BOARD OF SUPERVISORS COUNTY OF LAKE, STATE OF CALIFORNIA

ORDINANCE NO. 1462

"AN ORDINANCE ADDING ARTICLE VI TO CHAPTER 9 OF THE LAKE COUNTY CODE ESTABLISHING A CROSS-CONNECTIO□'CONTROL PROGRAM TO PROTECT THE PUBLIC WATER SYSTEMS"

THE BOARD OF SUPE□VISORS OF THE COUNTY OF LAKE, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Article VI is hereby added to Chapter 9 of the Ordinance 10 Code of the County of Lake to read as follows:

"ARTICE :VI - PROTECTION OF PUBLIC WATER SYSTEMS

Section 9-40. Purpose and Intent

40.1 Pursuant to ~~section 450 of~~ the California Cross-Connection Control Policy Handbook in conjunction with Assembly Bill 1671, passed on October 6, 2017, and section 116555.5 of the California Health and Safety Code ~~and Title 17, section 1174 et .seq. of the California Administrative Code~~ a Cross-Connection Control Program is hereby established in the County of Lake for the following purposes:

(a) to protect the public water supply from occurrence of backflow into the Public Water System. To protect the public from ~~against actual or potential cross-connections by isolating within the premises~~ contamination or pollution from any onsite hazards by eliminating or isolating said hazards and by implementing the installation, maintenance and testing of approved backflow prevention assembly devices. By enforcing methods of protection such as an approved (air gap) to protect against the threat posed by many conditions typically found on a user's ~~that may occur because of some undiscovered or unauthorized cross-connection on the~~ premises;

(b )to eliminate or isolate actual or potential cross-connections ~~existing connections~~ between drinking water systems and other sources of water that are not approved as safe and potable for human consumption;

(c) to eliminate or isolate actual or potential cross-connections between drinking water systems and other sources of water, liquids or any other unapproved substances that may ~~or process water used for any purpose whatsoever which~~ jeopardize the safety of the drinking water supply; and

(d) to prevent the making of cross-connections in the future

Section 9-41. Definitions. (The definitions below have been pulled directly from the State Water Resources Control Board Cross-Connection Control Policy Handbook Standards and Principles for California's Public Water Systems)

41.1 For the purposes of this Article, the following terms shall have the following meanings:

(a) Cross-connection means any unprotected connection between any part of a water system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved as safe, wholesome, and potable for human consumption.

(b) Approved water supply means any water supply approved by or under the public health supervision of a public health agency of the State of California, or its political subdivisions. In determining what constitutes an approved water supply, the State Department of Public Health reserves final judgment as to its safety and potability.

(c) Auxiliary supply means any water supply on or available to the premises other than a public water supply.

(d) Approved check valve means a check valve that seats readily and completely and has been approved for use in County Service Areas.

(e) Approved double check valve assembly means an assembly of at least two independently acting approved check valves including tightly closing shut-off valves on each side of the check valve assembly and suitable leak-detector drains plus connections available for testing the water tightness of each check valve.

(f) Air-gap separation means a physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the -supply

pipe measured vertically above the top rim of the vessel, in no case less than one inch.

(g) Approved reduced pressure principle backflow prevention device means a device incorporating two or more check valves and an automatically operating differential relief valve located between the two checks, two shut-off valves, and equipped with necessary appurtenances for testing. The device shall operate to maintain the pressure in the zone between the two check valves less than the pressure on the public water supply side of the device

(h) Approved backflow device means:

(1 )An approved double check valve assembly; or

(2) An approved air-gap separation; or

(3 )An approved reduced pressure principle backflow prevention device.

(i) County water system means a system of water delivery operated · and maintained by a County Service Area formed pursuant to section25210.1 et seq. of the Government Code of the State of California.

(j)Premise or premises means land and everything appurtenant thereto, including but not limited to, buildings, structures, and mobile homes.

Section 9-42. Cross-connection and Protection Requirements.

42.1 Except as otherwise provided by this Article, no person or entity shall cause a connection to be to be made between plumbing pipes, plumbing fixtures or appurtenances thereof served with water supplied by a county water system and plumbing pipes, plumbing fixtures or appurtenances thereof served by any other source of water.

42.2 Except as otherwise provided by this Article, no person or entity shall install or use any plumbing pipes, plumbing fixtures or appurtenances thereof which by their construction or means of hook-up, may permit a backflow of water or any other liquid or substance into a county water system or into the service system of a consumer of water from such system.

