

CHAPTER 51: WATERWORKS AND SEWERAGE SYSTEM

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GENERAL PROVISIONS**§ 51.001 COMBINED WATERWORKS AND SEWERAGE SYSTEMS.**

(A) It is hereby found, determined, and declared to be necessary for the public health, safety, welfare, and benefit of the city, and its inhabitants, that the existing waterworks of said city and the proposed sanitary sewerage system and all future improvements and extensions thereto, be combined and that they shall thenceforth be operated and maintained as a combined waterworks and sewerage system.

(B) Thenceforth, from and after April 12, 1965, the existing waterworks of the city, and the proposed sanitary sewerage system and all future improvements and extensions thereto, whether to the waterworks or to the sewerage system or to both, shall be and the same are combined and its is hereby declared that said waterworks and said sewerage system, and all future improvements and extensions thereto as aforesaid, thenceforth be operated and maintained as a combined waterworks and sewerage system.

(Prior Code, § 700.010) (Ord. 104, passed 4-12-1965)

§ 51.002 THE COMMITTEE ON PUBLIC UTILITIES.

The Committee on Public Utilities, Public Health, and Safety shall exercise general supervisory control of public utilities owned by or operating within the city and shall exercise general supervisory control over the health and safety of the inhabitants of the city; shall have full and complete control, charge, and management of the waterworks of the city; shall see that all revenues of the waterworks are segregated from other city revenue and deposited into the separate funds required by ordinance; shall supervise the location of fire hydrants and water mains, sewers, artificial drainage ditches, telephone and electric lines, poles, and installations within the city; shall periodically inspect the city, at least quarterly,

to determine the existence of any nuisances therein detrimental to the public health and safety of the inhabitants of the city and report same to the Board or Board of Health, if found; shall recommend rules for the government of the waterworks system and rates to be charged for water, services, and installations of the waterworks system made by the city.
(Prior Code, § 700.020) (Ord. 146, passed 10-1-1970)

§ 51.003 RESTRICTING USE OF WATER DURING PUMP REPAIR OR REPLACEMENT.

(A) During the time the water pump and the water distribution system of the city is being replaced or repaired, being approximately August 4 through August 6 inclusive, use of water by water consumers of the city shall be restricted to that which is needed for personal consumption, including drinking water, laundry, showers, baths, washing of dishes, toilet facilities, and other essential domestic uses inside a home or building. Water shall not be used for non-essential uses including, but not limited to, watering the lawn, washing vehicles, watering the garden, and washing of exterior structures.

(B) During the time while the water pump or the water distribution system of the city is being repaired or replaced, should any said official, employee or Alderman observe a water consumer use water in violation of this section, they shall immediately notify said water consumer orally or in writing to cease and desist the use of the water in violation of this section. If the water user, after being so notified, fails to immediately cease and desist use of water in violation of this section, said water user shall be immediately disconnected from the city waterworks system and shall be required to pay prior to reconnection and, in addition to all normal charges associated with reconnection due to disconnection of water service, an additional \$100 charge for violation of this section.
(Prior Code, § 700.030) (Ord. 322, passed 7-26-2003)

SUPERINTENDENT OF MAINTENANCE OF THE WATERWORKS SYSTEM

§ 51.015 ESTABLISHMENT OF OFFICE.

There is hereby established the office of Superintendent of Maintenance of the Waterworks System of the city.
(Prior Code, § 705.010) (Ord. 68A, passed 10-20-1958)

§ 51.016 APPOINTMENT.

The office shall be filled by appointment by the Mayor with the consent and approval of the Board of Aldermen.
(Prior Code, § 705.020) (Ord. 68A, passed 10-20-1958)

§ 51.017 DUTIES.

The Superintendent of Maintenance of the Waterworks Systems of the city shall be the custodian of the building, the land housing the same with its tower thereon, and keeper of the keys to the locks guarding entrances thereto. The Superintendent shall permit entrance to the Mayor or others designated by the Mayor upon the Mayor's written request, or upon the request of any member of the Board of Aldermen, and attested by the City Clerk. The Superintendent shall make readings of the water meters of the city waterworks system at least monthly and record the same and turn in such records to the City Clerk; take water samples when required by the Board or State Health Department; flush the fire hydrants at least once a month; make a daily inspection of the waterworks system, pump, pump house, lot, and tower; inspect new connections and reconnections to the waterworks system and if adequate and satisfactory approve the same; install all meters, making the actual connection for in or out pipes thereto, and make disconnections when removal of meters are necessary. The Superintendent shall attend all calls and complaints when made, make needed repairs or corrections. The Superintendent shall perform such duties as will maintain the city waterworks system in compliance with all federal, state, county, and city laws, statutes, ordinances, rules, and regulations.

