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ORDINANCE NO.

\* Amend Title 21 to comply with State regulations regarding cross connections and backflow devices. (Ordinance; Amend Code section 21.12.350)

The City of Portland ordains:

Section 1. The Council finds:

1. The Federal government has authorized the State Health Division of the Department of Human Resources to administer the Federal Safe Drinking Water Act in this state.
2. The State has authorized cities to administer the Federal Safe Drinking Water Act within City limits, subject to certain minimum standards contained in the Oregon Administrative Rules.
3. The minimum standards which must be complied with include a requirement that all water suppliers undertake a program for controlling and eliminating cross connections in water lines.
4. The City's code pertaining to water supply must be amended to ensure compliance with the minimum standards found in the State regulations.

NOW, THEREFORE, the Council directs:

- a. Title 21 of the Portland City Code, section 21.12.350 is amended as follows:

**21.12.350 POTENTIAL CONTAMINATION OF CITY WATER SUPPLY.**

Oregon Administrative Rule 333.061.070 requires water suppliers to "undertake programs for controlling and eliminating cross connections." These regulations apply to "Community Water Systems" which include the City of Portland's water system. The following regulations are adopted to comply with the State Rules or to provide even more stringent enforcement, as permitted by those Rules. Except where this section provides more stringent requirements, the definitions, standards, requirements and regulations set forth in Oregon Administrative Rules Chapter 333, Division 061 in effect on the date of this ordinance are hereby adopted and incorporated into this ordinance.

It is unlawful for the owner of property or the user of City water to introduce or permit the introduction of pollution or contamination of any kind into the City water supply system.

## Installation

Except to the extent that the City has adopted more stringent regulations, (see City document entitled "Installation Requirements Applicable to All Backflow Devices), all backflow prevention assemblies shall be installed in accordance with Sections (1) through (4) of OAR 333-061-0071.

At a minimum, such backflow prevention assemblies shall be installed at the service connection to premises where an approved air gap does not exist and: (a) there is an auxiliary water supply which is, or can be, connected to the potable water piping; (b) there is piping for conveying liquids other than potable water, and where that piping is under pressure and is installed in proximity to potable water piping; (c) there is intricate plumbing which makes it impractical to ascertain whether or not cross connections exist; (d) there is back siphonage potential; (e) cross connections or potential cross connections exist.

## Testing

All assemblies must be tested at least once a year or, more frequently, if an assembly repeatedly fails tests or as determined by the City. Backflow prevention assemblies which are not functioning properly shall be promptly repaired by the water user or owner of the assembly or the City will, as required by State regulation, discontinue service to the premises until an appropriate backflow prevention assembly has been installed and/or tested, or until the cause of the hazard has been eliminated.

After installation or movement of the assembly, the assembly shall be tested before use by a tester who has been certified by The Oregon State Health Division and copies of the test results shall be provided to the water user or the owner of the premises and to the water supplier. [If the Bureau determines that a complete physical separation from the City water system is not practicable or necessary, or that adequate inspection for cross-connection cannot readily be made, or that such backflow prevention device is necessary because of existing or possible backflow resulting from special conditions, use or equipment.]

The Bureau shall also regulate the location, installation, and testing of such device. Any corrective measure, disconnection or change on private property shall be at the sole expense of the person in control of such property. The cost of any change required in the City system outside the property or between the meter and the supply line or distribution system and any charges for cut-off or disconnection shall be added to the charges for water against the premises necessitating the expenditures.



To avoid such pollution or contamination, whenever a cross-connection [to] from another water supply into the City system is found or whenever any other condition is found which presents the possibility of contamination or pollution, the water supply to such premises and/or other premises from which such cross-connection is made, shall be discontinued immediately until the cross-connection is eliminated or the condition remedied.

The control or elimination of cross-connections shall be in accordance with any manuals of standard practice pertaining to cross-connection control approved by the Bureau of Water Works, and any requirements set forth by the "U.S. Environmental Protection Agency" as authorized by the "Safe Drinking Water Act" PL 93-523 and subsequent applicable legislation.

When the Bureau of Water Works determines that a complete physical separation from the City water system is not practicable or necessary, or that adequate inspection for cross-connection cannot be readily made, or that a backflow prevention device is necessary because of existing or possible backflow resulting from special conditions, use, or equipment, it shall require a backflow prevention device of a pattern, design, and size which it approves as reasonably adequate to [present] (sic) prevent contamination in light of the degree of hazard which exists. Refer to OAR 333.061.070 for additional, minimum standards for required backflow devices[,] .

In addition, all backflow prevention assemblies [required for compliance with the OAR] shall, at a minimum, be of a type and model approved by the Oregon Division of Health (Division) and the Division shall maintain a list of backflow prevention assemblies approved for use in Oregon. See OAR 333.061.070(8) for backflow prevention assembly specifications. Note that section 333.061.070(8) provides that, at a minimum, all testable assemblies shall meet the specifications of construction, evaluation and approval of backflow prevention assemblies as specified in Section 10, Manual of Cross-Connection Control, June, 1988.