Section 9-43. Permit Required for Cross-connection.

43.1 Any person or entity that installs or maintains a cross-connection or potential cross-connection either direct or indirect on any premise for construction purposes shall obtain a permit for such cross-connection from the Special Districts Administration ~~County Utilities Manager~~.

43.2 As a condition for the issuance of such permit, the person or entity wishing to maintain a temporary cross-connection shall install an approved backflow prevention device.

43.3 Installation of an approved backflow prevention assembly device shall be required under the following circumstances:

(a) An approved backflow prevention assembly device shall be installed at each service connection of ~~a~~ the Ccounty Wwater Ssystem where the premises served ~~is~~ are also served by an auxiliary water supply not approved by the public health agency having jurisdiction.

(b) An approved backflow prevention assembly device shall be installed at each service connection of ~~a~~ the Ccounty Wwater Ssystem where the premises served has upon it any liquid or substance that potentially ~~under pressure which~~ may enter a county water system. Such liquid or substance includes, but is not limited to, waters originating from a Ccounty Wwater Ssystem which have been contaminated below the health standards established for a Ccounty Wwater Ssystem.

(c) ~~An approved backflow prevention device shall be installed at each service connection of a county water system where the premises served has upon it a cross-connection; provided however, no backflow prevention device is required pursuant to this subdivision where such cross-connection has been modified to prevent any contamination of a county water system and such modification has been approved, in writing, by the County Utilities Manager and has been approved by the State or County Health Department~~.

Section 9-44. Requirements for Installation of Backflow Prevention Device

44.1 When an approved ~~B~~backflow ~~P~~prevention Assemby ~~D~~device is required to be installed pursuant to this Article, the following shall apply:

(a) Any person or entity that is required to install a backflow prevention device pursuant to this Article shall first obtain a permit for such installation from the Special Districts Administration ~~County Utilities Manager~~.

(b) Any backflow prevention device installed must be approved by the Foundation for Cross-connection Control and Hydraulic Research of the University of Southern California.

(c) Any backflow prevention assemblies ~~device~~ shall be installed in accordance with the County of Lake Water Sysytem Design and Construction Standards, along with methods of installation prescribed in the University of Southern California Cross-Connection Control Manual ~~"Manual of Cross-Connection Control Procedures and Practices" prepared by the California State Department of Health Services Sanitary Engineering Section or as prescribed and approved~~unless otherwise stated in writing ~~at his discretion~~ by the Special Districts Administration ~~County Utilities Manager~~.

(d) Any person or entity which owns any premises where a backflow prevention assembly device has been installed shall have such device inspected annually by an American Water Works Association Certified Backflow Tester ~~Certified Inspector~~ pursuant to the California Cross-Connection Control Policy Handbook.~~applicable Rules and Regulations of the California State Department of Public Health~~. Backflow test reports will be submitted to Special Districts Administration no later than the annual test date to avoid service interruption. ~~A written report of the inspection shall be filed by the owner of the premises with the County Utilities Manager on the second Monday of each January of each year the device remains installed.~~

(e) The County shall not be liable for any costs for the inspection, repair, or maintenance of any such backflow prevention assembly device installed pursuant to this Article. All such costs shall be borne by the owner of the premises.

Section 9-45. Installation of Backflow Prevention Devices for Premises with Existing Cross-connections.

45.1 Upon adoption of this Ordinance ~~Article~~, the Cross Connection Control Specialist ~~County Utilities Manager~~ shall conduct ~~a~~ hazard assesment surveys affected by the requirements of this Ordinance and the California Cross Connection Control Policy Handbook to determine ~~of all~~ those premises which have actual or potential cross-connections and or hazards that may pose a threat to the County Water Systems. ~~affected by the requirements of this Article to determine those premises which have an actual or potential cross-connection~~

45.2 The owner of each premises as determined by the Cross Connection Control Specialist ~~County Utilities Manager~~ with approval of the Special Districts Administrator, shall install or cause to be installed an approved backflow prevention assembly device within the allotted time frame ~~one (1) year from the effective date of this Article~~ provided by the Special Districts Administrator.

45.3 Upon the determination by the Cross Connection Control Specialist ~~County Utilities Manager~~ that a back-flow prevention assembly device is required upon the premises, the Special Districts Administrator ~~County Utilities Manager~~ shall serve notice upon the owner of said premise~~s~~ with approval from the Special Districts Administrator, as determined from the last assessment roll, by depositing in the mail, postage prepaid, certified, return receipt requested, a notice that the steps in which owner of the premise must ~~has been determined to be subject to the provisions of the Article and the steps the owner of the premise must take~~ to comply with such provisions.

