualified backflow prevention technician who has been certified by the State of Utah to prevent cross connections and backflow. Any type of backflow prevention device installed within the boundaries of the Midway Culinary Water System must be inspected, and appropriate forms showing proof of the inspections must be delivered to Midway City.

The installation or maintenance of any unprotected cross connection which would endanger the water supply of Midway City is prohibited. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be immediately protected or eliminated.

The control or elimination of cross connections and the criteria for determining the degree of hazard and prescribing appropriate levels of protection shall be in accordance with the International Plumbing Code as adopted by the State of Utah, the UPDWR and the Ordinances, Rules and Regulations of Midway City. Water service to any premises shall be contingent upon the customer providing appropriate cross connection control if determined necessary. Determinations and enforcement shall be the responsibility of the Public Works Director in conjunction with the City Water Operators, Inspectors, etc. Water service may be

refused or terminated to any premises where an unprotected cross connection may allow contamination or pollutants to backflow into the public drinking water system.

Authorized employees of Midway City with proper identification, shall have free access at reasonable hours of the day, to all areas of a premises or building to which drinking water is supplied for the purpose of conducting hazard assessment surveys. Water service may be refused or terminated, or maximum backflow protection may be required, to the premise where access to perform surveys is denied, where unprotected cross connections are located, or in the event that installed assemblies are not tested and maintained as required by State and local regulations.

Before any water service is terminated, due process of notifying the customer and providing a reasonable time for compliance will be observed according to the operating procedures and policies of Midway City. However, in the event of an actual backflow incident which endangers the public health, that water service may be terminated immediately and shall not be restored until the cross connection is either eliminated or adequately protected.

Section 10.03.010 Purpose of Ordinance:

10.03.010.01 It is the purpose of this Ordinance to protect the Public drinking water supply of Midway City from the possibility of contamination or pollution by requiring compliance with the Utah State Rules for Public Drinking Water Systems and the International Plumbing Code as adopted by the State of Utah, that require a cross connection control protection of all public drinking water systems in the State of Utah. Compliance with these minimum safety codes will be considered reasonable diligence for the prevention of contaminants or pollutants which could backflow into the public drinking water system; and,

10.03.010.02 It is the purpose of this Ordinance to promote the elimination or control of cross connection in the plumbing fixtures and industrial piping system(s) of the consumer, as required by the State of Utah and applicable plumbing regulations to assure water system safety; and,

10.03.010.03 It is the purpose of this Ordinance to provide for the administration of a continuing program of backflow prevention which will systematically examine risk and effectively prevent the contamination or pollution of the drinking water system, through the adoption of rules, regulations and policies governing the installation of all backflow prevention devices, the elimination of cross connections where possible, and the inspection and certification of all backflow prevention devices.

10.03.020 Responsibility: Drinking Water Provider

10.03.020.01 Midway City shall be responsible for the protection of the culinary water distribution system from any foreseeable condition leading to the possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.

10.03.020.02 Drinking water system surveys/inspections of the consumer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing Midway City. Survey or inspection records shall indicate compliance with the State

of Utah Regulations and local regulations and policies. All such records will be maintained by Midway City.

10.03.020.03 Midway City shall schedule and notify in writing, all consumers of the need for the periodic system survey to ensure compliance with existing applicable rules, regulations and policies relating to water quality, including cross connection control and backflow prevention.

10.03.020.04 Selection of an approved backflow prevention assembly for containment control required at the service entrance shall be determined from the results of the system survey or inspection. Culinary water service from Midway City is contingent upon full compliance with all State and local rules, regulations and policies regarding Cross Connection Control and Backflow Prevention.

10.03.030 Responsibility: Consumer

10.03.030.01 It is the responsibility of each user of Midway City Culinary Water to comply with this ordinance and all associated State and local rules, regulations and policies. Compliance is a term and condition of water supply and consumer's acceptance of service is admittance of his/her awareness of his/her responsibilities as a water system user.

