

AN ORDINANCE OF THE SANTA LUCIA COMMUNITY SERVICES DISTRICT INSTITUTING A CROSS-CONNECTION CONTROL PROGRAM TO PROTECT THE DISTRICT WATER SYSTEM

BE IT ORDAINED, by the Board of Directors of the Santa Lucia Community Services District, as follows:

CROSS-CONNECTION CONTROL PROGRAM

1. Purpose.

- A. The purpose of this ordinance is:
1. To protect the public water supply against actual or potential cross-connection by isolating within the user's premises contamination that may occur because of some undiscovered or unauthorized cross-connection on the premises;
 2. To eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption;
 3. To eliminate cross-connections between drinking water systems and sources of contamination;
 4. To prevent the making of cross-connections in the future.
- B. This chapter is adopted pursuant to the State of California Code of Regulations, Title 17, Public Health, section 7583 et seq.

2. Definitions.

For the purposes of this chapter, the following definitions shall apply:

- A. **Air-Gap Separation (AG)** is a physical break between a supply pipe and a receiving vessel.
- B. **Approved Backflow Prevention Device** means devices which have passed testing laboratory and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such tests to the California Department of Health Services.
- C. **Approved Water Supply** is any water supply whose potability is regulated by a state or local health agency.
- D. **Auxiliary Water Supply** is any water supply on or available to the premises other than the Approved Water Supply.
- E. **AWWA Standard** is an official standard developed and approved by the American Water Works Association (AWWA).
- F. **Cross-Connection** is an unprotected actual or potential connection between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could occur, shall be considered to be cross-connections.
- G. **Double Check-Valve Assembly (DC)** is an assembly of at least two independently acting check-valves including tightly closing shutoff valves on each side of the check-valve assembly and test cocks available for testing the water-tightness of each check-valve.
- H. **Health Agency** is the California Department of Health Services or the Monterey County Health Department.
- I. **Local Health Agency** is the Monterey County Health Department...
- J. **Reclaimed Water** is a wastewater which, as a result of treatment, is suitable for uses other than potable use.

K. **Reduced Pressure Principle Backflow Prevention Assembly (RP)** is a backflow preventer incorporating not less than two check-valves, an automatically operating differential relief valve located between the two check valves, a tightly closing shut-off valve on each side of the check-valve assembly, and equipped with necessary test cocks for testing.

L. **User Connection** is the point of connection of a user's piping to the water supplier's facilities.

M. **Water Supplier** is the person or entity who owns or operates the approved water supply system. For the purposes of this chapter, the term "water supplier" shall mean the District.

T. **Water User** is any person obtaining water from a public water supply.

3. Cross-connection protection requirements.

A. General Provisions.

1. It is unlawful for any person, firm or corporation at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross-connection between plumbing pipes of water fixtures being served with water by the District water department and any other source of water supply, or to maintain any sanitary fixture of other appurtenances or fixtures which by reason of their construction may cause or allow backflow of water or other substances into the water supply system of the District and/or the service of water pipes or fixtures of any water user of the District.

2. Unprotected cross-connections with the public water supply are prohibited.

3. Whenever the District water manager, health agency or local health agency determines that backflow protection is required on a premises, the District will require the water user to install an approved backflow prevention device at his/her expense for continued services or before a new service will be granted.

4. Wherever the District water manager, health agency or local health agency determines that backflow protection is required on a water supply line entering a water user's premises, then any and all water supply lines from the District's mains entering such premises, buildings or structures shall be protected by an approved backflow prevention device, to be installed at the water user's expense. The type of device to be installed will be in accordance with the requirements of this ordinance.

5. Every fire protection system served by the water supplier shall be separately connected to the public water system, and not interconnected to plumbing systems serving domestic or irrigation water.

B. Where Protection is Required.

1. Each service connection from the District water system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system unless the auxiliary water supply is accepted as an additional source by the District, and is approved by the public health agency having jurisdiction.