(Prior Code, § 705.030) (Ord. 68A, passed 10-20-1958; Ord. 308, passed 5-1-2001)

§ 51.018 REPORT TO BOARD; ATTEND CERTAIN BOARD MEETINGS AS REQUIRED.

The Superintendent of Maintenance of the Waterworks System shall report to the Board all defects in the water system which his or her inspections reveal and all unsatisfactory connections to the city system from the premises of private users. Such report shall be made in writing to the City Clerk for presentation to the Board or may be made orally at any meeting of the Board of Aldermen. The Superintendent of Maintenance of the Waterworks System shall attend such meetings of the Board of Aldermen as required by the Board.

(Prior Code, § 705.040) (Ord. 68A, passed 10-20-1958)

§ 51.019 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PREMISES. A platted lot or unplatted tract of land, either within or without the city limits of Otterville, Missouri.

SYSTEM. The waterworks system of the City of Otterville, Missouri.

WATER SERVICE. The furnishing of water from the waterworks system of the city.
(Prior Code, § 705.050) (Ord. 213, passed 5-3-1983)

§ 51.020 APPLICATION FOR WATER SERVICE.

(A) The Water Superintendent shall place a pad lock on water meters of any properties to prevent owners or renters from turning water when the city has turned water off for non-payment, and/or to prevent water loss when a problem has occurred at that specific address. All city utilities due to the vacancy of a tenant of any residence become the responsibility of the property owner. All city utilities must be paid in full in order for the removal of water meter lock and for service to resume.

(B) An application from any person who, or organization which, has failed to make payment of any of his, her, or its taxes or other debts due the city, at the time such application is submitted to the City Clerk, shall not be accepted and approved until such default has been extinguished.

(C) With the delivery of the application to the City Clerk, if the applicant is the owner of the premises to be furnished with water service, the applicant shall also deliver to the City Clerk the sum of \$150, which sum shall be retained by the city, without interest, as security for the payment of the account incurred for water service furnished to the premises for which application for water service is made. If the applicant is not the owner of the premises to be furnished with water service, then with delivery of the application to the City Clerk, the applicant shall deliver to the City Clerk the sum of \$200, which sum shall be retained by the city without interest as security for payment of the account incurred for water service furnished to the premises for which application for water service is made. The application shall not be accepted by the City Clerk unless the sum required to be paid as a deposit at the time the application is submitted, accompanies said application. The City Clerk shall give to the applicant a receipt for the money so deposited. If the statement of account for water service is not paid within the time required in § 51.023, the amount of such account shall be deducted from said deposit. In the event a water service customer has paid the customer's bill by the due date for three consecutive years, the City Clerk shall refund 50% of the deposit to the customer. Upon discontinuance of water service due to the vacation of, or change in owner of, the premises served, the balance of said deposit shall be returned to depositor.

(Prior Code, § 705.060) (Ord. 213, passed 5-3-1983; Ord. 313, passed 2-5-2002; Ord. 380, passed 1-5-2008; Ord. 424, passed 8-13-2014)

§ 51.021 WATER SERVICE RATES.

(A) *Minimum charges.*

(1) The minimum charge per month for any user of water services shall be \$7.12 plus \$13.22 for water equipment repair and maintenance, this includes the first 1,000 gallons of water. In addition, for every 1,000 gallons thereafter, or fraction thereof, a charge of \$5.48 will be applied.

(2) The minimum charge per month per unit of a MDU (multi-dwelling unit reference ordinance 455) for water services shall be \$7.12 plus \$13.22 for water equipment repair and maintenance, this includes 1,000 gallons of water per unit. In addition, for every 1,000 gallons thereafter, or fraction thereof, a charge of \$5.48 will be applied.

(B) *Audit surcharge.* A water utility audit surcharge in the amount of \$6 per month to begin the first billing cycle after commencement of petition audit by the State Auditor and to remain in effect until all costs of audit are paid.

(Prior Code, § 705.070) (Ord. 454, passed 10-14-2020)

§ 51.022 MISCELLANEOUS CHARGES.

