

ORDINANCE NO. 2
(Series 2016)

**AN ORDINANCE AMENDING CHAPTER 13.70 OF THE GEORGETOWN MUNICIPAL
CODE CONCERNING CROSS-CONNECTION CONTROL REGULATIONS**

WHEREAS, the Town of Georgetown is a territorial charter town operating under a territorial charter and governed by its Board of Selectmen; and

WHEREAS, the Georgetown Board of Selectmen (“Board”) is authorized, by the territorial charter and the CRS, to enact ordinances for the preservation of the public health, safety, and welfare, including land use and zoning; and

WHEREAS, in the exercise of this authority the Board has previously adopted Chapter 13.70 of the Georgetown Code, concerning Cross-Connection Control; and

WHEREAS, the Board wishes to amend that Chapter.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SELECTMEN OF
THE TOWN OF GEORGETOWN, COLORADO:**

SECTION 1. Chapter 13.70 is amended to read as follows:

CHAPTER 13.70 - Cross-Connection Control Regulations

13.70.010. - Short title.

This Chapter is known and may be cited as the "Georgetown Cross-Connection Control Ordinance."

(Ord. 03 §1, 2006)

13.70.020. - Legislative intent; incorporated standards; conflicts with the Colorado Plumbing Code.

- (a) It is the intent of the Board of Selectmen to protect the municipal water system from contamination or pollution by backflow from an owner's internal distribution system or private water system, and to provide for the maintenance of a continuing program of cross-connection control, which will systematically prevent the contamination or pollution of the municipal water system.
- (b) The Colorado Cross-Connection Control Manual, endorsed by the Colorado Department of Public Health and Environment, and the International Plumbing Code are hereby adopted and incorporated by reference.
- (c) In the event that this Chapter, the International Plumbing Code and the Colorado Cross-Connection Control Manual do not provide technical requirements, specifications or standards applicable to a particular matter, the Colorado Plumbing Code shall apply. In the event that the technical requirements, specifications or standards stated in this Chapter, the International Plumbing Code and the Colorado Cross-Connection Control Manual conflict

with each other or with those stated in the Colorado Plumbing Code, whichever technical requirement, specification or standard is most restrictive shall apply. In the event that this Chapter, the International Plumbing Code, the Colorado Cross-Connection Control Manual and the Colorado Plumbing Code provide technical requirements, specifications or standards on a single matter in terms so distinct that determining which provision is more restrictive is not readily apparent, the Colorado Plumbing Code shall apply.

(Ord. 03 §1, 2006)

13.70.030. - Responsibility.

- (a) The Town Administrator is hereby delegated the responsibility for implementing a cross-connection control program in accordance with this Chapter and for enforcement thereof. If a backflow preventer is required at the municipal water service connection to any owner's premises for the protection of the municipal water system, the Town Administrator or designee shall give notice in writing to the owner to install an approved backflow preventer at each service connection to the premises. The owner shall install such required backflow preventers at the owner's sole expense.
- (b) No provision of this Chapter exempts the owner from the cross-connection control provisions for internal water distribution systems as contained in the most recently adopted Plumbing Code, which has been adopted by reference in Title 15 of this Code.
- (c) ONCE AN APPROVED CROSS-CONNECTION DEVICE HAS BEEN INSTALLED TO A PREMISE, THAT DEVICE SHALL REMAIN WITH THE PROPERTY AND ALL NEW OWNERS HAVE THE RESPONSIBILITY TO INSPECT ANNUALLY, REPAIR FAILURES, AND MAINTAIN RECORDS CURRENT WITH ALL STANDARDS.

(Ord. 03 §1, 2006)

13.70.040. - Definitions.

When not clearly otherwise indicated by the context, the following words and phrases in this Chapter have the following meanings. Definitions of terms used in this Chapter are those contained in the most recently adopted International Plumbing Code and the Colorado Cross-Connection Control Manual.