2. Each service connection from the District water system for supplying water to any premises on which any substance, which has the potential to create contamination, is handled in such fashion as may allow its entry into the water system, shall be protected against backflow of the water from the premises into the public system by a backflow prevention device to be installed at the water user's expense. Backflow prevention devices shall also be installed, at the water user's expense, for service connections handling process waters and waters originating from the District water system which have been subjected to contamination from the premises.

3. Backflow prevention devices shall be installed on all service connections to any premises having:

- a. Internal cross-connections that cannot be permanently corrected and controlled to the satisfaction of the state or local health agency and the District water manager; or
- b. Intricate plumbing and piping arrangements; or
- c. 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 cross-connections exist.

4. Any system or premises designated to serve multiple commercial or industrial tenants whose water practices are unknown at the time the plumbing or building permit is issued shall be protected against backflow of water from the premises to the public water system by a backflow prevention device of the type required by the District water manager, health agency or local health agency. The determination of the type of backflow prevention device required shall be based on a determination of the potential hazard that may reasonably be expected to be encountered in buildings of similar type or nature.

5. All portable pressure spray or cleaning units (including water trucks, street sweepers, etc.) that have the capability of connecting to any water supplier's system shall be provided with an air-gap separation or a reduced pressure principle assembly.

C. Type of Protection Required.

1. The type of protection that shall be provided to prevent backflow into the public water supply shall be commensurate with the degree of hazard that exists on the consumer's premises. The type of protective device that may be required (listed in an increasing level of protection) includes: double check-valve assembly (DC), reduced pressure principle backflow prevention device (RP) and an air-gap separation (AG). The water user may choose a higher level of protection than required by the District water manager, health agency or local health agency. The minimum type of backflow protection required to protect the approved water supply at the user's water connection to premises with varying degrees of hazard are given in Table 1. Situations which are not covered in Table 1 shall be evaluated on a case by case basis and the appropriate backflow protection shall be determined by the District water manager or health agency, consistent with the highest practicable protection of potable water supplies.

TABLE 1

TYPE OF BACKFLOW PROTECTION REQUIRED

Degree of Hazard	Minimum Type of Backflow Prevention
(a) Sewage and Hazardous Substances.	
(1) Premises where there are wastewater pumping and/or treatment plants and there is not interconnection with the potable water system. This does not include a single-family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by both the health agency and the District water manager	AG
(2) Premises where hazardous substances are handled in any manner in which the substances may enter a potable water system. This does not include a single-family residence that has a sewage lift pump. A RP may be provided in lieu of an AG if approved by both the health agency and the District water manager.	AG
(3) Premises where there are irrigation systems into which fertilizers,	

herbicides or pesticides are, or can be, injected or assimilated.	RP
(b) Auxiliary Water Supplies.	
(1) Premises where there is an unapproved auxiliary water supply which is interconnected with the public water system. A RP or DC may be provided in lieu of an AG is approved by both the health agency and the District water manager.	AG
(2) Premises where there is an unapproved auxiliary water supply and there are no interconnections with the public water system. A DC may be provided in lieu of a RP if approved by both the health agency and District water manager.	RP
(c) Recycled Water	
(1) Premises where the public water system is used to supplement the recycled water supply.	AG
(2) Premises where recycled water is used, other than as allowed in paragraph (3), and there is no interconnection with the potable water system.	RP
(3) Residences Using recycled water for landscape irrigation as part of an approved dual plumbed use are established pursuant to section 660313 through 60316 unless the recycled water supplier obtains approval of the local public water supplier, or the Department if the water supplier is also the supplier of the recycled water, to utilize an alternative backflow protection plan that includes an annual inspection and annual shutdown test of the recycled water and potable water systems pursuant to subsection 60316(a).	DC
(d) Fire Protection Systems.	
(1) Premises where fire system is directly supplied from the public water system and there is an unapproved auxiliary water supply on or to the premises (not interconnected).	DC
(2) Premises where the fire system is supplied from the public water system and interconnected with an unapproved auxiliary water supply. A RP may be provided in lieu of an AG if approved by both the health agency and District water manager.	AG
(3) Premises where the fire system is supplied from the public water system and where either elevated storage tanks or fire pumps which take suction from the private reservoirs or tanks are used.	DC
(4) Buildings where the fire system is supplied from the public water system and where recycled water is used in a separate piping system within the same building.	DC

