

ORDINANCE NO. _____

SUMMARY: CROSS CONNECTION CONTROL PROGRAM ORDINANCE FOR REDWOOD CITY

Article Seven, to be known as the Cross Connection Control Program Ordinance (Ordinance), is to be added to Chapter Thirty-Eight of the Redwood City Municipal Code (Code). The Ordinance protects the public water supply from contamination occurring through backflow by implementing an effective cross connection control program.

The Ordinance sets forth the conditions that would require the installation of an approved backflow prevention assembly in the service line. The type of protective assembly required by the Ordinance shall depend upon the degree of hazard that exists. The public water system may be protected by an approved air gap separation, a reduced pressure principle backflow prevention assembly, or an approved double check valve assembly.

The significant provisions of the Article are:

1. The ordinance adopts and incorporates by reference the regulations of the California Department of Public Health, Title 17, California Code of Regulations, Sections 7583-7605, and Article VII (Plumbing Code) of Chapter 9 of the Redwood City Municipal Code (Code) and all amendments thereto.
2. Any required backflow prevention assembly shall be a model and size approved by the Director, and it shall be the Customer-User's (Customer) property, responsibility and at the Customer's expense to install and maintain such assembly.
3. A backflow prevention assembly shall be installed in the service line when the following conditions exist:
 - a. An auxiliary water supply or a supply that is not or may not be of safe bacteriological or chemical quality and that is not acceptable as an additional source by the City.
 - b. Industrial fluids or any other objectionable substance are handled in such a fashion as to create an actual or potential hazard to the public water system. This shall include the handling of process waters and waters originating from the utility system that have been subject to deterioration in quality.
 - c. Internal cross connections that cannot be permanently corrected and controlled.
 - d. Intricate plumbing and piping arrangements.
 - e. Where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross connections exist.

4. In addition to the requirements of Article VII of Chapter 9 of this Code, an approved backflow prevention assembly shall be installed on each service line to a Customer's water system at or as near possible the terminal end of the service connection from the City water system or immediately inside the building being served; but in all cases, before the first branch line leading off the service line.
5. That every backflow prevention assembly installed for the purpose of eliminating a cross-connection shall be installed with all applicable City permits, in accordance with City standards, and at a location approved by the Director of Public Works Services (Director). The approval required shall be in addition to all applicable requirements of Title 17 of the California Administrative Code and Article VII of Chapter 9 of this Code.
6. The Customer at any premises where a backflow prevention assembly is installed shall be responsible for having certified inspections and operational tests made immediately upon the installation, repair, replacement, or relocation of such assembly and at least once per year thereafter. For those circumstances where the Director determines there is a high degree of hazard, such as a chemical plant, certified inspections may be required at more frequent intervals. The costs of said inspections and tests shall be paid by the Customer. The Customer shall provide records of such tests, repair, replacement, and/or relocation to the Director. These records shall be maintained by the Customer and City for a period of three years.
7. The Director shall ensure that certified inspections and operational tests are timely performed. These inspections and tests shall be performed by either the Public Works Services personnel or a contractor hired by the Director (collectively, the PWS Crew). When inspection and testing is not performed by the PWS Crew, the Director shall give written notice to the Customer that the backflow prevention assembly installed on the Customer system must be tested within thirty days. If the Customer fails to provide the Director with a record demonstrating a successful test has been performed on the backflow prevention assembly within thirty days, the Director shall issue a second written notice to the Customer providing a final additional two week compliance period. The Customer shall immediately repair and retest assemblies that fail to pass certified inspection or operational testing.
8. No person shall test or shall make reports on backflow prevention assemblies as required in Title 17 of the California Administrative Code and this Article unless such person has received a "Certificate of Competency" issued by the Director. A prospective tester shall submit an application to the Director providing such information as the Director may determine to be reasonably necessary to establish the applicant's technical competence and personal responsibility, and the Director may conduct examinations to determine the competency of applicants to test and make reports on backflow prevention assemblies. The Director may require further testing of approved testers. A list of approved testers shall be updated annually and made available to Customers.
9. The Director may revoke the Certificate of Competency if the individual tester, or their employer, fails or refuses to comply with City policies and procedures for testing of assemblies, submits incorrect test reports, engages in dishonest business practices in the City, fails to maintain a valid Backflow Testers Certificate issued by the American Water Works Association, or installs, repairs, or tests backflow prevention assemblies in a negligent manner.

10. No person or employee of any business organization shall perform tests on backflow prevention assemblies in the City unless he or she has been approved to do so by the Director.

11. Where backflow prevention assemblies must be maintained and tested, the City shall charge an administrative fee at the rate of \$60 per backflow prevention assembly annually and shall be included as part of the Customer's municipal water bill. When backflow prevention assemblies are tested by the PWS Crew, the annual fee for such test shall be included as part of the Customer's next ensuing municipal water bill.

12. It shall be unlawful for any person to construct, install, use, keep, or maintain, or to permit, cause, or allow the construction, installation, use, or maintenance of a cross-connection.

13. It shall be unlawful for any person to construct or install, or cause to be constructed or installed, a backflow prevention assembly which does not meet pertinent requirements of Title 17 of the California Administrative Code and Article VII of Chapter 9 of this Code and all amendments thereto.

14. It shall be unlawful for any person to operate, use or maintain, or to permit or cause the use, operation, or maintenance of any backflow prevention assembly which is not in good repair and which is not tested at least once each calendar year.

15. The City may terminate water service to any premises served if a required backflow prevention assembly is removed or tampered with by Customer. The term "tampered with" shall include, but is not limited to, those instances where the City finds evidence that an installed backflow prevention assembly has been by-passed, modified, or allowed to remain ineffective.

16. Any person who willfully fails to install, or permit to be installed, backflow prevention assemblies as required by this Article or who willfully by-passes, alters or refused to maintain a backflow prevention assembly, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding \$500 or imprisonment in the County jail for a period not exceeding six months or both fine and imprisonment.

Copies of the codes and a certified copy of the full text of this Ordinance are on file and may be viewed in full at the City Clerk's Office, 1017 Middlefield Road, Redwood City, California.

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