Administrative authority means the individual official, board, department or agency established and authorized by a state, county, municipal or other political subdivision created by law to administer and enforce the provisions of the regulations and codes as adopted or amended. This definition shall include the administrative authority's duly authorized representative.

Approved means accepted or acceptable under an applicable specification or standard stated or cited as suitable for the proposed use under procedures and authority of the water supplier or administrative authority.

Approved backflow prevention assembly means an assembly listed or approved by any of the following:

- a. University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research list of approved backflow prevention assemblies.

- b. An assembly listed and approved by The American Society of Sanitary Engineering.
- c. An assembly meeting the requirements of the American Water Works Association's Standards C510 or C511, which are hereby adopted by reference in the present form as the municipal standard.

Approved testing agency means an organization primarily established for purposes of testing to approved standards and approved by the administrative authority.

Auxiliary water supply means any water supply on or available to the premises other than the municipal-approved public potable water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source such as a well, spring, river, stream, pond, lake, etc., or "used waters" or "industrial fluids." These waters may be polluted or contaminated or may be objectionable and constitute an unacceptable water source over which the Town does not have sanitary control.

Backflow means the undesirable reversal of the direction of flow of the water or mixtures of water and other liquid, gases or other substances into the distribution pipes of the potable water supply from any source or sources caused by back-pressure, back-siphonage or both.

Backflow connection means any arrangement whereby backflow can occur.

Backflow preventer means any device, assembly, method or type of construction designed to prevent backflow into the public water supply by containing the owner's water system from the public water system, including any of the following:

- a. Air-gap (AG) means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of said vessel. An approved air-gap will be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and, in no case, less than one (1) inch. When an air-gap is used at the service connection to prevent the contamination or pollution of the public potable water system, an emergency bypass shall be installed around the air-gap system and an approved reduced pressure principal assembly will be installed in the bypass system.
- b. Double check valve assembly (DC or DCVA) means an assembly of two (2) independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly shall be an approved backflow prevention assembly. The entire backflow preventer shall meet the design and performance specifications and approval of a recognized and Town-approved testing agency for backflow preventers. To be approved, these backflow preventers must be readily accessible for in-line testing and maintenance.
- c. Reduced pressure principal assembly (RP or RPPA) means an assembly of two (2) independently operating approved check valves with a hydraulic automatic operating differential relief valve between the two (2) check valves. The assembly shall be located between two (2) tightly closing (resilient seated) shut-off valves, and have four (4) properly located test cocks for the testing of the check and relief

valves. The entire assembly shall be an approved backflow prevention assembly. The assembly will operate to maintain the pressure in the zone between the two (2) check valves at a level less than the pressure on the public water supply side of the assembly. At cessation of normal flow, the pressure between the two (2) check valves will be less than the pressure on the public water supply of the backflow preventer. In case of leakage of either of the check valves, the differential relief valve will operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two (2) pounds per square inch or less, the relief valve will open to the atmosphere. To be approved, these backflow preventers must be readily accessible for in-line testing and maintenance, and be installed in a location where no part of the backflow preventer will be submerged.

- d. Spill-proof vacuum breaker means an assembly consisting of one (1) check valve force-loaded closed and an air-inlet vent valve force-loaded open to atmosphere, positioned downstream of the check valve, and located between and including two (2) tightly closing shutoff valves and a test cock.
- e. Vacuum breaker, atmospheric non-pressure type means a vacuum breaker consisting of an air inlet opening and a nonloaded floating check disk valve designed to prevent back-siphonage only. The assembly shall not be subjected to continuous static line pressure or back-pressure or be installed where it would be under pressure for more than twelve (12) continuous hours.
- f. Vacuum breaker, pressure type means a vacuum breaker designed to prevent back-siphonage only, consisting of a spring-loaded check valve, a spring-loaded air inlet opening, a tightly closing shutoff valve on each side of the assembly and two (2) appropriately located test cocks. The assembly shall not be subjected to back-pressure. The entire assembly shall be an approved backflow prevention assembly.

