

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 1909

**AN ORDINANCE OF THE CITY OF SNOHOMISH ENACTING A NEW
CHAPTER 15.10 OF THE SNOHOMISH MUNICIPAL CODE RELATING TO
THE ESTABLISHMENT OF A WATER SYSTEM CROSS-CONNECTION
PROGRAM.**

WHEREAS, it is the policy of the City of Snohomish to protect the public water system as defined in WAC 246-290-010, from contamination via cross-connections; and

WHEREAS, Group A Public Water Systems WAC 246-290-490 mandates that water purveyors adopt ordinances that establish and implement a Cross-Connection Control program;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH
DO ORDAIN AS FOLLOWS:**

Section 1. Chapter 15.10. A new Chapter 15.10 is hereby added to the Snohomish Municipal Code, which shall read as follows:

Chapter 15.10

Cross-Connection Control Program Regulations

Sections:

- 15.10.010 Title.
- 15.10.020 Group A Public Water Systems adopted.
- 15.10.030 Cross-Connection Control Manual adopted.
- 15.10.040 Uniform Plumbing Code.
- 15.10.050 Scope.
- 15.10.060 Local Administrative Authority.
- 15.10.070 Definitions - Amended.
- 15.10.080 Cross-Connections Regulated.
- 15.10.090 Cross-Connection Protection
- 15.10.100 Expense to User/Consumer Borne.
- 15.10.110 Provisions for Water Service - New Construction.
- 15.10.120 Access to Premises.
- 15.10.130 Failure to Comply.
- 15.10.140 Notification of Cross-Connection Incident.
- 15.10.150 Facility Survey Inspection.
- 15.10.160 Plan Review - New Construction, Remodel and Additions.
- 15.10.170 Installation Requirements and Instruction.
- 15.10.180 Initial & Annual Testing and Repairs.
- 15.10.190 Costs of Compliance.
- 15.10.200 Termination of Service.
- 15.10.210 No Special Duty Created.

- 15.10.211 Severability.
- 15.10.212 Repealer.

15.10.010 Title. This chapter shall be known as the City of Snohomish, Cross-Connection Control Program Regulations.

15.10.020 Group A Public Water Systems Adopted. The Group A Public Water Systems WAC 246-290, is hereby adopted by reference. For the purposes of adoption, the word “purveyor” shall mean the City of Snohomish.

15.10.030 Cross-Connection Control Manual Adopted. The Cross-Connection Control Manual, Accepted Procedure and Practice, Sixth edition, published by the Pacific Northwest Section of the American Water Works Association, is hereby adopted by reference with amendments.

AMEND Table 4-2 titled Mandatory Service Isolation - column “Minimum Protection Recommended at Meter” to read “**Minimum Protection Determined At Meter**”.

AMEND Table 4-3 titled Recommended Service Isolation - column “Minimum Protection Recommended at Meter” to read “**Minimum Protection Determined At Meter**”.

AMEND Table 4-4 titled “Recommended Protection at Fixtures and Equipment” to read “**Required Protection at Fixtures and Equipment**” and **ADD language that reads “As Determined by Degree of Hazard”**.”

15.10.040 Uniform Plumbing Code and Standards Adopted with Amendments, WAC 51-46 and 51-47. The current edition, as adopted by Washington State, of the Uniform Plumbing Code and Standards published by the International Association of Plumbing and Mechanical Officials, as amended and adopted under Snohomish Municipal Code 19.04.050.

15.10.050 Scope. All community water systems must comply with the cross-connection control requirements of WAC 246-290-490. The City’s authority over cross-connection control shall begin at the water supply source and includes the entire public water treatment, storage, and distribution facilities. The City’s authority ends at the point of delivery to the consumer’s water system, which begins at the downstream end of the service connection or water meter located on the public right-of-way or utility easement.

15.10.060 Local Administrative Authority. Where provisions relative to cross-connection control are regulated under other codes adopted by City ordinance, or, where service connections are located outside of the City of Snohomish boundaries, the City may enter into a cooperative agreement for administration, inspection and enforcement of cross-connection control when applicable.

15.10.070 Definitions:

WAC Section 246-290-010 Definitions are hereby amended to include the following:

“Compliance Inspection” is an inspection performed by the Cross-Connection Control Specialist to ensure that the approved backflow prevention assembly(s) commensurate with the degree of hazard have been installed, and that the cross-connection to the purveyor’s water system no longer exists.

“Degree of Hazard” means the potential risk to public health and the adverse effect of the hazard upon the potable water system, depending on the type of cross-connection that could occur.

“Facility Survey Inspection” means the consumer’s premises has been inspected by the Cross-Connection Specialist for the purposes of evaluating and identifying potential and/or existing cross-connections, and determining by degree of hazard the required backflow protection necessary to protect the water supply of the consumer’s water system.

“Hydrant Use Inspection” means the inspection, monitoring and controlled use of a purveyor’s hydrant to ensure that equipment or vehicles have an approved backflow prevention device or assembly in place prior to receiving water from the purveyor’s water system.