The following charges shall be paid by premises owner or occupier furnished or to be furnished water service from said system:

(A) For installation of water line from city water main to water meter, measuring water to be furnished to a premises: \$600;

(B) For late payment of statement of account for water service furnished: \$25;

(C) For disconnection of water service due to temporary vacancy or failure to pay the account during regular business hours: \$50. **REGULAR BUSINESS HOURS** being defined as Monday through Friday from 8:00 a.m. to 3:00 p.m., unless it is on a holiday for city employees. An additional \$25 disconnection fee shall be charged if the property owner requests, and the city can accommodate a disconnection on hours other than regular business hours; and

(D) For re-connection of water service previously connected to said system during regular business hours: \$50. An additional charge of \$25 will be made for re-connection of water service previously connected to said system, when the property owner or account holder requests service and the city can accommodate the hook-up of service on hours other than regular business hours.
(Ord. 382, passed 3-1-2008)

§ 51.023 STATEMENTS OF ACCOUNTS FOR WATER SERVICE.

The City Clerk shall prepare a statement of account for each premises to which water service was furnished. Such statement shall cover the period of time between the sixteenth of the month and fifteenth of the following month and shall be prepared monthly and charged to the name of the person who, or organization which, applied for water service. Such account shall also include any miscellaneous charges against the premises concerned during the billing period. Such account shall be due by the tenth of the month and considered late thereafter and a late fee applied. Account not paid by the fifteenth at noon will be disconnected with disconnect/re-connect fees applied.

(Ord. 449, passed 3-13-2019)

§ 51.024 WATERWORKS FUND.

(A) The City Clerk shall pay over to the Treasurer of said city all money received from the sale of water supplied from said system and from miscellaneous charges made. The City Treasurer shall deposit

said monies received for water supplied and for said charges in a fund designated as the "Waterworks Fund" of the city, as established by ordinance 49 of said City. The City Treasurer shall continue the present accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to said monies received by said Treasurer. Said Treasurer, at regular annual intervals, shall cause an audit to be made, all as provided in said ordinance 49.

(B) The City Clerk shall deposit \$6,000 in the month of June each year beginning in the year 2020. Deposit shall be made annually to the Water Tower Saving Account to be used for water tower maintenance or replacement. This yearly amount shall be included in the yearly water budget. (Prior Code, § 705.100) (Ord. 213, passed 5-3-1983; Ord. 447, passed 3-13-2019)

§ 51.025 WATER SERVICES.

Water service shall be furnished to a premises only through water meters belonging to the city. Service lines may be installed to outer buildings belonging to the property owner, providing out building is for home based business or personal use only. (Ord. 428, passed 1-14-2015)

§ 51.026 RESALE OF WATER PROHIBITED.

No water furnished from said system to a premises shall be resold and no water furnished to one premises shall be furnished from such premises to other premises. (Prior Code, § 705.120) (Ord. 213, passed 5-3-1983)

§ 51.027 WATER LINES; ALTER, REPAIR, AND THE LIKE REQUIRES WRITTEN PERMIT ISSUED BY CITY CLERK.

No person shall place nor employ any other person to place any cap on, or connection to, a water line on a premises served by said system for the purpose of altering, repairing, extending, or fixing attachments to said water line without written permit issued by the City Clerk. (Prior Code, § 705.130) (Ord. 213, passed 5-3-1983)

§ 51.028 INSTALLATION OF WATER SERVICE PIPE.

Installation of water service pipe from a meter to the nearest boundary line of the premises to be served shall be the responsibility of, and at the expense of, the owner or occupier of the premises to be served, as the case may be. Such pipe from the meter to the premises' boundary line shall be cast iron, galvanized wrought iron, or copper pipe or tubing, not less than three-fourths inch in diameter, and shall be laid not less than 30 inches below the surface. A shut off valve shall be placed on the property owner's side of the meter, allowing the property owner to shut off water to the premises. Before the

trench in which such line is installed is refilled, the Superintendent of Maintenance of said city shall inspect the pipe installed and, if said pipe does not meet the specifications for pipe above mentioned or such pipe is not laid at least 30 inches below the surface of the ground, water service shall not be furnished to the premises concerned until the above specifications have been met.

(Ord. 344, passed 6-4-2005)

§ 51.029 FUTURE EXTENSIONS.