[The control or elimination of cross-connection control shall be in accordance with any manuals of standard practice pertaining to cross-connection control approved by the Bureau of Water Works, and any requirements set for by the "US Environmental Protection Agency" as authorized by the "Safe Drinking Water Act" PL 93-523 and subsequent applicable legislation. The Bureau of water works shall require a backflow prevention device of pattern, design, and size which it approves as reasonable (sic) adequate to present (sic) contamination, if the Bureau determines that a complete physical separation from the City water system is not practicable or necessary, or that adequate inspection for cross-connection cannot readily be made, or that such backflow prevent device is necessary because of existing or possible backflow resulting from special conditions, use or equipment.]

9th Ed, December 1993

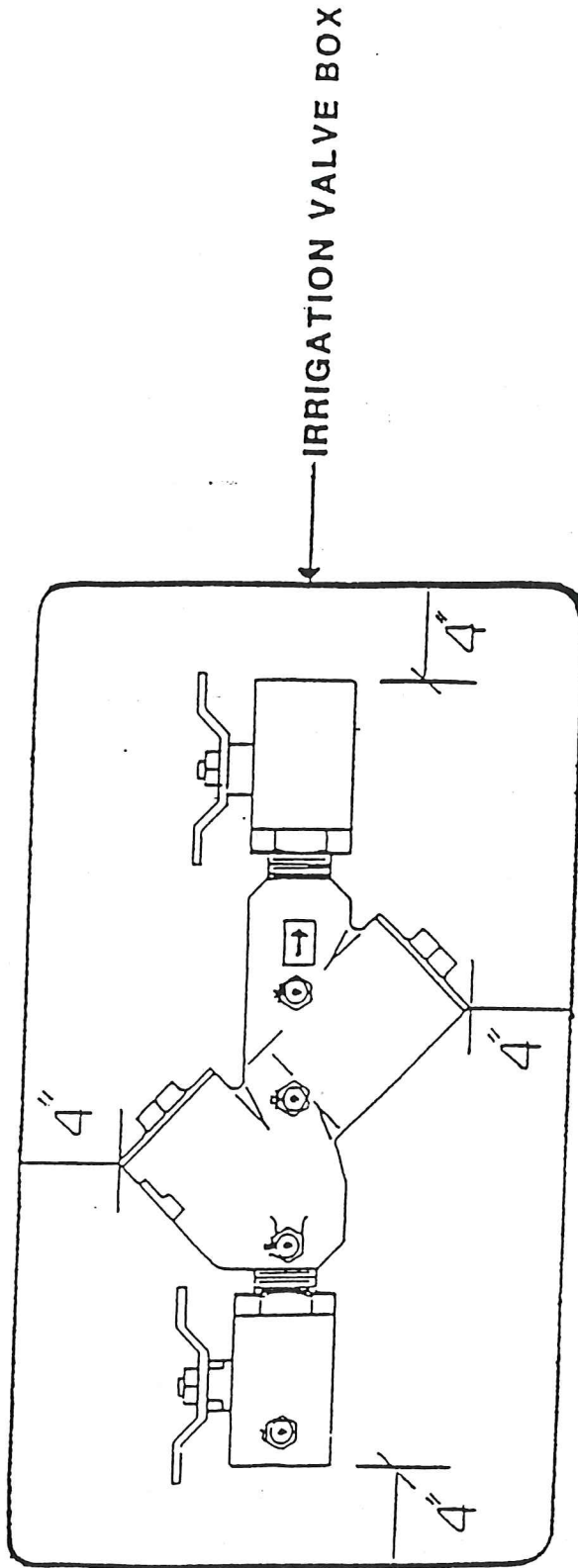
Section 2. The Council declares that an emergency exists because it is necessary to have the state's regulations complied with as soon as possible; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: NOV 12 1997

Commissioner Sten  
Mike Sheets  
November , 1997

BARBARA CLARK  
Auditor of the City of Portland  
By *Britta Olson*  
Deputy

# TYPICAL INSTALLATION OF "Y" PATTERN DCVA



1. All double-check valves 2" in size and smaller which utilize a Y-pattern design shall be installed on their sides. The test cocks shall be facing up whenever possible. The center of the device shall not exceed a maximum depth of 24". If the device must be installed at a depth greater than 24" below grade, the installation shall maintain a minimum clearance of 12" on the back side and 24" in front.
2. All backflow devices installed below grade shall be provided with test cock plugs.
3. Devices shall be accessible with adequate room for testing and maintenance.
  - A) Devices 2" and smaller shall maintain a minimum clearance of 4" on all sides and at both ends.
  - B) Devices larger than 2" shall maintain a minimum clearance of 12" on the back side, 12" below, 24" in front and 36" above the device.