10.03.030.02 It shall be the responsibility of the consumer to purchase, install, and arrange testing and maintenance of any backflow prevention device/assembly required to comply with this ordinance. Failure to comply with this ordinance shall constitute grounds for discontinuation of service.

10.03.04 Responsibility: Plumbing Official

10.03.040.01 The plumbing official's responsibility to enforce the applicable sections of the plumbing code begins at the point of service (downstream or consumer side of the meter) and continues throughout the length of the consumer's water system.

10.03.040.02 The plumbing official will review all plans to ensure that unprotected cross connections are not an integral part of the consumer's water system. If a cross connection cannot be eliminated, it must be protected by the installation of an air gap or an approved backflow prevention device/assembly, in accordance with the International Plumbing Code and other Rules as adopted by the State of Utah.

10.03.05 Responsibility: Certified Backflow Technician, Surveyor, or Repair Person

10.03.05.01 Whether employed by the consumer or a utility to survey, test, repair, or maintain backflow prevention assemblies the Certified Backflow Technician, Surveyor, or Repair Person will have the following responsibilities:

- a. Insuring that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.
- b. Make reports of such testing and/or repairs to the consumer and the water purveyor on form approved for such use by the water purveyor within time frames as described by the Division of Drinking Water.

- c. Include the list of materials or replacement parts being used of the reports.
- d. Insuring that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
- e. Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.
- f. Performing all test of the mechanical devices/assemblies and shall be responsible for the competence and accuracy of all test and reports.
- g. Insuring that his/her license is current, the testing equipment being used is acceptable to the State of Utah, and is in proper operating condition.
- h. Being equipped with, and competent to use, all necessary tools, gauges, test tags, and other equipment necessary to properly test, and maintain backflow prevention assemblies.
- i. Tagging each double check valve, pressure vacuum breaker, reduced pressure backflow assembly and high hazard air gap, showing the serial number date tested and by whom. The certified technician's license number must also be on the tag.

10.03.05.02 Responsibility: Repair of backflow assemblies

In the case of a consumer requiring an assembly to be tested, any currently 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 with individuals having appropriate licensure from the department of licensing.

SECTION 10.03.10 DEFINITIONS

10.03.10.01 Water Purveyor: The person designated to be in charge of the Water Department of Midway City is invested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this ordinance.

10.03.10.02 Approved Backflow Assembly: An assembly accepted by the Utah State Department of Environmental Quality, Division of Drinking Water, as meeting and applicable specification or as suitable for the proposed use.

10.03.10.03 Auxiliary Water Supply: Any water supply on or available to the premises other than the purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a s well, spring, river, stream, etc., or "used waters" or "industrial fluids". These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have authority for sanitary control.

10.03.10.04 Backflow: The reversal of the normal flow of water caused by wither back-pressure or back siphonage.

10.03.10.05 Back-Pressure: The flow of water or other liquids, mixtures, or substances from a region of high pressure to a region of lower pressure into the water distribution pipes of a potable water supply system from any source(s) other than the intended source.

10.03.10.06 Back-Siphonage: The flow or water or other liquids, mixtures, or substances under vacuum conditions into the distribution pipes of a potable water supply system from any source(s) other than the intended source, caused by the reduction of pressure in the potable water system.

10.03.10.07 Backflow Prevention Assembly: An assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Plumbing Code as adopted by the State of Utah and in the Cross Connection Control Program for Utah maintained by the Division of Drinking Water.

10.03.10.08 Cross Connection: Any physical connection or arrangement of piping or fixtures which may allow non-potable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a water distribution system. This would include temporary conditions, such as swing connections, removable sections, four way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multiport tubes or other plumbing arrangements.

10.03.10.09 Contamination: Means a degradation of the quality of the potable water supply by sewage industrial fluids or waste liquids, compounds or other materials that may create a health hazard.

10.03.10.10 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.

10.03.10.11 Cross Connection-Containment: The installation of an approved backflow assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find permanently eliminate or control all actual or potential cross connection within the customer's water distribution system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supply a portion of a customer's water distribution system; or, it shall mean the installation of a portion of a customer's water system where there are actual or potential cross connections which cannot be effectively eliminated or controlled at the point of the cross connection (isolation).