“Potable Water Supply” means any water supply system intended or used for human consumption or other domestic uses and which must meet Washington State Department of Health Water System Rules and Regulations.

“Premises” means any piece of land to which water is provided, including all structures, occupied spaces, leased or tenant spaces, and any improvements made on and/or to.

15.10.080 Cross-Connections Regulated. No cross-connections shall be created, installed, used or maintained within the water utility boundaries serviced by the City of Snohomish. Any water district, municipal organization, or other organization, which is connected to the City water supply and/or which is furnished to people within said district or organization, shall cause all people or members to comply with the rules and regulation contained in this chapter.

15.10.090 Cross-Connection Protection. The City shall ensure that cross-connections between the distribution system and a consumer’s water system be eliminated or controlled by the installation of an approved backflow prevention assembly or device commensurate with the degree of hazard.

Depending on the degree of hazard, and the required backflow prevention assembly or device, the City may, at its discretion, rely on in-premise protection as adequately protecting the public water system. Where the degree of hazard requires more stringent isolation, the City may require both premise and in-premise isolation.

15.10.100 Expense to User/Consumer Borne. Pursuant to Section 15.10.080, cross-connections that exist, or which have the potential to create or cause conditions that require protection of the public water system, by the installation of approved backflow prevention assemblies or devices, providing premise isolation and/or in-premise isolation, shall be installed, tested, and maintained at the user/consumer’s expense.

15.10.110 Provisions for Water Service - New Construction. All new connections where backflow prevention is required in accordance with this chapter will not have water service provided until the Cross-Connection Control Specialists receives a copy of the initial Backflow Assembly Test report, which indicates the assembly or device is approved and passed all required testing. The testing and report must be prepared and conducted by an approved, certified Backflow Assembly Tester.

15.10.120 Access to Premises. Authorized employees of the City of Snohomish, with proper identification, shall have access during reasonable hours and with reasonable notification to all premises to which water is supplied.

15.10.130 Failure to Comply. In the event any water user refuses access to premises for inspection by the Cross-Connection Control Specialist, or fails to comply with any requirements of this chapter, the City may at its sole discretion require the user/consumer to immediately install premise isolation, terminate the water service, and the user/consumer may be cited with a misdemeanor infraction pursuant to Snohomish Municipal Code Title 19, Building and Construction Codes.

15.10.140 Notification of Cross-Connection Incident. In the event of any cross-connection incident, where the purveyor's water system has been or may be contaminated, the Cross-Connection Control Specialist and the local administrative authority shall be notified immediately. Failing to notify an incident has occurred shall subject the property owner, user/consumer to the provisions of Section 15.10.130, Failure to Comply. All costs incurred enforcing this provision shall be borne by the person(s) that caused the cross-connection to occur.

15.10.150 Facility Survey Inspection. The facility survey inspection is an on-site inspection to determine the degree of hazards present if any, the appropriate backflow prevention assembly to control the hazard, and to verify the proper installation and function of existing backflow prevention assemblies or devices.

- A. If a cross-connection exists without protection, the user/consumer will be given a written correction notice that outlines the corrective action required. Based on the degree of hazard found, a compliance date will be determined, and a compliance inspection will be required. Facility surveys may also be conducted from time to time to ensure compliance with this section. The City will notify the local administrative authority of all actions taken.
- B. For existing facilities, the City will notify the property owner and/or occupant, (user/consumer) in writing to request an inspection appointment. If there is no response, the City will send a second request certified mail (return receipt requested), notifying them that an inspection of the facility will be conducted within five (5) working days from the date the City receives proof that the letter was received. Pursuant to Section 15.10.130, the City may take action for failure to comply.
- C. For new construction, remodels or additions, a facility survey will be completed at final inspection in conjunction with the local administrative authority.

15.10.160 Plan Review - New Construction, Remodel and Additions

- A. When the proposed scope of work requires installation of, connection to, or use of the City's water system, the user/consumer shall provide the purveyor with a detailed plumbing diagram of all plumbing fixture types and locations. Plans shall provide cross-connection protection, type of backflow assemblies and installation requirements. No construction or use of water system service, whether permanent or temporary, will be permitted until the City has reviewed and approved the plans for compliance. The local administrative authority and the City will coordinate and conduct a cooperative plan review.
- B. When the scope of work is within an existing building, facility, use or parcel and involves new construction or remodeling, the consumer shall provide the City with the detailed drawings and plumbing diagrams proposed for review and approval. The plans shall provide cross-connection protection, type of backflow assemblies and installation requirements. In multi-tenant facilities, a complete plumbing diagram which details existing conditions, including protection methods, are required to be submitted to ensure that no potential cross-connection exists or may cause a hazard to be created which would affect the City's water system. The local administrative authority and the City will coordinate and conduct a cooperative plan review.

