

ORDINANCE 2024-031

AN ORDINANCE OF THE CITY OF ROBINSON, TEXAS, AMENDING ORDINANCE 2024-01, BY MODIFYING CHAPTER 19, UTILITIES, ARTICLE VII CROSS CONNECTION CONTROL AND BACKFLOW, SECTION 19-56. TESTING OF ASSEMBLIES TO THE CODE OF ORDINANCES OF THE CITY OF ROBINSON, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Robinson is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and; and

WHEREAS, the City of Robinson has passed regulations which protect the potable water system from contamination or pollutants by preventing these from entering our system by establishing regulations in regards to customer water systems; and

WHEREAS, the City of Robinson desires to modify the regulations for the testing of backflow prevention assemblies on uses that are low risk hazards for the water system; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBINSON, TEXAS THAT:

SECTION 1.

This Ordinance shall be cumulative of all provisions of Ordinances and of the Code of Ordinances, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code of Ordinances, in which event the conflicting provisions of such ordinances and such Code of Ordinances are hereby repealed.

SECTION 2.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence paragraph or Section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or Section.

SECTION 3.

This Ordinance shall take effect upon passage by the City Council and publication of the caption in the City's Official newspaper. The meeting at which this Ordinance was passed was open to the public as required by law.

SECTION 4.

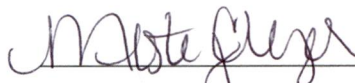
Ordinance 2024-01, is hereby amended by modifying Section 19-56. Testing of Assemblies as indicated below.

Sec. 19-56. - Testing of assemblies.

- (a) *Criteria.* The regulatory authority shall require all backflow prevention assemblies to be inspected and tested in each of the following circumstances:
- (1) Immediately after installation.
 - (2) Whenever the device or assembly is moved.
 - (3) A minimum of once a year for non-residential or residential which has a degree of hazard regarded as high hazard, pollution hazard, or system hazard.
 - (4) A minimum of five (5) years for residential which has a degree of hazard regarded as low hazard.
 - (45) For premises that have been vacated and unoccupied for one (1) year, prior to re-occupancy.
 - (56) Immediately after repairs.
- (b) *Payment of costs.* These inspections and tests shall be at the expense of the water user.
- (c) *Professional required for testing; required test report.* All assembly testing shall be performed by a State certified Backflow Prevention Assembly Tester, who is register with, and approved by, the City. A test report must be completed by a recognized backflow prevention assembly tester for each assembly tested. The signed and dated original form must be submitted to the City's Public Utilities Director within five (5) working days of the test.
- (d) *No City liability for damages.* The City is not liable for damage to a backflow prevention assembly which may occur during testing.
- (e) *Water use survey; mandated assembly.* The regulatory authority may cause a water use survey to be conducted at any establishment which is served by the public water supply or which provides water to the public. Upon determination by the regulatory authority that the establishment falls under this Article and requires a backflow prevention assembly, the regulatory authority shall issue a notice to abate the condition or order the establishment to install the proper backflow prevention assembly.

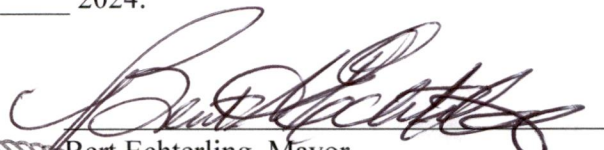
Passed this 15TH day of October 2024.

Attest:



Misty Cryer, City Secretary




Bert Echterling, Mayor