ORDINANCE NO. 98

AN ORDINANCE regulating the construction and maintenance of cross-connections, auxiliary intakes, by-passes, and inter-connections affecting the city water supply and any other water supply; the use of water from private sources; the filing of statements concerning the use of and method of handling water from private sources; requiring the correction of unapproved or unauthorized installations; to provide a penalty for the violation of the provisions of this ordinance; and to repeal all ordinances in conflict with the provisions of this ordinance.

BE IT ORDAINED by the CITY COMMISSION (governing body)

of the CITY OF LAKEWOOD, TENN., (city or town) AS follows;

SECTION 1. That the following definitions and terms shall apply in the interpretation and enforcement of this ordinance.

Public Water Supply. The waterworks system furnishing water to the City of LAKEWOOD for general use and which supply is recognized as the public water supply by the Tennessee Department of Public Health.

Cross-connection. Any physical connection whereby the public water supply is connected with any other water supply system, whether public or private, either inside or outside of any building or buildings, in such manner that a flow of water into the public water supply is possible either through the mainipulation of valves or because of any other arrangement.

Auxiliary Intake. Any piping connection or other device whereby water may be secured from a source other than that normally used.

By-pass. Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification plant.

Inter-connection. Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste or liquid which would be capable of imparting contamination to the public water supply.

Person. Any and all persons, natural or artificial, including any individual firm or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country.

SECTION 2. That the LAKEWOOD (city) Public Water Supply is to comply with Sections 53-2001 and 53-2004 of the Tennessee Code Annotated, as well as the Rules and Regulations for Public Water Supplies, legally adopted in accordance with this code, which pertain to cross-connections, auxiliary intakes, by-passes, and inter-connections, and establish an effective, ongoing program to control these undesirable water uses.

SECTION 3. That it shall be unlawful for any person to cause a cross-connection to be made; or allow one to exist for any purpose whatsoever unless the construction and operation of same have been approved by the Tennessee Department of Public Health, and the operation of such cross-connection, auxiliary intake, by-pass or inter-connection is at all time under the direct supervision of the _____ (Title of official in charge of public water supply) CITY MANAGER OF THE CITY of LAKEWOOD

SECTION 4. That any person whose premises are supplied with water from the public water supply, and who also has on the same premises a separate source of water supply or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with the CITY MANAGER (Title of official in charge of public water supply) a statement of the non-existence of unapproved or unauthorized auxiliary intakes, by-passes, or interconnections. such statement shall also contain an agreement that no cross-connection, auxiliary intake, by-pass, or inter-connection will be permitted upon the premises.

SECTION 5. That it shall be the duty of the LAKEWOOD (city) Public Water Supply to cause inspections to be made of all properties served by the public water supply where cross-connections with the public water supply are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be established by the CITY MANAGER (Title of official in charge of public water supply) of the LAKEWOOD Public Water Supply and as approved by the Tennessee Department of Public Health.

SECTION 6. That the CITY MANAGER (Title of official in charge of water supply) or authorized representative shall have the right to enter at any reasonable time, any property served by a connection to the LAKEWOOD Public Water Supply for the purpose of inspecting the piping system or systems thereof for cross-connections, auxiliary intakes, by-passes, or inter-connections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections.

SECTION 7. That any person who now has cross-connections, auxiliary intakes, bypasses, or inter-connections in violation of the provisions of this ordinance shall be allowed a reasonable time within which to comply with provisions of this ordinance. After a thorough investigation of existing conditions and an appraisal of time required to complete the work, the amount of time shall be designated by the CITY MANAGER of the
(Title of official in charge of public water supply)
LAKEWOOD Public Water Supply.

The failure to correct conditions threatening the safety of the public water system as prohibited by this ordinance & the Tennessee Code Annotated, Section 53-2004, within a reasonable time and within the time limits set by the LAKEWOOD Public Water Supply, shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the utility shall give the customer legal notification that water service is to be discontinued, and physically separate the public water supply from the customers on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.