Back-pressure means the backflow of water or other contaminated fluids caused by a pump, elevated tank, boiler or other means that could create pressure within the owner's system greater than the municipal supply pressure.

Back-siphonage means the backflow of potentially contaminated water into the potable water supply as a result of the pressure in the potable water system falling below atmospheric pressure of the plumbing fixtures, pools, tanks or vats connected to the potable water distribution piping.

Building supply means all piping and fittings carrying potable water from the water meter or other source of water supply to a building or other point of use or distribution on the lot. Building supply shall also mean water service.

Certified backflow preventer inspector and tester means a person who has passed a Colorado Department of Public Health and Environment approved or sponsored inspection tester course, and who meets the requirements of the Colorado Primary Drinking Water Regulations under Chapter 12.2 Cross-Connection Control Technician Certification as a certified inspector/tester. The certified backflow prevention assembly inspector/tester shall show competence to test and maintain backflow prevention assemblies to the satisfaction of the administrative authority having jurisdiction. INSPECTOR MUST POSSESS A

CURRENT VALID CERTIFICATION FROM EITHER THE AMERICAN SOCIETY OF SANITARY ENGINEERING (ASSE) OR FROM THE AMERICAN BACKFLOW PREVENTION ASSOCIATION (ABPA).

Check valve means a self-closing device, which is designed to permit the flow of fluids in one (1) direction and to close if there is a reversal of flow.

Code. The word Code or this Code, when used alone, shall mean these regulations, subsequent amendments thereto or any emergency rule or regulation which the administrative authority having jurisdiction may lawfully adopt.

Compliance period means the time between the receipt by the owner of a notice from the Town Administrator or designee thereof to install, test or repair a backflow prevention assembly and the day upon which such installation, testing or repair shall be completed or ready for inspection by the Town Administrator or a designee thereof.

Containment protection means the installation of an approved backflow prevention assembly, or method, on the water service line(s) serving any premises, location, facility or area. Protection by containment shall be used when the potable water system may be contaminated or polluted by substances used or stored within a building or premises.

Contamination means any impairment of the quality of the potable water by pollution from sewage, industrial fluids or waste liquids, compounds or other materials to a degree, which creates an actual hazard to the public health through poisoning or through the spread of disease, any physical, chemical, biological or radiological substance or matter that has an adverse effect on water.

Critical level means the critical level C-L or C/L marking on a backflow prevention assembly or vacuum breaker, which is a point conforming to approved standards and established by the testing laboratory (usually stamped on the assembly by the manufacturer), which determines the minimum elevation above the flood-level rim of the fixture or receptacle served at which the assembly may be installed. When a backflow preventer does not bear a critical level marking, the bottom of the vacuum breaker, combination valve or the bottom of any such approved backflow preventer (valve body) shall constitute the critical level.

Cross-connection means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture or other assembly which contains, or may contain, contaminated water, sewage or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow. Bypass arrangements, jumper (swing) connections, removable sections, swivel or changeover devices, 4-way valves or other temporary or permanent devices through which, or because of which, backflow could occur are considered to be cross-connections.

Cross-connections, controlled means a connection between a potable water system and a nonpotable water system with an approved backflow preventer properly installed and tested in accordance with approved procedures that will demonstrate operational protection commensurate with the degree of hazard.

Department having jurisdiction means the administrative authority, including any other law enforcement agency affected by any provision of this Code, whether such agency is specifically named or not.

Flood-level rim means the edge of the receptacle from which water overflows.

Hazard, degree of, is determined from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the public potable water system and includes the following types:

- a. Hazard, health means any condition, assembly or practice in the water supply system and its operation, which could create, or in the judgment of the Town Administrator, may create a danger to the health and the well-being of the water consumer. An example of a health hazard is a structural defect, including cross-connections, in a water supply system or a direct connection of a potable water supply line to a sanitary sewer.
- b. Hazard, plumbing means a plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow preventer. Unprotected plumbing-type cross-connections are considered to be a health hazard.
- c. Hazard, pollution means an actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be a threat to life or be dangerous to health.
- d. Hazard, system means an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system caused by a cross-connection.