- (d) Dockside Watering Points and Marine Facilities.
 - (1) Pier hydrants for supplying water to vessels for any purpose. RP
 - (2) Premises where there are marine facilities. RP
- (e) Premises where entry is so restricted that the District water manager determines that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist. RP
- (f) Premises where there is a repeated history of cross-connections being established or re-established RP

2. Two or more service connections supplying water from different street mains to the same building, structure or premises through which an interstreet main flow may occur, shall have at least a standard check-valve on each water service to be located adjacent to and on the property side of the respective meters. Such check-valve shall not be considered adequate if backflow protection is deemed necessary to protect the District's mains from pollution or contamination; in such cases the installation of approved backflow devices at such service connections shall be required.

4. Backflow prevention devices.

A. Approved Backflow Prevention Devices.

1. Only backflow prevention devices which have been approved by the California Department of Health Services or the District shall be acceptable for installation by a water user connected to the District's potable water system.

2. The District will provide, upon request, to any affected customer a list of approved backflow prevention devices.

B. Backflow Prevention Device Installation.

1. Backflow prevention devices shall be installed in a manner prescribed in Section 7603, Title 17, of the California Code of Regulations. Location of the devices should be as close as practical to the user's connection. The District water manager shall have the final discretionary authority in determining the required location of a backflow prevention device.

a. Air-gap Separation (AG). The air-gap separation shall be located as close as practical to the user's connection. All piping from the service connection to the receiving tank shall be above grade and be entirely visible unless otherwise approved in writing by the District and the Health Agency. No water use shall be provided from any point between the service connection and the air-gap separation. The water inlet piping shall terminate a distance of at least two pipe diameters of the supply inlet, but in no case less than one inch above the overflow rim of the receiving tank.

b. Reduced Pressure Principle Backflow Prevention Device (RP). A reduced pressure principle backflow prevention device shall be located as close as practical to the user's connection as is practical. The device shall be installed a minimum of twelve inches above grade and not more than thirty-six inches above grade measured from the bottom of the device and with a minimum of twelve inches side clearance. The device shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP device shall be protected in a manner approved by the District water manager.

c. Double Check-Valve Assembly (DC). A double check-valve assembly shall be located as close as practical to the user's connection and shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance. If a double check-valve assembly is put below grade it must be installed in a vault such that there is a minimum of six inches between the bottom of the vault and the bottom of the device, so that the top of the device is no more than eight inches below grade, so there is

a minimum of six inches of clearance between the side of the device with the test cocks and the side of the vault, and so there is a minimum of three inches clearance between the other side of the device and the side of the vault. Double check-valve assemblies of the "Y" type must be installed on their "side" with the test cocks in a vertical position so that either the check-valve may be removed for service without removing the device. Vaults which do not have an integrated bottom must be placed on a three-inch layer of gravel.

C. Backflow Prevention Device Testing and Maintenance.

1. The owners of any premises on which, or on account of which, backflow prevention devices are installed, shall have the devices tested by a person approved by the District water manager. Backflow prevention devices shall be tested at least annually or more frequently if determined to be necessary by the health agency or the District. Backflow prevention devices shall be tested immediately after installation, relocation or repair. The District water manager may require a more frequent test schedule if it is determined to be necessary. No device shall be placed back in service unless it is functioning as required. A report in a form acceptable to the District water manager shall be filed with the District each time a device is tested, relocated or repaired. These devices shall be serviced, overhauled or replaced whenever they are found to be defective and all costs of testing, repair and maintenance shall be borne by the water user.