Where cross-connections, interconnections auxiliary intakes, or by-passes are found that constitutes an extreme hazard of immediate concern of contaminating the public water system, the manager of the utility shall require that immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water supply from the on-site piping system unless the imminent hazard(s) is corrected immediately.

SECTION 8. That where the nature of use of the water supplied a premises by the Water Department is such that it is deemed:

a. Impractical to provide an effective air-gap separation

b. That the owner and/or occupant of the premises cannot or is not willing to demonstrate to the official in charge or the system, or his designated representative, that the water use and protective features of the plumbing are such as to propose no threat to the safety or potability of the water supply

c. That the nature and mode of operation within a premises are such that frequent alterations are made to the plumbing.

d. There is a likelihood that protective measures may be subverted, altered, or disconnected.

The CITY MANAGER
(Title of official in charge of public water supply)
of the LAKEWOOD Public Water Supply, or his designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The protective devices shall be reduced pressure zone type backflow preventer approved by the Tennessee Department of Public Health as to manfacture, model, and size. The method of installation of backflow protective devices shall be approved by the CITY MANAGER
(Title of official in charge of water supply)

Public Water Supply prior to installation and shall comply with the criteria set forth by the Tennessee Department of Public Health. The installation shall be at the expense of the owner or occupant of the premises.

Personnel of the LAKEWOOD Public Water Supply shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by the CITY MANAGER or his
(Title of official in charge of public water supply)
designated representative. Water service shall not be disrupted to test the device without the knowledge of the occupant of the premises.

Where the use of water is critical to the continuance of normal operations or protection of life, property, or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device or devices. Where it is found that only one unit has been installed and the continuance of service is critical, the CITY MANAGER
(Title of official in charge of water supply)
shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutally acceptable time to test and/or repair the device. The water supply shall require the occupant of the premises to make all repairs indicated promptly, to keep the unit(s) working properly, and the expense of such repairs shall be borne by the owner or occupant of the premises. Repairs shall be made by qualified personnel, acceptable to the CITY MANAGER
(Title of official in charge of public water supply)
of the LAKEWOOD Public Water Supply.

If necessary, water service shall be discontinued (following legal notification) for failure to maintain backflow prevention devices in proper working order. Likewise the removal, bypassing, or altering the protective devise(s) or the installation thereof so as to render the device(s) ineffective shall constitute grounds for discontinuance of water service. Water service to such permises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the LAKEWOOD Public Water Supply.

SECTION 9. That the potable water supply made available to premises served by the public water supply be protected from possible contamination as specified herein. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicious manner as:

WATER UNSAFE
FOR DRINKING

Minimum acceptable sign shall have black letters at least one-inch high located on a red background.

SECTION 10. The requirements contained herein shall apply to all premises served by the LAKEWOOD Water System whether located inside or outside the Corporate Limits and are hereby made a part of the conditions required to be met for the city to provide water services to any premises. Such action, begin essential for the protection of water distribution system against the entrance of contamination which may render the water unsafe healthwise, or otherwise undesirable, shall be enforced rigidly without regard to location of the premises, whether inside or outside the LAKEWOOD Corporate Limits.

SECTION 11. That any person who neglects or refuse to comply with any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction therefore, shall be fined not less than Ten Dollars ($10) nor more than ~~One Hundred Dollars ($100),~~ FIFTY ($50.00) DOLLARS and each day of continued violation after conviction shall constitute a separate offense.

SECTION 12. That, should any part, or parts, of this ordinance be declared invalid for any reason, no other part, or parts, of this ordinance shall be affected thereby.

SECTION 13. That all ordinance and parts of ordinances in conflict with this ordinance shall be hereby repealed; and that this ordinance shall take effect from and after its passage.

Passed:

1st Reading November 19, 1981
Date

2nd Reading December 3, 1981
Date

3rd Reading 12-17-81
Date

Approved By:

C. L. Ferrell Mayor

Attested to by:

Louise Worden City Recorder