

**CITY OF CORTEZ, COLORADO
ORDINANCE NO. 1226, SERIES 2017**

**AN ORDINANCE PROVIDING FOR THE MANAGEMENT AND CONTROL
OF BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS
WITHIN THE CITY OF CORTEZ**

Summary: This ordinance adopts regulations for the management and control of the Backflow Prevention and Cross-Connection Control Program for the City of Cortez, repealing and reenacting Ordinance No. 1048, Series 2005, in its entirety.

WHEREAS, the Colorado Legislature, through adoption and enactment of the Colorado Primary Drinking Water Regulation, Chapter 11.39, requires all local jurisdictions within the State of Colorado to enact, adopt, and enforce a Backflow Prevention and Cross-Connection Control Program; and,

WHEREAS, the City of Cortez, under said Colorado Primary Drinking Water Regulation, is required to establish a Backflow Prevention and Cross-Connection Control Program; and,

WHEREAS, the authority to implement and maintain this program on cross-connection control is contained in the legislative actions of the Colorado Revised Statutes (CRS) Section 25-1-114 and 25-1-114.1; Colorado Primary Drinking Water Regulations (CPDWR), Regulation 11.39 Backflow Prevention and Cross-Connection Control Rule; Cross-Connection Control Manual, Colorado Department of Public Health and Environment (latest edition); and,

WHEREAS, City Council (the "Council") of the City of Cortez, Colorado (the "City"), by adopted Ordinance No. 1226, Series 2017, implementing the *City of Cortez Backflow Prevention and Cross-Connection Control Program*, for the purpose of regulating hazardous cross connections in an effort to protect the public potable water supply of the City of Cortez from the possibility of contamination or pollution by isolation and/or containment within the customer's internal distribution system(s) or the customer's private water system(s) such contaminants or pollutants that could backflow into the public water system; and,

WHEREAS, in an effort to promote the elimination or control of existing actual or potential hazardous cross-connections between the customer's in-plant potable water system(s) and non-potable water systems, plumbing fixtures, and industrial piping systems; and,

WHEREAS, to provide for the maintenance of a continuing program of cross-connection control that will systematically and effectively prevent the contamination or pollution of all potable water systems; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL, THAT ORDINANCE NO. 1226, SERIES 2017, ESTABLISHING THE CITY OF CORTEZ BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL PROGRAM IS HEREBY ADOPTED AND SHALL READ AS SET FORTH BELOW.

CROSS-CONNECTION CONTROL GENERAL POLICY

1.00 Responsibility

(a) This Program applies to all metered water accounts provided by the City of Cortez. The Cross-Connection Administrator, or his designee, shall be responsible for the protection of the public water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection.

(b) If a backflow prevention device is required for the in-plant, industrial piping or owner's premises for the protection of the potable water system, the Cross-Connection Administrator shall give written notice to the owner to install an approved backflow prevention device or devices at his or her own expense within (90) days of the receipt of the notice, or the customer's water service will be discontinued until the proper device or devices are installed. In case of a direct hazard, immediate termination of service will occur and will only be restored when approved assemblies have been installed to protect the potable water supply.

1.01 Right of Entry

(a) A representative of the City of Cortez will carry proper credentials of his or her office. By previously-arranged appointment and upon presentation of proper credentials, the representative shall have the right of entry to inspect any and all buildings and premises for cross connections relative to possible hazards. This right of entry shall be a condition of water service in order to protect the health, safety, and welfare of the customers throughout the City's distribution system. Where building security is required, the backflow assembly should be located in an area not subject to security. Questions regarding proper credentials should be directed to the Department of Public Works.

(b) The Department of Public Works may request an administrative search warrant for the purpose of inspecting buildings and premises for cross-connections relative to possible hazards. Applications shall be made to the Cortez Municipal Court which, upon proper showing, may grant a search warrant to the Department of Public Works for the purpose of inspection.

1.2 Violations

(a) Failure of the customer to cooperate in the installation, maintenance, testing, or inspection of backflow prevention assemblies required by these standards shall be grounds for the discontinuance of water service to the premises, or the requirement of installation of an air-gap separation from the public water system.

(b) Service of water to any premises may be discontinued by the Public Works Director if unprotected cross-connections exist on the premises. When any defect is found in an installed backflow prevention assembly, or if a backflow prevention assembly has been removed or bypassed, the service may be discontinued. Service shall not be restored until such conditions or defects are corrected.