2. The District will supply affected water users with a list of persons acceptable to the District to test backflow prevention devices. The District will notify affected customers by mail when annual testing of a device is needed and also supply users with the necessary forms which must be filled out each time a device is tested or repaired.

3. Reports of testing and maintenance shall be maintained by the District for a minimum of three (3) years.

D. Backflow Prevention Device Removal.

1. Approval must be obtained from the District before a backflow prevention device is removed, relocated or replaced.

a. Removal. The use of a device may be discontinued and the device removed from service upon determination by the District water manager that a hazard no longer exists or is not likely to be created in the future.

b. Relocation. A device may be relocated following confirmation by the District water manager that the relocation will continue to provide the required protection and satisfy installation requirements. The District water manager shall require a retest following the relocation of the device to verify the required level of protection.

c. Repair. A device may be removed for repair, provided the water use is either discontinued until repair is completed and the device is returned to service, or the service connection is equipped with other backflow protection approved by the District. The District water manager shall require a retest following the repair of the device to verify the required level of protection.

d. Replacement. A device may be removed and replaced provided the water use is discontinued until the replacement device is installed. All replacement devices must be approved by the District water manager and must be commensurate with the degree of hazard involved. The District water manager shall require a retest following the replacement of the device to verify the required level of protection.

5. User supervisor.

At each premises where it is necessary, in the opinion of the District water manager, a user supervisor shall be designated by and at the expense of the water user. This user supervisor shall be responsible for the monitoring of the backflow prevention devices and for avoidance of cross-connections. In the event of contamination or pollution of the drinking water system due to a cross-connection on the premises, the District shall be promptly notified by the user supervisor so that appropriate measures may be taken to overcome the contamination. The water user shall inform the District of the user supervisor's identity annually, and whenever a change occurs.

6. Administrative procedures.

A. Water System Survey.

1. The District shall review all requests for new services to determine if backflow protection is needed. Plans and specifications must be submitted to the District upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention device is necessary to protect the public water system, the required device must be installed before service will be granted.

2. The District water manager may require an on-premises inspection to evaluate cross-connection hazards. The District will transmit a written notice requesting an inspection appointment to each affected water user. Any customer which cannot or will not allow an on-premises inspection of their piping system shall be required to install the backflow prevention device the District water manager considers necessary.

3. The District water manager may, in his discretion, require a reinspection for cross-connection hazards of any premises to which it serves water. The District will transmit a written notice requesting an inspection appointment to each affected water user. Any customer which cannot or will not allow an on-premises inspection of their piping system shall be required to install the backflow prevention device the District water manager considers necessary.

B. Customer Notification -- Device Installation.

1. The District will notify any affected water user of the survey findings, listing corrective action to be taken if required. A period of sixty days will be given to complete all corrective action required including installation of backflow prevention devices.

2. A second notice will be sent to each water user which does not take the required corrective action prescribed in the first notice within the sixty-days period allowed. The second notice will give the water user a two-week period to take the required corrective action. If no action is taken within the two-week periods the District may terminate water service to the affected water user until the required corrective actions are taken.

C. Customer Notification--Testing and Maintenance.

1. The District will notify each affected water user when it is time for the backflow prevention device installed on their service connection to be tested. This written notice shall give the water user thirty days to have the device tested and supply the water user with the necessary form to be completed and resubmitted to the District.

2. A second notice shall be sent to each District water user which does not have his/her backflow prevention device tested as prescribed in the first notice within the thirty-day period allowed. The second notice will give the water user a two-week period to have his/her backflow prevention device tested. If no action is taken within the two-week period the District may terminate water service to the affected water user until the subject device is tested.

7. Water service termination.

A. General. When the District encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the District shall institute the procedure for discontinuing the District water service.