SECTION 10.03.20 REQUIREMENTS

10.03.20 Policy:

10.03.20.01 No water service connection to any premises shall be installed or maintained by the Water Purveyor unless the water supply is protected as required by State laws, regulations, codes, and this ordinance shall be discontinued by the water purveyor after due process of written notifications of violation and an appropriate time suspense for voluntary compliance, if:

- a. A backflow prevention assembly required by this ordinance for the control of backflow and cross connections is not installed, tested, and maintained, or
- b. If it is found that a backflow prevention assembly has been removed or by-passed, or
- c. If an unprotected cross connection exists on the premises, or
- d. If the periodic system survey has not been conducted.
- e. Service will not be restored until such conditions or defects are corrected.

10.03.20.02 The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the water purveyor to determine whether cross connections or other structural or sanitary hazards, including violation of this ordinance exist and to audit the results of the required survey (R309.105.12 of the Utah Administrative Code).

10.03.20.03 Whenever the public water purveyor deems a service connection's water usage contributes a sufficient hazard to the water supply, and approved backflow prevention assembly shall be installed on the service line of the identified consumer'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.

10.03.20.04 The type of protective assembly required under subsection 3.1.3, shall depend upon the degree of hazard which exist at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.

10.03.20.05 All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 3.1.6, be excluded from the requirements of these rules so long as the water purveyor is assured that they will satisfactorily protect the public water system. Whenever the existing is moved from the present location or requires more than minimum maintenance or when the water purveyor finds that the operation or of this assembly constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting all local and state requirements.

10.03.20.06 It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys; inspections, and operational test made at least once per year at the consumer's expense. In those instances where the Public Water Purveyor deems the hazard to be great, he may require certified surveys/inspections and test at a more frequent interval. It shall be the duty of the purveyor to see that the tests are made according to the standards set forth by the State Department of Environmental Quality, Division of Drinking Water.

10.03.20.07 All backflow prevention assemblies shall be tested within ten (10) working days of installation.

10.03.20.08 No backflow prevention assemblies shall be installed so as to create a safety hazard. (Example: Installed over an electrical panel, steam pipes, boilers, or above ceiling level).

10.03.30 **Violation of this Policy:**

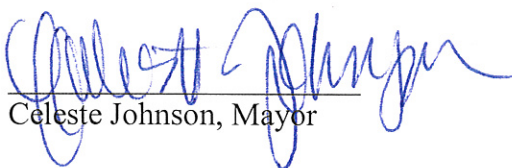
If violation of this ordinance exists if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of the deficiencies noted within the survey or test results, then the water purveyor shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with all State and local regulations and statutes relating to plumbing, safe drinking water suppliers, and this ordinance.

This Ordinance shall take effect immediately upon publication as required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this 4th day of May 2021.

	AYE	NAY
Council Member Steve Dougherty	<u> X </u>	<u> </u>
Council Member Jeff Drury	<u> X </u>	<u> </u>
Council Member Lisa Orme	<u> X </u>	<u> </u>
Council Member Kevin Payne	<u> X </u>	<u> </u>
Council Member JC Simonsen	<u> X </u>	<u> </u>

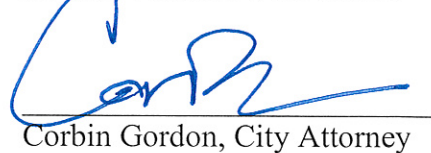
APPROVED:


Celeste Johnson, Mayor

ATTEST:


Brad Wilson, City Recorder

APPROVED AS TO FORM:


Corbin Gordon, City Attorney





Certificate of Passage, Posting and Publication

I certify that on 4 May 2021 the Midway City Council adopted Ordinance 2021-07 (Cross-Connection Control).

I certify that a copy of the ordinance was deposited in the office of the municipal recorder.