Industrial fluids system means any system containing a fluid or solution, which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to, polluted or contaminated waters; all types of process water and "used waters" originating from the public water system which may have deteriorated in sanitary quality; chemicals in fluid form; cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, lakes, dams, ponds, retention pits, irrigation canals or systems, etc.; oils, gases, glycerins, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

Isolation means the control of a cross-connection within a building's plumbing system by the installation of an approved backflow prevention assembly or method at or near the potential sources of pollution or contamination.

Main means the principal artery of any system of continuous piping to which branches may be connected.

Multi-story building means any building having two (2) or more levels, excluding the basement, or over forty (40) feet in height. Single-family units are excluded from this definition.

Nonpotable water means water that is not safe for human consumption or that does not meet the requirements set forth in the Colorado Primary Drinking Water Regulations. This includes water that is unsafe or unpalatable to drink because it contains pollutants, contaminants, minerals or infectious agents.

Plumbing system means and includes all potable water supply and distribution pipes, all plumbing fixtures and traps, all drainage and vent pipes, all building drains, including their respective joints and connections, devices, receptacles and appurtenances within the property lines of the premises and shall include potable water piping, potable water treating or using equipment, fuel gas piping, water heaters and vents for the same.

Pollution means an impairment of the quality of the potable water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such potable water for domestic use.

Potable water means water free from impurities in amounts sufficient to cause disease or harmful physiological effects. The bacteriological, chemical and radiological quality shall conform to the Colorado Primary Drinking Water Regulations and be satisfactory for drinking, culinary and domestic purposes.

Submerged inlet means a water pipe or extension thereto from the public water supply terminating in a tank, vessel, fixture or appliance, which may contain water of questionable quality, waste or other contaminant, and which is unprotected against backflow.

Superintendent means the person appointed by the Town Administrator to supervise the operation of the municipal water utility and who is charged with certain duties and responsibilities by this Chapter.

Town means the Town of Georgetown.

“USED WATERS” MEANS WATER THAT HAS LEFT THE POTABLE WATER SUPPLY THROUGH A WATER DISTRIBUTION SYSTEM FIXTURE, APPLIANCE, OR AIR GAP SEPARATION.

Vacuum means any pressure less than atmospheric pressure.

Vacuum breaker is a type of backflow preventer.

Water-distributing pipe means a water-distributing pipe in a building or premises, which conveys potable water from the building supply pipe to the plumbing fixtures and other water outlets.

Water service connection means the terminal end of the municipal's service connection from the municipal water ~~system, i.e., at the owner's stop box shutoff~~ valve or meter. **AT THE OWNER'S COOPERATION SHUTOFF VALVE.** If a meter is installed at the end of the water service connection, then the service connection means the downstream end of the meter. There will be no unprotected takeoffs from the service line ahead of any meter or backflow preventer located at the point of delivery to the owner's water system. This shall include irrigation systems and fire sprinkler systems. Water service connection includes

water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

Water supplier means any person or group owning and/or operating a public potable water supply.

Water supply system means the building supply pipe, the water distributing pipes and the necessary connecting pipes, fittings, control valves and all appurtenances carrying or supplying potable water in or adjacent to the building or premises.

Water utility main is a water supply pipe or system of pipes installed and maintained by the Town, township, county, public utility company or other public entity, on public property, in the street or in an approved dedicated easement of public or community use.

(Ord. 03 §1, 2006)

13.70.050. - Water system.