15.10.170 Installation Requirements and Instructions. To ensure proper operation and accessibility of all backflow prevention assemblies, the following requirements shall apply:

- A. No part of the backflow prevention assembly shall be submerged in water or installed in a location subject to flooding. If a backflow prevention assembly is installed in a vault or basement, adequate drainage shall be provided. Reduced Pressure Principle Assemblies shall be installed above ground.
- B. Assemblies must be installed at the point of use. Alternate locations must be requested in writing and approved by the City of Snohomish prior to installation.
- C. The assembly must be protected from freezing and other severe weather conditions.
- D. All backflow prevention assemblies to be installed shall be of a type and model pre-approved by the Washington State Department of Health and the City of Snohomish.
- E. The assembly shall be readily accessible with adequate room for maintenance and testing. All devices shall have a minimum of twelve inches clearance on all sides of the device.
- F. If written permission is granted to install the backflow assembly inside a building, the assembly shall be readily accessible during regular working hours of 8:00 a.m. to 4:30 p.m., Monday through Friday.
- G. If an assembly is approved for installation inside of the premises, and it is installed five feet above the floor, it must be equipped with rigid and permanently installed scaffolding or platforms acceptable to the City of Snohomish. The installation must also meet the

requirements set out by the U.S. Occupational Safety and Health Administration and the State of Washington Occupational Safety and Health Codes.

- H. Reduced Pressure Principle Assemblies shall be installed above ground level only if a relief valve discharge can be drained to daylight through a “boresight” type drain. The drain shall be of adequate capacity to carry the full rated flow of the device and shall be screened on both ends.
- I. An approved air gap shall be at least twice the inside diameter of the incoming supply line as measured vertically above the top rim of the drain and in no case less than one inch.
- J. Where a backflow device is deemed necessary, the model of the assembly and installation plans shall be submitted to the City of Snohomish for approval prior to installation.
- K. Upon backflow device installation, the City of Snohomish shall be notified and all devices shall be inspected and tested. All backflow devices must be registered with the City of Snohomish by means of the initial test report.
- L. Prior to installation, any variances from these installation requirements shall be requested in writing by the owner and approved by the City of Snohomish.
- M. The City shall be notified within twenty-four (24) hours of the installation of a backflow assembly, and an inspection scheduled with the Cross-Connection Control Specialist and the local administrative authority to ensure compliance. All backflow assemblies shall be tested upon installation and annually thereafter, and following any retrofit, by a Certified Backflow Assembly Tester, and a copy of all test reports submitted to the purveyor for approval within five (5) working days of the test.

15.10.180 Initial and Annual Testing, Repairs. All backflow assemblies installed within the water service boundaries served by the City of Snohomish water utility shall be tested immediately upon installation and on an annual basis thereafter, and following each assembly retrofit. A Washington State Certified Backflow Assembly Tester shall perform the testing. All devices not functioning properly at the time of testing shall be promptly repaired or replaced. Any device not promptly repaired or replaced may cause the City of Snohomish to deny or discontinue water to the premises. All testing and repairs are the financial responsibility of the water user. A copy of the approved test report shall be provided to the Cross-Connection Control Specialist within five (5) working days of the test.

15.10.190 Costs of Compliance. All costs associated with purchase, installation, inspections, testing, replacement, maintenance, parts, and repairs of the backflow device are the financial responsibility of the water user. In the event the City must initiate action to enforce compliance with this chapter, all costs incurred enforcing the action shall be borne by the water user, and the City may use whatever means necessary to recover the costs of enforcement.

15.10.200 Termination of Service. Failure on the part of any customer to discontinue the use of all cross-connections except in accordance with this ordinance, is sufficient cause for the immediate discontinuance of public water service to the premises.

15.10.210 No Special Duty Created. It is the purpose of this chapter to provide for the health, welfare and safety of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

It is the specific intent of this chapter to place the obligation of complying with its requirements upon the permit applicant and any person owning, operating or controlling any premises, building or structure within the scope of this chapter; that no provision nor term used in this chapter is intended to impose any duty whatsoever upon the City or any of its officers, agents or employees for whom the implementation or enforcement of this chapter shall be discretionary and not mandatory.

Nothing contained in this chapter is intended to be, nor shall be, construed to create or form the basis for any liability on the part of the City or its officers, agents and employees for any injury or damage resulting from the failure of any premises or building to comply with the provisions of this chapter or be reason or a consequence of any inspector, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this chapter or by reason of any action of the City related in any manner to the enforcement of this chapter by its officers, agents or employees.

15.10.211 Severability. The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this chapter or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

15.10.212 Repealer. All provisions of the Snohomish Municipal Code, which are inconsistent with this ordinance, are hereby repealed.

PASSED by the City Council and APPROVED by the Mayor this 7th day of September, 1999.

CITY OF SNOHOMISH

By _____
Jeff Soth, Mayor

ATTEST:

By _____
Molly Linville, City Clerk

APPROVED AS TO FORM:

By _____
Grant Weed, City Attorney

Date of Publication: _____

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