In the event it is necessary to extend the public water system for future development or service, the owner or owners of property to be served shall petition the Board of Aldermen for said extension to be made. Upon approval of said future extension, the owner or owners involved shall have plans and specifications prepared by a professional engineer duly registered in the State of Missouri; shall obtain all necessary permits and easements for said extension; and shall cause said extension to be constructed in compliance with all laws, rules, and regulations. The cost of said extension shall be entirely borne by owners. After said extension is approved by the city, the city shall be dedicated to the city as public water main and shall be the responsibility of the city to maintain said extension as of that time. Any water service pipe in excess of 175 feet from the meter to the structure to be served shall be viewed the same as an extension and be subject to the same requirements as an extension.

(Ord. 344, passed 6-4-2005)

§ 51.030 WATER HYDRANTS.

No person shall take water from any hydrant which is a part of said waterworks system, except for the purpose of extinguishing a fire damaging structures on nearby premises and except for the purpose of sprinkling streets and flushing sewers or gutters when a person so taking water from a hydrant for such purposes is authorized to do so by written permission of the City Clerk. The written permission shall limit such taking to a particular day, time, and location.

(Prior Code, § 705.150) (Ord. 213, passed 5-3-1983) Penalty, see § 51.999

§ 51.031 ACCESS TO PREMISES RECEIVING WATER SERVICE.

Members of the Board of Aldermen, the Superintendent of Maintenance, and other employees of said city authorized by said Superintendent shall have unimpeded access at all reasonable times to premises receiving water service from said system for the purpose of determining the use being made of water being supplied to said premises or the amount of water consumed or for inspecting water lines located on said premises and for such other purposes deemed advisable for the proper operation and maintenance of said system and no person shall interfere with, prevent, or obstruct said city officials, agents, and employees seeking access to such premises.

(Prior Code, § 705.160) (Ord. 213, passed 5-3-1983)

§ 51.032 LIABILITY.

The city shall not be liable to applicant nor to any user of water at the premises served by said system for bodily injury to, or damage to, property of the owner or occupier of such premises because of the breaking of any water main, service pipe, or other apparatus connected with said system nor due to interruption of the supply of water by reason of the failure of machinery of said system to function, or by reason of stoppage of water service for the installation of hydrants and other connections to said system or by reason of repairing or laying of water mains or lines or by reason of failure of the water supply or by reason of increasing water pressure at any time or from concentrated or restrictive use of water or by reason of alterations, extensions, or other changes in said system.

(Prior Code, § 705.170) (Ord. 213, passed 5-3-1983)

§ 51.033 DISCONTINUANCE OF WATER SERVICE.

Water service to any premises served by said system may be diminished, suspended, or discontinued by the city for the following purposes and reasons:

(A) To clean, repair, make extensions to, or connections with water mains and lines;

(B) To concentrate the flow of water to a particular area within or without the limits of said city in case of fire or other damage requiring additional water pressure to control or extinguish the fire or other damage;

(C) To restrict the use of water in the event of deficiency in the city's water tanks, reservoirs, or water wells;

(D) For refusal of premises owners or occupiers to permit access to said premises required by § 51.031;

(E) In case of vacancy of premises being served;

(F) For violation of §§ 50.023, 50.025 – 50.027, 50.030, and 50.034;

(G) For tampering with or damaging any water main, hydrant, service pipe, meter, lock, valve seal, or other appliance or equipment constituting a part of said system;

(H) On notice from owner or occupant of premises being served water service to discontinue service; and

(I) Except for discontinuance under the provisions of divisions (A) and (B) above, any time water service is discontinued and if the meter is not removed, the meter shall be locked. In the event the meter is locked, and should the lock be tampered with, removed, or destroyed, there will be a presumption that the water customer, or if there is no water customer, the property owner, was the person who damaged,

interfered with, or removed the lock such that they would be responsible for any water usage after the city has placed a lock on the water meter.

(Ord. 382, passed 3-1-2008)

§ 51.034 TAMPERING WITH SYSTEM.

It shall be unlawful for any person or persons to tamper with any water main, water meter, lock, or other part of the city's water works or to make any connection to said system, or to reconnect service when service has been discontinued; however, in the event of an emergency, any city official or authorized emergency personnel will be allowed to shut off water due to said emergency. In any prosecution under this section due to connection or re-connection of the water system, tampering with the meter, tampering the lock if the person or persons accused receive the use or direct benefit of the water service, this shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that there has been a violation of this section by the person or persons who use or receive the direct benefit of the water service.

(Ord. 382, passed 3-1-2008) Penalty, see § 51.999

§ 51.035 AGREEMENTS; AUTHORITY.