The municipal water system consists of the source and distribution facilities of the water system to the point of the owner's system. The source includes all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system. The distribution system ~~includes the network of conduits used for the delivery of water from the source to the owner's system. The owner's system begins at the point where the water leaves the meter service connection.~~ THE OWNER'S SYSTEM BEGINS AT THE POINT OF SERVICE OFF THE TOWN'S MAIN WATER LINE, THE TAP, OR COOPERATION VALVE.

(Ord. 03 §1, 2006)

13.70.060. - Installation.

- (a) An approved backflow preventer shall be installed at or near the property line or immediately inside the structure being served; but, in all cases, before the first branch line leading off the service line wherever any of the following conditions exist:
- (1) In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the Town Administrator, the public water system will be protected against backflow from the premises by installing a backflow preventer in the service line appropriate to the degree of hazard.
 - (2) In the case of premises in which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected against backflow from the premises by installing a backflow preventer in the service line appropriate to the degree of hazard. This will include the handling of process waters and waters originating from the public water system which have been subject to deterioration in quality.
 - (3) In the case of premises having internal cross-connections that cannot be permanently corrected and controlled or having intricate plumbing and piping arrangements, or 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, the public water system shall be protected against backflow from the premises by installing a backflow preventer in the service line.

- (b) Backflow preventers shall be installed in an accessible location to facilitate inspection, testing and maintenance. Adequate drainage area for the backflow preventer must be provided for in the event that water is discharged.

(Ord. 03 §1, 2006)

13.70.070. - Inspections, testing and repair.

- (a) It is the responsibility of the owner to have certified inspections and operational tests made on backflow preventers upon installation and at least once per year thereafter. The Town Administrator may require certified inspections at more frequent intervals.
- (b) These inspections and tests shall be made at the expense of the owner and will be performed by a certified inspector or tester approved by the Town Administrator or his or her designee. A backflow preventer will be repaired or replaced at the expense of the owner whenever a backflow preventer is found to be defective.
- (c) All equipment used in the testing of backflow preventers shall be calibrated and checked for accuracy at least yearly, and proof of compliance shall be submitted to the Town Superintendent upon request.
- (d) The Town Superintendent retains the right to test or otherwise check the installation and operation of any backflow preventer at any time to assure proper installation and operation.
- (e) Upon presentation of proper credentials, the Town Superintendent and any other person authorized by the Town Administrator shall have the right to enter and inspect all buildings and premises for cross-connections to determine whether hazards exist. This right of entry shall be a condition of water service in order to protect the health, safety and welfare of the people of the Town. Throughout the Town's water distribution system, where building security is required, the backflow prevention assemblies shall be located in an area not subject to security. In the event that entry is denied, the Town Administrator may seek a search warrant, terminate water service or both.
- (F) THE TOWN HAS LEGAL AUTHORITY TO PERFORM ANNUAL SURVEYS OF A CUSTOMER'S PROPERTY TO DETERMINE WHETHER A CROSS CONNECTION IS PRESENT.
- (G) THE PROCESS THE TOWN WILL USE TO SELECT A BACKFLOW PREVENTION ASSEMBLY OR BACKFLOW PREVENTION METHOD TO CONTROL A CROSS CONNECTION IS GOVERNED BY SECTION 13.70.080 (COMPLIANCE) OF THIS CHAPTER.

(Ord. 03 §1, 2006)

13.70.080. - Compliance.

- (a) The compliance period for installation, inspection, and testing, or repair of backflow preventers, including air-gap ("AG"), double check valve assembly ("DC"), or reduced pressure principal assembly ("RP"), shall be as follows:

Type of Premises or Specific Application	Backflow Prevention Device	Compliance Period
Existing Facilities:		
Any establishment with a backflow incident (suspect occurrence or documented)	AG or RP	10 days from date of occurrence
Automotive service station or repair shop	AG or RP	60 days
Auxiliary water supply	AG or RP	60 days
Boilers; nondomestic	AG or RP	60 days
Carbonators	AG or RP	60 days
Carwash	AG or RP	60 days
Commercial service line greater than four-inch diameter	AG or RP	90 days
Food processing and packing plant	AG or RP	60 days
Greenhouse	AG or RP	60 days
Hospital, outpatient care and long-term facility	AG or RP	60 days
Hotel or lodging facility	AG or RP	60 days
Irrigation - lawn and landscaping	AG OR RP60 days	
Kennel - boarding only	AG or RP	60 days
Laboratory - clinical and chemical	AG or RP	60 days
Laundry or dry- cleaning service	AG or RP	60 days
Manufacturing and industrial facility (to be determined on an individual basis)	AG or RP	60 days
Medical office	AG or RP	60 days
Morgue and mortuary	AG or RP	60 days
Multi-storied building	AG or RP	60 days
Photographic studio and laboratory	AG or RP	60 days
School with laboratory	AG or RP	60 days
Sewage treatment plant	AG or RP	60 days
Shell business development space	AG or RP	60 days

Solar heating system with make-up water	RP	60 days
Swimming pool	AG or RP	60 days
Veterinary office	AG or RP	60 days
Water treatment plant	AG or RP	60 days
New Construction:		
Fire line - no chemicals added Fire line - chemicals added	AG, RP, or DC AG OR RP	Prior to Certificate of Occupancy or final inspection by the Building Division
New Construction or Alteration Requiring a Building Permit:		
Any establishment with a backflow incident (suspect or occurrence documented)	AG or RP	10 days from date of occurrence
Automotive service station or shop	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Auxiliary water supply	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Boilers; nondomestic	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Carbonators	AG, RP or Dual Check	Prior to Certificate of Occupancy or final inspection by the Building Division
Carwash	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Commercial service line greater than 4-inch diameter	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Fire line - chemicals added Fire line - no chemicals added	AG OR DC OR RP AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Food processing and packing plant	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division.
Greenhouse	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building

		Division
Hospital, outpatient care and long-term facility	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Hotel and lodging	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Irrigation - lawn and landscaping	AG OR RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Kennel - boarding only	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Laboratory - clinical and chemical	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Laundry and cleaning service	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Manufacturing and industrial facility (to be determined on an individual basis)	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Medical office	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Morgue and mortuary	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Multi-storied building	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Photographic studio and lab	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
School with laboratory	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Sewage treatment plant	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division

Shell business development space	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Solar heating system with make-up water system	RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Swimming pool	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Veterinary office	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division
Water treatment plant	AG or RP	Prior to Certificate of Occupancy or final inspection by the Building Division

Unless otherwise noted in this Section, compliance periods are from the date this Section becomes effective.

- (b) The owner of any building or facility not listed in the foregoing table may be required by the Town Superintendent to install a backflow preventer as provided in Section 13.70.060 of this Code if the Town Superintendent determines that the water supply system or contaminants in the system present a hazard. The Town Superintendent will determine the compliance period and backflow preventers required.

(Ord. 03 §1, 2006)

13.70.090. - Reporting and recordkeeping.

- (a.) The certified backflow prevention inspector or tester will report on approved report forms the results of inspections, tests and maintenance to the Town Superintendent and the water property owner.

(1) A PASSING REPORT WILL BE SUBMITTED TO THE TOWN SUPERINTENDENT WITHIN FIVE (5) DAYS FOLLOWING THE COMPLETION OF THE INSPECTION, TEST OR MAINTENANCE OF THE BACKFLOW PREVENTER.

(2) A FAILING REPORT WILL BE SUBMITTED TO THE TOWN SUPERINTENDENT WITHIN TWENTY-FOUR (24) HOURS FOLLOWING THE COMPLETION OF THE INSPECTION, TEST, OR MAINTENANCE OF THE BACKFLOW PREVENTER.

- (b.) NO LATER THAN TEN (10) DAYS AFTER THE TOWN IS NOTIFIED OF A FAILED TEST, THE OWNER MUST REPAIR OR REPLACE THE BACKFLOW PREVENTION DEVICE THAT PRODUCED THE FAILED TEST. OWNERS UNABLE OR UNWILLING TO COMPLY WITHIN THAT TIME MAY BE CITED UNDER SECTION 13.70.110 (VIOLATION) OF THIS CHAPTER.