I certify that a full, true, and correct copy of the ordinance was posted on 24 May 2021 at the following locations:

Midway City Office Building
Midway Community Center
United States Post Office (Midway)
Ridley's Express
7-Eleven (Midway)

I certify that a summary of the ordinance was published on the Utah Public Notice Website on 24 May 2021.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 2 June 2021.

Brad Wilson, Midway City Recorder

Dated 2 June 2021



CHAPTER 10.03 CONTROL OF BACKFLOW AND CROSS CONNECTIONS

Section 10.03.010 Purpose

Section 10.03.020 Responsibility for Backflow Prevention – Midway City

Section 10.03.030 Responsibility for Backflow Prevention – Consumer

Section 10.03.040 Responsibility for Backflow Prevention – Public Works Director

Section 10.03.050 Responsibility for Backflow Prevention – Certified Backflow Technician, Surveyor or Repair Person

Section 10.03.060 Responsibility for Repair of Backflow Prevention Assemblies

Section 10.03.070 Definitions

Section 10.03.080 Requirements

Section 10.03.090 Violation and Enforcement

Introduction: The general purpose of this ordinance is to protect the water supply of Midway City from contamination or pollution from any cross connections (existing or potential) and to assure that approved backflow prevention assemblies are tested when put into service and at least on an annual basis thereafter. This ordinance complies with Section R309.105.12 of the Utah Public Drinking Water Rules (UPDWR) and the International Plumbing Code as adopted by the State of Utah.

In order to conserve the limited supply of culinary-quality water available, Midway City requires a property within the City Service Area to connect to the secondary water system if secondary water is available. If secondary water is not available, an irrigation system connection to the Midway City Culinary Water System will be allowed only upon the condition that all such connections comply fully with State and local rules, regulations and policies regarding cross-connections and backflow prevention.

If a Water User desires to install both a culinary and a secondary water system for pressurized irrigation, they will be required to install a separate individual system for each, with no connection or bypass between the two systems, and with the proper backflow prevention devices installed on the culinary water system. Each backflow prevention device must be inspected when first installed, and then not less than annually thereafter by a qualified backflow prevention technician who has been certified by the State of Utah to prevent cross connections and backflow. Any type of backflow prevention device installed within the boundaries of the Midway Culinary Water System must be inspected, and appropriate forms showing proof of the inspections must be delivered to Midway City.

The installation or maintenance of any unprotected cross connection which would endanger the water supply of Midway City is prohibited. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be immediately protected or eliminated.

The control or elimination of cross connections and the criteria for determining the degree of hazard and prescribing appropriate levels of protection shall be in accordance with the International Plumbing Code as adopted by the State of Utah, the UPDWR and the Ordinances, Rules and Regulations of Midway City. Water service to any premises shall be contingent upon the customer providing appropriate cross connection control if determined

necessary. Determinations and enforcement shall be the responsibility of the Public Works Director in conjunction with the City Water Operators, Inspectors, etc. Water service may be refused or terminated to any premises where an unprotected cross connection may allow contamination or pollutants to backflow into the public drinking water system.

Authorized employees of Midway City with proper identification, shall have free access at reasonable hours of the day, to all areas of a premises or building to which drinking water is supplied for the purpose of conducting hazard assessment surveys. Water service may be refused or terminated, or maximum backflow protection may be required, to the premise where access to perform surveys is denied, where unprotected cross connections are located, or in the event that installed assemblies are not tested and maintained as required by State and local regulations.

Before any water service is terminated, due process of notifying the customer and providing a reasonable time for compliance will be observed according to the operating procedures and policies of Midway City. However, in the event of an actual backflow incident which endangers the public health, that water service may be terminated immediately and shall not be restored until the cross connection is either eliminated or adequately protected.