B. Basis for Termination. Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following items:

1. Refusal to install a required backflow prevention device;
2. Refusal to test a backflow prevention device;
3. Refusal to repair a faulty backflow prevention device;
4. Refusal to replace a faulty backflow prevention device;
5. Direct or indirect connection between the public water system and a sewer line;
6. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants;

7. Unprotected direct or indirect connection between the public water system and an auxiliary water system;
 8. A situation which presents an immediate health hazard to the public water system.
- C. Water Service Termination Procedures.
1. For conditions 1, 2, 3 or 4 of subsection B of this section, the District will terminate service to a customer's premises after two written notices have been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period water service may be terminated.
 2. For conditions 5, 6, 7 or 8 of subsection B of this section, the District will take the following steps:
 - a. Make reasonable effort to advise the water user of intent to terminate water service;
 - b. Terminate water supply and lock service valve. The water service will remain inactive until correction of violations has been approved by the District.

8. Requirement for the Certification as a Backflow Device Tester

Each applicant for certification as a tester of backflow prevention devices shall file an approved application with the District General Manager, together with a fee as may be established by the District Board of Directors.

Competency in all phases of backflow prevention device testing and repair must be demonstrated by means of education and/or experience in order to obtain certification.

The following are minimum requirements:

- a. Applicants shall have had at least two (2) years experience in plumbing or pipe fitting or equivalent qualifications.
- b. Hold a valid certification from the American Water Works Association (AWWA) California-Nevada Section, from a County certification program or have equivalent training in the opinion of the District and the health department.
- c. Each applicant for certification as a tester of backflow prevention devices shall furnish evidence to show that he/she has available the necessary tools and equipment to properly test such devices. He/she shall be responsible for the competency and accuracy of all tests and reports prepared by him/her. The certificate issued to any tester is valid for a period of one (1) year and may be revoked, suspended or not renewed by the District for improper testing, repairs and/or reporting.

9. Service Application as Contract.

This ordinance contains regulations relating to cross-connections and provides that the application for services constitutes a contract between the applicant and the District whereby the Applicant, as a condition of service, agrees to abide by all Ordinances, Rules and Regulations of the District. The provisions of this Ordinance, including provisions relating to inspection of cross-connection devices shall also constitute and undertaking on the part of the customer to abide by all Ordinances as well as all other Rules, Regulations and Ordinances of the District.

10. Severability.

If any provision, clause, sentence or paragraph of this Ordinance, or application thereof to any person or circumstance, be held invalid by any court of law, such invalidity shall not affect other provisions or applications; therefore, the provision of this Ordinance are declared to be severable.

11. Publication, Effective Date, and Codification.

- (a) The District Secretary is directed to prepare a summary of this ordinance. The summary shall be published and a certified copy of the full text of the ordinance shall be posted in the office of the District at least five days prior to the District Board meeting at which the Ordinance is to be adopted.
- (b) Within fifteen (15) days after its adoption a summary of this Ordinance shall be published in a newspaper of general circulation in the Santa Lucia Community Services District and a certified copy of the full text of this Ordinance shall be posted.
- (c) This Ordinance shall go into effect on November 10, 2005.
- (d) The District Secretary shall cause sections 1 through 9 to be codified in the Santa Lucia Community Services District Code.

THE FOREGOING ORDINANCE was first introduced at a meeting of the District Board of Directors on September 16, 2005, the reading was waived and the Ordinance was passed and adopted at a Meeting of the Santa Lucia Community Services District, County of Monterey, State of California, on this 10th day of October, 2005 by the following vote:

AYES: Director T. GRAY; Director B. SANTRY; Director R. DITMORE; Director M. CANNING; Director A. SILVERMAN

NOES: None.

ABSTAINING: None.

Alan SILVERMAN, President

Attest: I, FORREST ARTHUR, Secretary of the Santa Lucia Community Services District, hereby certify that the foregoing is a true copy of original Ordinance of said Board of Directors duly made and adopted on October 10, 2005.

Dated: October 10, 2005

Forrest Arthur, Secretary