- (c.) The certified inspector or tester shall also, on a form approved by the Town, attach a card or tag to the backflow preventers following each inspection, test or maintenance activity to document and date the activities performed.
- (d.) The certified inspector, the property owner and the Town Superintendent shall keep records of all inspections, tests or maintenance activities, including materials and replacement parts, for a period of not less than three (3) years.

(Ord. 03 §1, 2006)

13.70.100. - Backflow prevention devices.

- (a) Only approved backflow prevention assemblies shall be used.
- (b) Each backflow prevention assembly must have a unique serial number attached to the backflow preventer by the manufacturer.
- (c) Any backflow prevention assembly already installed, which is not an approved backflow prevention assembly under the provisions of this Chapter, shall be replaced with an approved backflow prevention assembly within ninety (90) days after adoption of this Chapter, unless the backflow prevention assembly fails an annual operational test. If the backflow prevention assembly fails any such test, it will be replaced with an approved backflow prevention assembly in accordance with Sections 13.70.060 and 13.70.070 of this Chapter.
- (d) The following references have been approved by the Town Administrator for testing, certifying and approving backflow prevention assemblies:
 - (1) The American Society of Sanitary Engineering, 901 Canterbury, Suite A, Westlake, OH 44145.
 - (2) The University of Southern California Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, KAP-200 University Park MC-2531, Los Angeles, CA 90089-2531.
 - (3) American Water Works Association Standards C510 and C511, 6666 West Quincy Avenue, Denver, CO 80235.

The Town Administrator may create a list of additional approved references.

- (e) Backflow prevention assemblies that may be subjected to back-pressure or back-siphonage that have been fully tested and granted a seal of approval and are listed on the current list of "approved backflow prevention assemblies," and newly installed backflow prevention assemblies which have been inspected and installed to the satisfaction of the Town Administrator, are deemed to be in compliance with this Chapter.

(Ord. 03 §1, 2006)

13.70.110. - Violation.

- (a) It shall be unlawful to fail to comply with any provision of this Chapter. Any person who violates any provision of this Chapter shall be subject to the penalties set forth in Chapter

1.24 of this Code. Each day that such violation occurs or continues shall constitute a separate offense.

- (b) Failure of the customer to cooperate in the installation, maintenance, testing or inspection of backflow preventers required by this Chapter, or who violates any provision of this Chapter, shall be subject to the penalties set forth in Chapter 1.24 of this Code, and after notice and hearing, may be subject to termination of water service.
- (c) Service of water to any premises may be discontinued if unprotected cross-connections exist on the premises. The water service may be discontinued if the backflow preventer has been removed or bypassed or when any defect is found in an installed backflow preventer. Service shall not be restored until such conditions or defects are corrected.
- (d) Discontinuance of water service may be summary, immediate and without written notice whenever, in the judgment of the Town Administrator, such action is necessary to protect the public potable water supply or the distribution system from an imminent threat to public health.

(Ord. 03 §1, 2006)

13.70.120. - Variances.

- (a) In the event that strict application of the requirements of this Chapter would inflict an unnecessary and unreasonable hardship and unreasonable practical difficulty upon the owner, and other means of accomplishing the purposes of this Chapter are available, then the owner may seek and be granted a variance from that portion of the regulations creating the hardship and unreasonable practical difficulty. Additional expense alone shall be insufficient to create a hardship and unreasonable practical difficulty for purposes of this Section.
- (b) The owner shall submit a request for a variance to the Town Administrator on a form prescribed by the Town Administrator. The Town Administrator may submit the application to staff for review and comment. The Town Administrator shall review the variance application for completeness and in light of the purposes of this Chapter and departmental staff comments and recommendations. The Town Administrator may grant the application, grant the application with conditions or deny the application. The grounds for denial shall be specified in writing.
- (c) The Town Administrator may approve the application for variance if he or she finds all of the following:
 - (1) Special circumstance (such as physical limitations on construction, or inaccessibility of utility lines) that are not common to the structures or buildings as they currently exist, such that strict compliance with this Chapter would be impractical because of the physical nature of the building or structure; and
 - (2) There is an alternative identifiable, viable and verifiable means to protect the municipal water system from contamination or pollution by backflow from the owner's internal distribution system or water system; and
 - (3) The variance is not needed as a result of the actions of the owner or because of the owner's failure to otherwise comply with the requirements of this Chapter.