Section 10.03.010 Purpose of Ordinance

A. It is the purpose of this Ordinance to protect the Public drinking water supply of Midway City from the possibility of contamination or pollution by requiring compliance with the Utah State Rules for Public Drinking Water Systems and the International Plumbing Code as adopted by the State of Utah, that require a cross connection control protection of all public drinking water systems in the State of Utah. Compliance with these minimum safety codes will be considered reasonable diligence for the prevention of contaminants or pollutants which could backflow into the public drinking water system; and,

B. It is the purpose of this Ordinance to promote the elimination or control of cross connection in the plumbing fixtures and industrial piping system(s) of the consumer, as required by the State of Utah and applicable plumbing regulations to assure water system safety; and,

C. It is the purpose of this Ordinance to provide for the administration of a continuing program of backflow prevention which will systematically examine risk and effectively prevent the contamination or pollution of the drinking water system, through the adoption of rules, regulations and policies governing the installation of all backflow prevention devices, the elimination of cross connections where possible, and the inspection and certification of all backflow prevention devices.

Section 10.03.020 Responsibility for Backflow Prevention - Midway City

A. Midway City shall be responsible for the protection of the culinary water distribution system from any foreseeable condition leading to the possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.

B. Drinking water system surveys/inspections of the consumer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing Midway City. Survey or inspection records shall indicate compliance with the State of Utah Regulations and local regulations and policies. All such records will be maintained by Midway City.

C. Midway City shall schedule and notify in writing, all consumers of the need for the periodic system survey to ensure compliance with existing applicable rules, regulations and policies relating to water quality, including cross connection control and backflow prevention.

D. Selection of an approved backflow prevention assembly for containment control required at the service entrance shall be determined from the results of the system survey or inspection. Culinary water service from Midway City is contingent upon full compliance with all State and local rules, regulations and policies regarding Cross Connection Control and Backflow Prevention.

Section 10.03.030 Responsibility for Backflow Prevention - Consumer

A. It is the responsibility of each user of Midway City Culinary Water to comply with this ordinance and all associated State and local rules, regulations and policies. Compliance is a term and condition of water supply and consumer's acceptance of service is admittance of his/her awareness of his/her responsibilities as a water system user.

B. It shall be the responsibility of the consumer to purchase, install, and arrange testing and maintenance of any backflow prevention device/assembly required to comply with this ordinance. Failure to comply with this ordinance shall constitute grounds for discontinuation of service.

Section 10.03.040 Responsibility for Backflow Prevention – Public Works Director

A. The Public Works Director's responsibility to enforce the applicable sections of the plumbing code begins at the point of service (downstream or consumer side of the meter) and continues throughout the length of the consumer's water system.

B. The Public Works Director will review all plans to ensure that unprotected cross connections are not an integral part of the consumer's water system. If a cross connection cannot be eliminated, it must be protected by the installation of an air gap or an approved backflow prevention device/assembly, in accordance with the International Plumbing Code and other Rules as adopted by the State of Utah.

Section 10.03.050 Responsibility for Backflow Prevention – Certified Backflow Technician, Surveyor, or Repair Person

A. Whether employed by the consumer or a utility to survey, test, repair, or maintain backflow prevention assemblies the Certified Backflow Technician, Surveyor, or Repair Person will have the following responsibilities:

1. Insuring that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.
2. Make reports of such testing and/or repairs to the consumer and the water purveyor on form approved for such use by the water purveyor within time frames as described by the Division of Drinking Water.
3. Include the list of materials or replacement parts being used of the reports.
4. Insuring that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
5. Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.
6. Performing all test of the mechanical devices/assemblies and shall be responsible for the competence and accuracy of all test and reports.
7. Insuring that his/her license is current, the testing equipment being used is acceptable to the State of Utah, and is in proper operating condition.
8. Being equipped with, and competent to use, all necessary tools, gauges, test tags, and other equipment necessary to properly test, and maintain backflow prevention assemblies.
9. Tagging each double check valve, pressure vacuum breaker, reduced pressure backflow assembly and high hazard air gap, showing the serial number date tested and by whom. The certified technician's license number must also be on the tag.

Section 10.03.060 Responsibility for Repair of Backflow Prevention Assemblies

In the case of a consumer requiring an assembly to be tested, any currently 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 with individuals having appropriate licensure from the department of licensing.

Section 10.03.070 Definitions

A. Water Purveyor: The person designated to be in charge of the Water Department of Midway City is invested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this ordinance.