No official and no agent of the city shall have authority to bind the city by any promise, agreement, or representation with reference to the operation and maintenance of said waterworks system, unless such authority is given in writing, signed by the Mayor, and attested by the City Clerk.

(Prior Code, § 705.190) (Ord. 213, passed 5-3-1983)

LEAD BAN POLICY

§ 51.050 LEAD BAN; GENERAL POLICY.

(A) *Purpose.* The purpose of this subchapter is:

- (1) To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system; and
- (2) To protect city residents from lead contamination in the city's public drinking water system and their own private plumbing systems.

(B) *Application.* This subchapter shall apply to all premises served by the public drinking water system of the city.

(C) *Policy.* This subchapter will be reasonably interpreted by the water purveyor. It is the purveyor's intent to ban the use of lead-based material in the construction or modification of the city's drinking water system or private plumbing connected to the city system. The cooperation of all consumers is required to implement the lead ban. If, in the judgement of the water purveyor or his or her authorized representative, lead base materials have been used in new construction or modification after January 1, 1989, due notice shall be given to the consumer. The consumer shall immediately comply by having the lead base materials removed from the plumbing system and replaced with lead free materials. If the lead base materials are not removed from the plumbing system, the water purveyor shall have the right to discontinue water service to the premises.

(Prior Code, § 705.210) (Ord. 295, passed 8-3-1999)

§ 51.051 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONSUMER. The owner or person in control of any premises supplied by or in any manner connected to a public water system.

LEAD BASE MATERIALS. Any material containing lead in excess of the quantities specified in the definition of **LEAD FREE** below.

LEAD FREE.

(1) When used with respect to solder and flux, refers to solders and flux containing not more than 0.2% lead; and

(2) When used with respect to pipes and pipe fittings, refers to pipes and pipe fittings containing not more than 8% lead.

PUBLIC DRINKING WATER SYSTEM. Any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes, and meets the requirements of the Missouri Department of Natural Resources.

WATER PURVEYOR. The owner, operator, or individual in responsible charge of a public water system.

(Prior Code, § 705.220) (Ord. 295, passed 8-3-1999)

§ 51.052 LEAD BANNED FROM DRINKING WATER PLUMBING.

(A) No water service connection shall be installed or maintained to any premises where lead base materials were used in new construction or modifications of the drinking water plumbing after January 1, 1989.

(B) If a premises is found to be in violation of division (A) above, water service shall be disconnected until such time that the drinking water plumbing is lead free.
(Prior Code, § 705.230) (Ord. 295, passed 8-3-1999)

BACKFLOW PREVENTION POLICY

§ 51.065 PURPOSE.

The purpose of this subchapter is to protect the public potable water supply of the city by containing within the customer's internal distribution system or the customer's private water system such contaminants or pollutants that could backflow into the public water system.
(Ord. 357, passed 4-1-2006)

§ 51.066 AUTHORITY OF SUPERINTENDENT OF MAINTENANCE OF THE WATERWORKS SYSTEM.

The Superintendent of Maintenance of the waterworks system shall administer this subchapter. The Superintendent shall designate by regulation the types of premises that generally will require a backflow device under this subchapter and shall issue any other regulations necessary to carry out the requirements of this subchapter. The Superintendent shall mail written notice to customers whose premises fall within the designated categories in accordance with a schedule set forth in the regulations. Each notice shall give the owner of the premises a reasonable time period in which to install a backflow device, or to provide evidence to the Superintendent that the particular premises does not require a backflow device under this subchapter. The owner may, within the allowed time frame, request a hearing before the Superintendent. The Superintendent may request additional evidence and may inspect the premises before making a final decision. The Superintendent will notify the owner of his or her final decision on the necessity of a backflow prevention assembly for the particular premises. If a device is required, the owner must install the device within 90 days of the date of the Superintendent's final decision. If the owner has not installed the device or commenced judicial action for review of the Superintendent's decision within the 90-day period, the Superintendent may terminate water and sewer service to the premises.
(Ord. 357, passed 4-1-2006)

§ 51.067 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUXILIARY WATER SUPPLY. Any water supply on or available to the premises other than the city's approved public 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, harbor and so forth, used waters, or industrial fluids.

BACKFLOW. The undesirable reversal of flow in a potable water distribution system as a result of a cross-connection.

BACKFLOW PREVENTION ASSEMBLY. An assembly or means designed to prevent backflow. The approved types are as follows.