45.4 Within ninety (90) days of ~~After~~ receiving the notice required by section 45.3, above, the owner of the premises shall obtain a permit pursuant to the provisions of this Ordinance and install the required backflow prevention assembly device following the procedures set forth in subject 44.1 subdivison © of this Ordinance. The total cost of such installation shall be borne by the owner of the premises. ~~do one of the following~~:

~~(a) Obtain a permit pursuant to the provisions of this Article, and install the device following the procedures set forth in section 44.1, subdivision (c) of this Article. The total cost of such installation shall be borne by the owner of the premises; or~~

~~(b) Request the County Utilities Manager to install the device; provided however, the owner of the premises shall be liable only for those costs incurred for purchase of the materials used for such installation. Upon installation, the owner of the premises shall be responsible for all costs of inspection, repair, and maintenance of the backflow prevention device~~.

Section 9-46. Discontinuance of Service.

46.1 Service of water to any premises served by a Ccounty Wwater Ssystem service area may be discontinued for non-compliance with the provisions of this Ordinance ~~Article~~. Service shall be restored only upon compliance with the provisions of this ~~Article~~Ordinance.

Section 9-47. Right-of-Entry.

47.1 The Special Districts Administrator ~~County Utilities Manager~~, ~~or his designee, shall~~ will perform and oversee all hazard assessments made by the Cross Connection Control Specialist who shall inspect premises for non-compliance with the provisions of this Ordinance ~~Article~~. The Cross Connection Control Specialist ~~He~~ shall carry proper credentials of this office, upon exhibition of which they shall have the right of entry, during usual business hours, to inspect all premises in the performance of cross connection control duties ~~his duty~~. This right of entry shall be a condition of water service in order to provide assurance that the continuance ~~continuation~~ of service to the premises will not constitute a menace to the health, safety and welfare of the people throughout a Ccounty Wwater Ssystem

Section 9-48. Certification of Tester.

48.1 Each applicant shall be a ~~for certification as a~~ certified ~~tester of~~ backflow tester and shall provide proper credentials to the Special Districts Administration in order to test within the County Water System. Applicants shall hold a valid backflow tester certification from the American Water Works Association or approved equivalent by the State of California. ~~prevention devices shall file an approved application with the Environmental Health Division of the County Health Department together with a fee as may be established by the Board of Supervisors~~.

48.2 Each American Water Works Association certified backflow tester applicant shall furnish evidence to show that they have available the necessary tools and equipment to properly test such devices. Tester equipment must be submitted to the Special Districts Administration office annually and the tester certification must be submitted every three years to the Special Districts Administration office to eligible to test within the district. The applicant shall be responsible for the competency and accuracy of all tests and reports prepared and submitted to the Special Districts Administration. ~~Competency in all phases of backflow prevention device testing and repair must be demonstrated by means of education or experience, or both, 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) Applicants shall hold a valid certification from the American Water Works Association, California-Nevada Section, or satisfactory completion of the Course for the Training and Certification of Testers for Backflow Prevention Devices offered by the foundation for Cross-connection Control and Hydraulic Research, University of Southern California, or have equivalent training as determined by the County Utilities Manager and the Director of the Lake County Health Department or his authorized designee; and~~

~~(c) Each applicant shall furnish evidence to show that he has available the necessary tools and equipment to properly test such devices. He shall be responsible for the competency and accuracy of all tests and reports prepared by him.~~

48.3 The applicant's ~~certificate~~ certification may be revoked or suspended from testing within the County Water System for unsatisfactory testing, unsatisfactory repairs, or filing a report that misrepresents the condition of the backflow prevention assembly device tested. ~~issued to any tester is valid for a period of one (1) year from date of issuance. The certificate may be revoked, suspended or not renewed for unsatisfactory testing, unsatisfactory repairs, or filing a report that misrepresents the condition of the device tested~~:

SECTION 2. Scope

This Ordinance shall apply to all COUNTY SERVICE AREAS

SECTION 3. All ordinances or parts of ordinances or resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict and no further.

SECTION 4. This Ordinance shall take effect on the 9th day of May 1985, and before the expiration of fifteen (15) days after its passage, it shall be published at least once in a newspaper of general circulation in the County of Lake

1 The foregoing Ordinance was introduced before the Board ?f Supervisor on the 2nd day of April 1985 following vote on the 9th day of Aril, 1985: