

CITY OF WEST LIBERTY
CROSS CONNECTION PREVENTION PROGRAM ORDINANCE
ORDINANCE NUMBER 11232015-01

An ordinance establishing a Cross Connection Prevention Program for the City of West Liberty, Kentucky

WHEREAS, the Kentucky Natural Resources and Environmental Protection Cabinet have enacted administrative regulations, which require every public water system to determine if or where cross connections exist and to eliminate them; and

WHEREAS, the officials of the City of West Liberty, Kentucky realize that they have a responsibility to protect the public health by providing a safe source of drinking water, and that cross connections could affect the health and economic growth of the community;

NOW, THEREFORE, be it ordained by the legislative body of the City of West Liberty, Kentucky:

SECTION 1: PURPOSE AND AUTHORITY.

- (A) It is the purpose of this ordinance to establish a program to assure that the public water supply is protected from any auxiliary water supply which may cause contamination due to backflow or cross connections. The City recognizes that contamination of the public water supply presents an imminent health hazard to the residential and non-residential users of the public water system; the threat of significant economic loss due to disrupted water service to such residential and nonresidential water users and the potential liability to the City.
- (B) It is the further purpose of this ordinance to meet the requirements of 401 KAR 8:020 as enacted by the Kentucky Natural Resources and Environmental Protection Cabinet.
- (C) This ordinance is enacted under the power vested in the City by KRS 82.082 and pursuant to requirements of KRS 65.03

SECTION 2: DEFINITIONS.

As used in this in this ordinance, unless the context clearly requires a different meaning:

- (A) "Auxiliary Water Supply" means any water supply on or available to the premises other than the City's public water supply. These auxiliary waters may include water from any natural source such as a well, spring, river, stream or body of water or any water or other substance of unknown or questionable quality that may present a health or system hazard to the potable water supply.
- (B) "Backflow" means the reversal of the normal flow of water caused by wither back pressure or back siphonage.
- (C) "Backflow Prevention Assembly" means an assembly or means designed to prevent backflow. A listing of acceptable backflow prevention assemblies and degree of hazard is available in the Kentucky State Plumbing Law, Regulations and Code.
- (D) "Contamination" means an impairment of the quality of the potable water supply by any waste product, fluid, substance, compound or other material to a degree which creates an actual or potential hazard to the public health through poisoning or through spread of disease.
- (E) "Cross Contamination" means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems one of which contains potable water and the

other non-potable water or substance of questionable quality, through which, or because of which, backflow potential hazard to the public health through poisoning or through spread of disease.

- (F) “Thermal Expansion Tank” means a device installed on the cold water supply line near a water heater to compensate for the expansion of water within a water system when such water is heated.

SECTION 3: REQUIREMENTS.

The City shall provide protection to the public water system against backflow by implementing the following requirements.

- (A) “Residential” – Buildings used for habitation or occupancy shall be considered as residential buildings. No new water service connection to any premises shall be installed or allowed to be installed by the City unless such service connection is protected by a backflow prevention assembly. Residential service connections shall be considered as low hazard applications and all such connections shall have at a minimum a dual check valve backflow preventer installed between the water meter and the residence. The City may require additional or alternative backflow prevention assemblies if the degree of hazard constitutes a higher level of protection for the public water system.
- (B) “Non-Residential” – No new water service connection to any non-residential facility shall be installed by the City unless such water service connection is protected by a backflow prevention assembly. The type of protective device required shall be determined at the time of installation of the service connection. At a minimum the service connection shall be installed with a dual check valve backflow preventer. In the event activities to occur within a non-residential facility and creates a higher degree of hazard, then the backflow prevention assembly shall be replaced with an assembly which provides acceptable protection.
- (C) “Inspections” – The customer’s water system shall be open for inspection at all reasonable times to authorized representatives of the City to determine whether cross connections or other structural or sanitary hazards, including violation of this ordinance, exist. When such conditions becomes known, the City 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 in conformance with the State and City statues relating to plumbing, water supplies and the regulations adopted pursuantly thereto. Water service to any premises shall be discontinued if it is found that a backflow prevention assembly required by this ordinance has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- (D) “Existing Service Connections” – All existing water service connections which do not have backflow prevention assemblies or existing water service connections which have less than the minimum required backflow prevention assemblies, shall, except for the inspection requirements, be excluded from the requirements of this ordinance so long as the City is assured that the public water system is satisfactorily protected. However, if the City determines that a hazard to health exists, then a backflow prevention assembly meeting the requirements of this ordinance may be installed on such connections until after the property owner of such residential or commercial property has been informed of the actual and potential hazards that may be created as a result of such backflow assembly installation. Notices provided to such property owners shall include the following language as adopted in 815 KAR 20:120 Section 2, item (6): When cross connection control devices are properly installed, they create a closed water system. A properly sized thermal

expansion tank shall be installed in the cold water supply located as near the water heater as possible.

SECTION 4: SEVERABILITY.

If any provision of this ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional or in conflict with applicable laws of the Commonwealth, the remaining provisions of this ordinance shall continue in full force and effect.

SECTION 5: EFFECTIVE DATE.

This ordinance shall take effect upon the second reading and subsequent publication as required by KRS 83A.060.

First Reading 10-26-2015

Second Reading 11-23-2015

Signed By: Mark Walter

Attested By: Sally Barker