(c) Discontinuance of service may be summary, immediate, and without written notice whenever, in the judgment of the Public Works Director, such action is necessary to protect the purity of the public potable water supply or the safety of the water system.

1.3 General Requirements

(a) All building plans must be submitted to the City of Cortez Cross-Connection Administrator for approval prior to the issuance of water service. Building plans must show:

- 1) Water service type, size, and location;
- 2) Meter size and location;
- 3) Backflow prevention device size, type, and location; and
- 4) Fire sprinkling system(s) service line, size, and type of backflow prevention device.

(b) Backflow prevention assemblies are to be installed in an accessible location to facilitate maintenance, testing, and repair. Drawings must show various installations.

(c) All backflow prevention assemblies shall be installed downstream of the water meter prior to any uses.

(d) Before installing a backflow prevention assembly, pipelines should be thoroughly flushed to remove foreign material.

(e) In no case will it be permissible to have a bypass on a backflow assembly, unless also protected by the same level backflow assembly.

(f) Backflow prevention valves are not to be used as the inlet or outlet valve of the water meter. Test cocks are not to be used as supply connections (not applied to residential dual-check meter installations).

(g) In order to insure that backflow prevention assemblies continue to operate satisfactorily, it will be necessary that they be tested at the time of installation and on an annual schedule thereafter. Such tests will be conducted in accordance with ASSE and/or USC Cross-Connection Control 10th Edition and Field Test Procedures as directed by the Colorado Department of Public Health and Environment (CDPHE).

(h) The City of Cortez will require inspection of all containment installations.

(i) All cost for design, installation, maintenance, repair, and testing are to be borne by the customer.

(j) No grandfather clause exists. All laws and regulations apply regardless of the age of the facility.

(k) All fire sprinkling systems shall have a minimum protection of an approved double-check valve for containment of the system.

- 1) All glycol (ethylene or propylene), or antifreeze systems shall have an approved Reduced Pressure Zone Assembly for containment.
 - 2) Dry fire systems shall have an approved Double-Check Valve installed upstream of the air pressure valve.
 - 3) Single family residence with a fire sprinkler system and domestic water combined shall have a double check valve when no chemicals are used.
- (l) All fire sprinkler systems shall conform to the currently-adopted International Fire Code.
- (m) Commercial fire hydrant meters shall have the Reduce Pressure Zone Assembly tested prior to use and a copy of the test report turned in to the Cross-Connection Administrator.
- (n) All commercial water haulers shall have a Reduce Pressure Zone Assembly installed and tested prior to receiving water from the City of Cortez.
- 1) Exception: trucks configured with top fill air gaps.

1.4 Reference Manuals

- (a) Reference manuals adopted for guidelines on cross-connection control include:
- 1) *Cross-Connection Control Manual*, Colorado Department of Public Health and Environment (CDPHE), latest edition.
 - 2) Definitions of terms used in this regulation are those contained in the *Cross-Connection Control Manual*, CDPHE, latest edition.
 - 3) American Water Works Association *Recommended Practice for Backflow Prevention and Cross-Connection Control Manual M14*, Fourth Edition 2015.
 - 4) Manual of Cross-Connection Control, 10th Edition, USC.

1.5 Copies On File

(a) Three true and exact official copies of the Cross-Connection Control Manual, CDPHE, latest edition, shall be on file: one in the office of the Cortez City Clerk; one in the Cortez Public Library; and one in the office of the Director of Public Works of the City of Cortez, duly certified by the Mayor and attested by the City Clerk, and may be examined, duplicated, or copied by any interested person during the regular business hours of said office, all such reproduction or copying to be at the expense of the person requesting the same.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage.

PUBLIC HEARING: This Ordinance shall be considered for second and final reading on the 8th day of August 2017, at the hour of 7:30 p.m., in City Council Chambers in City Hall, 123 Roger Smith Avenue, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED AND APPROVED ON FIRST READING THIS 25TH DAY OF JULY 2017.

Karen W. Sheek, Mayor

ATTEST:

Linda L. Smith, City Clerk

PASSED, APPROVED, AND ADOPTED ON SECOND AND FINAL READING THIS 8TH DAY OF AUGUST 2017.

Karen W. Sheek, Mayor

ATTEST:

Linda L. Smith, City Clerk

APPROVED AS TO FORM:

Michael F. Green, City Attorney