- (d) A variance shall not be permanent, but shall lapse or be terminated under any of the following conditions:
 - (1) The building or structure to which the variance applies remains uncompleted or unoccupied for more than one hundred eighty (180) consecutive days after issuance of the variance;
 - (2) The building or structure is demolished, or undergoes a substantial remodeling that does or could alleviate the conditions giving rise to the original variance;
 - (3) The owner fails to comply with the conditions or requirements of the variance, or fails to comply with any other requirement of this Chapter not otherwise excused or abated by the variance;
 - (4) The owner modifies or alters the owner's internal water or distribution system as approved by the Town variance without first obtaining approval by the Town.
- (e) Except for the matters provided for in the variance, an owner shall not be otherwise excused from compliance with the requirements of this Chapter as a consequence of grant of a variance.

(Ord. 03 §1, 2006)

13.70.130. - Non-Town-owned water systems.

- (a) Any owner receiving water service from a non-Town-owned water system located entirely or partially within the Town boundaries shall have all cross-connections controlled and backflow prevention that is comparable to that which is otherwise required in this Chapter.
- (b) No certificate of occupancy shall be issued for any new construction, or for substantial reconstruction of any existing building or structure, unless the owner presents evidence of compliance with this Chapter. Substantial reconstruction shall mean any construction for which a building permit is required by the Town. The Town Administrator shall promulgate the form of, and require completion of, a certificate of compliance which the owner shall present to the Town prior to, and as a condition of, issuance of a certificate of occupancy.
- (c) In lieu of a certificate of compliance promulgated by the Town, the Town Administrator may accept a verified certificate of compliance or comparable document issued by the directors or managers of the non-Town-owned water system, which document attests that a backflow prevention assembly acceptable to the owner of the water system has been duly installed. Provided that the document is authentic and provides the information otherwise required by the Town for issuance of a certificate of occupancy, the Town Administrator may accept such alternate proof of compliance.
- (d) In addition to examination of the written documentation of compliance, the Town Administrator may require that any backflow prevention assembly be physically inspected by the Town prior to issuance of a certificate of occupancy. The Building Inspector may deny issuance of a certificate of occupancy if the backflow prevention assembly is not properly installed, tested and operational at the time of inspection. The owner shall be required to submit copies of any test of the backflow prevention assembly to the Building Inspector for examination prior to issuance of a certificate of occupancy.

(Ord. 03 §1, 2006)

SECTION 2. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

SECTION 3. Effective Date. This ordinance shall take effect upon adoption and posting as provided by Section 5.26 of the Territorial Charter.

INTRODUCED, READ, APPROVED AND ORDERED POSTED IN FULL ON FIRST READING on the 9th day of February, 2016.

INTRODUCED ON SECOND READING, FINALLY ADOPTED AND ORDERED POSTED AFTER PUBLIC HEARING on the _____ day of _____, 2016.

TOWN OF GEORGETOWN

Matthew D. Skeen, Police Judge

ATTEST:

Jennifer Yobski, Town Clerk

Posted up in full on the Town's website and at Town Hall and two (2) other designated posting locations within the limits of the Town after final adoption, in accordance with Section 5.26 of the Territorial Charter.

Jennifer Yobski, Town Clerk

Date: _____