(1) **AIR GAP.** The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water or waste to a tank, plumbing fixture, receptor, or other assembly and the flood level rim of the receptacle. These vertical physical separations must be at least twice the diameter of the water supply outlet, and never less than one inch (25 millimeters).

(2) **DOUBLE CHECK VALVE ASSEMBLY.** The approved double check valve assembly consists of two internally spring loaded check valves, installed as a unit between two tightly closing resilient-seated shutoff valves and fittings with properly located resilient-seated test cocks.

(3) **REDUCED-PRESSURE PRINCIPAL BACKFLOW PREVENTION ASSEMBLY.** The approved reduced pressure principle backflow prevention assembly consists of two independently acting approved check valves, together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and below the first check valve. These units are located between two tightly closing resilient seated shutoff valves as an assembly and equipped with properly located resilient seated test cocks.

CONTAMINANT. Any foreign substance that degrades the quality of the potable water supply or creates a health hazard.

CROSS-CONNECTION. A connection between any part of a potable water system and any other fluids containing other substances in a manner that, under any circumstances, would allow such substances to enter the potable water system. Other substances may include gases, liquids, or solids, such as chemicals, waste producers, steam, water from other sources (potable or non-potable), or any matter that may change the color or add odor to the water.

INDUSTRIAL FLUIDS. Any fluids or solution that may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration that would constitute a health, system, pollution, or plumbing hazard if introduced into an approved water supply. This may include, but shall not be limited to, polluted or contaminated waters; all types of process waters and used waters originating from the public potable water system that may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulating cooling waters connected to an open cooling tower; or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters, such as wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, and the like; oils, gases, glycerin, paraffins, caustic and acid solutions; and other liquid and gaseous fluids used in industrial or other purposes, including for firefighting purposes.

POLLUTANT. Any foreign substance in water that tends to degrade its quality so as to constitute a non-health hazard or impair the usefulness of the water.

SUPERINTENDENT. The Superintendent of Maintenance of the Waterworks System.

WATER, NON-POTABLE. Water that is not safe for human consumption or that is of questionable quality.

WATER, POTABLE. Water that is safe for human consumption as described by the Safe Drinking Water Act (42 U.S.C. §§ 300 et seq.).
(Ord. 357, passed 4-1-2006)

§ 51.068 COMPLIANCE.

No water service connection to any premises shall be installed or maintained unless the water supply is protected as required by this subchapter. Water service to any premises shall be discontinued by the Water Department Superintendent or his or her authorized representative if a backflow prevention assembly required by this subchapter is not installed, tested, and maintained, or if it is found that a backflow prevention assembly has been removed or bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
(Ord. 357, passed 4-1-2006)

§ 51.069 EXISTING WATER CONNECTIONS.

The owner of any existing commercial and industrial premises shall protect the public water system against backflow by installing an approved device commensurate with the degree of hazard in the non-fire service line, if the premises contain the following:

(A) An auxiliary water 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 Water Department;

(B) Any industrial fluids or any other objectionable substances that are handled in such a fashion as to create an actual or potential hazard to the public water system; or premises where, in the opinion of the Superintendent, an undue health threat is posed because of the presence of toxic substances. This shall include the handling of process waters and waters originating from the utility system that have been subject to deterioration in quality; or

(C) Multiple internal cross-connections; or premises where entry to the necessary portions of the premises is not accessible for inspection purposes, making it impossible to ascertain whether or not dangerous cross-connections exist.

(Ord. 357, passed 4-1-2006)

§ 51.070 NEW WATER CONNECTIONS.

(A) All new commercial and industrial non-fire water service lines, and new underground connections for irrigation systems with facilities for introduction of chemical additives or with equipment creating back pressure, must have an approved air gap separation or an approved reduced pressure principle backflow prevention assembly installed in the line, in accordance with § 51.072.

(B) New and existing irrigation systems without facilities for injection of pesticides, herbicides, or other chemicals must have an approved double check valve assembly installed in accordance with § 51.072 and with other provisions of this subchapter. The backflow assembly may be installed between the customer service line and the irrigation system.

(C) New fire protection systems using chemical additives must have an approved air gap separation or an approved reduced-pressure principle backflow prevention assembly installed in the line in accordance with § 51.072. New fire protection lines not using chemical additives must have an approved double-check valve assembly installed in the service line in accordance with § 51.072.

(D) Major modifications or major additions to water systems will be considered to be new service lines or systems for purposes of this section.
(Ord. 357, passed 4-1-2006)

§ 51.071 INSPECTIONS; CORRECTION OF VIOLATIONS.

The customer's system should be open for inspection at all reasonable times to the Superintendent or other authorized representatives of the Water Department to determine whether cross-connections or other structural or sanitary hazards, including violations of this subchapter, exist. When such a condition becomes known, the Superintendent shall notify the consumer and give a reasonable period of time to correct the condition.

(Ord. 357, passed 4-1-2006)

§ 51.072 PERMIT INSTALLATION STANDARDS.

(A) A permit must be issued by the Superintendent prior to the start of construction or modification of equipment subject to this subchapter.

(B) An air gap's discharge pipe shall terminate minimum of two pipe diameters of the discharge pipe above the flood level rim of the receiving vessel. In no case shall the distance be less than one inch.

(C) A reduced-pressure principle assembly shall not be installed upstream of a fire pump.

(D) Reduced-pressure principle backflow prevention assemblies shall be installed with no plug or additional piping affixed to the pressure differential relief valve port, except for specifically designed funnel apparatus available from the manufacturer, and with the pressure differential relief valve port a

minimum of 12 inches above floor level. Additionally, the assembly shall be installed at a location where any leakage from the pressure differential relief valve port will be noticed, that allows easy access to the assembly for maintenance and testing, and that will not subject the assembly to flooding, excessive heat, or freezing.

(E) Each backflow assembly shall be installed at a location that allows easy access to the assembly for maintenance and testing and that will not subject the assembly to excessive heat or freezing.

(F) Only those models of double-check valve assemblies and reduced-pressure principle backflow prevention assemblies which are on the approved list maintained by the state's Department of Natural Resources are acceptable.

(G) Backflow prevention assemblies shall be installed on the customer water system inside the wall immediately after the meter, where the customer service line enters the building, but in all cases before the first branch, except where such placement would violate the requirement of division (C) above. Any deviations from this shall be approved in advance by the Superintendent.

(H) No bypass piping shall be allowed around a backflow prevention assembly unless the bypass is equipped with the same level of protection.
(Ord. 357, passed 4-1-2006)

§ 51.073 INSPECTIONS AND TESTS BY USER.

It shall be the duty of the customer-user at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made at least once per year, as well as at the time of construction or installation. Annual inspections should be completed each year by September 13. In those instances where the Superintendent deems the hazard to be great enough, certified inspections may be required at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by a tester certified by the state's Department of Natural Resources. These assemblies shall be repaired, overhauled, or replaced at the expense of the customer-user whenever such assemblies are found to be defective. Records of such tests, repairs, and overhaul shall be mailed to and kept by the Superintendent for a period of five years. The report must be on an approved form and must contain the name, signature, and certificate number of the certified backflow prevention assembly tester attesting to the compliance of the assembly with established operational requirements. Routine reports shall be submitted within five days after making the inspection or test.
(Ord. 357, passed 4-1-2006)

§ 51.074 EXEMPTIONS.

(A) All presently installed backflow prevention assemblies that do not meet the requirements of this subchapter but were approved assemblies for the purpose described in this subchapter at the time of installation, and that have been properly maintained, shall, except for the inspection and maintenance requirements under § 51.073, be excluded from the requirements of this subchapter so long as the

Superintendent is assured that they will satisfactorily protect the utility system. Whenever the existing assembly is moved from the present location or requires more than minimum maintenance, or when the Superintendent finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.

(B) The Superintendent may issue a letter exempting a customer from the requirements of this subchapter. If the customer can document to the satisfaction of the Superintendent that the activities taking place at the customer's facility and the materials used in connection with these activities or stored on the premises cannot endanger the health of customers or degrade the water quality of the public water system. An exemption shall remain valid for no more than three years, following the date of issuance, but can be reissued by the Superintendent. An exemption shall be void if it is determined that the customer's facility has become a backflow hazard. Those customers granted an exemption shall report to the Superintendent any proposed change in process, plumbing materials used or stored at the exempted facility at least 14 days prior to making the change.

(Ord. 357, passed 4-1-2006)

§ 51.999 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) It shall be unlawful for any person or persons to violate the provisions of §§ 51.025 to 51.027, 51.030, or 51.034, and such violation shall be subject to the provisions of § 10.99.

(Ord. 382, passed 3-1-2008)