B. Approved Backflow Assembly: An assembly accepted by the Utah State Department of Environmental Quality, Division of Drinking Water, as meeting and applicable specification or as suitable for the proposed use.

C. Auxiliary Water Supply: Any water supply on or available to the premises other than the purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, etc., or "used waters" or "industrial fluids". These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have authority for sanitary control.

D. Backflow: The reversal of the normal flow of water caused by either back-pressure or back siphonage.

E. Back-Pressure: The flow of water or other liquids, mixtures, or substances from a region of high pressure to a region of lower pressure into the water distribution pipes of a potable water supply system from any source(s) other than the intended source.

F. Back-Siphonage: The flow of water or other liquids, mixtures, or substances under vacuum conditions into the distribution pipes of a potable water supply system from any source(s) other than the intended source, caused by the reduction of pressure in the potable water system.

G. Backflow Prevention Assembly: An assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Plumbing Code as adopted by the State of Utah and in the Cross Connection Control Program for Utah maintained by the Division of Drinking Water.

H. Cross Connection: Any physical connection or arrangement of piping or fixtures which may allow non-potable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a water distribution system. This would include temporary conditions, such as swing connections, removable sections, four way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multiport tubes or other plumbing arrangements.

I. Contamination: Means a degradation of the quality of the potable water supply by sewage industrial fluids or waste liquids, compounds or other materials that may create a health hazard.

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 an approved backflow assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find permanently eliminate or control all actual or potential cross connection within the customer's water distribution system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supply a portion of a customer's water distribution system; or, it shall mean the installation of a portion of a customer's water system where there are actual or potential cross connections which cannot be effectively eliminated or controlled at the point of the cross connection (isolation).

Section 10.03.080 Requirements

A. No water service connection to any premises shall be installed or maintained by the Water Purveyor unless the water supply is protected as required by State laws, regulations, codes, and this ordinance shall be discontinued by the water purveyor after due process of written notifications of violation and an appropriate time suspense for voluntary compliance, if:

1. A backflow prevention assembly required by this ordinance for the control of backflow and cross connections is not installed, tested, and maintained, or
2. If it is found that a backflow prevention assembly has been removed or by-passed, or
3. If an unprotected cross connection exists on the premises, or
4. If the periodic system survey has not been conducted.
5. Service will not be restored until such conditions or defects are corrected.

B. The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the water purveyor to determine whether cross connections or other structural or sanitary hazards, including violation of this ordinance exist and to audit the results of the required survey (R309.105.12 of the Utah Administrative Code).

C. Whenever the public water purveyor deems a service connection's water usage contributes a sufficient hazard to the water supply, and approved backflow prevention assembly shall be installed on the service line of the identified consumer'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.

D. The type of protective assembly required under subsection 3.1.3, shall depend upon the degree of hazard which exist at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.

E. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 3.1.6, be excluded from the requirements of these rules so long as the water purveyor is assured that they will satisfactorily protect the public water system. Whenever the existing is moved from the present location or requires more than minimum maintenance or when the water purveyor finds that the operation or of this assembly constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting all local and state requirements.

F. It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys; inspections, and operational test made at least

once per year at the consumer's expense. In those instances where the Public Water Purveyor deems the hazard to be great, he may require certified surveys/inspections and test at a more frequent interval. It shall be the duty of the purveyor to see that the tests are made according to the standards set forth by the State Department of Environmental Quality, Division of Drinking Water.

G. All backflow prevention assemblies shall be tested within ten (10) working days of installation.

H. No backflow prevention assemblies shall be installed so as to create a safety hazard. (Example: Installed over an electrical panel, steam pipes, boilers, or above ceiling level).

Section 10.03.30 Violation and Enforcement

If violation of this ordinance exists if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of the deficiencies noted within the survey or test results, then the water purveyor shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with all State and local regulations and statutes relating to plumbing, safe drinking water suppliers, and this ordinance.

(2021-07, Chapter Replaced, eff. 6/2/2021)