ORDINANCE NO. 164

AN ORDINANCE regulating the construction and maintenance of cross-connections, auxiliary intakes, by-passes, and inter-connections affecting the city water system and any other water system; 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 Lakewood Board of Commissioners
(governing body)

of the City of Lakewood Water System that the following provisions for controlling cross-connections shall apply to the public water system of the (City) (Town) of The City of Lakewood
(city or town)
and to all customers of the system.

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

A. Public Water System. The waterworks system which furnishes water to Lakewood and certain surrounding area for general use and which is recognized as a public water system by the Tennessee Department of Health and Environment.

B. Cross-Connection. Any physical arrangement whereby a public water system is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservior, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of inparting contamination to the public water system as a result of backflow. By-pass arrangements, jumper connections, removable sections, swivel or change-over devices through which, or because of which, backflow could occur are considered to be cross-connections.

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

D. 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.

E. Interconnection. Any system of piping or other arrangement whereby the public water system 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 system.

F. Person. Any individual, corporation, company, association, partnership, State, municipality, utility district, water cooperative, or Federal Agency.

G. Superintendent (1). That person in charge of the operation of the _____ Water System or the authorized representative of that person.

SECTION 2. Compliance with TCA. The Lakewood Public Water System is to comply with Sections 68-13-701 through 68-13-719 of the Tennessee Code Annotated, as well as the Rules and Regulations for Public Water Systems, legally adopted in accordance with this Code, which pertain to cross-connections, auxiliary intakes, by-passes, and interconnections, and establish an effective on-going program to control these undesirable water uses.

SECTION 3. Regulated. 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 Health and Environment, and the operation of such cross-connection, auxiliary intake, by-pass or interconnection is at all times under the direct supervision of the City Manager (Title of Official in Charge) of the such as manager of the Lakewood Public Water System.

SECTION 4. Statement Required. 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 (Manager, Superintendent) a statement of the non-existence of unapproved or unauthorized cross-connections, auxiliary intakes, by-passes, or inter-connections. 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. Inspections. The City Manager (Official in charge) shall inspect all properites served by the public water supply where cross-connections with the public water supply are deemed possible. The frequency of

(1) or other title of the official in charge of the water system.

inspections and re-inspections based on potential health hazards involved shall be established by the City Manager in
(Official in charge)
accordance with guidelines acceptable to Tennessee Department of Health and Environment.

The City Manager or authorized representative shall have
(Official in charge)
the right to enter at any reasonable time any property served by a connection to the Lakewood Public Water System for the purpose of inspecting the piping system therein for cross-connections, auxiliary intakes, by-passes or inter-connections. On request, the owner, lessee, or occupant or any property so served shall furnish any pertinent information regarding the piping system 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 6. Correction of Violations. 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.
(Official in charge)

The failure to correct conditions threatening the safety of the public water system as prohibited by this ordinance and the Tennessee Code Annotated, Section 68-13-711, within the time limits set by the Lakewood Public Water System, shall be grounds for denial of water service. If proper protection has not been provided after a reasonable time, the City Manager
(Official in Charge)
shall give the customer legal notification that water service is to be discontinued, and physically separate the public water system 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 constitute an extreme hazard of immediate concern of contaminating the public water system, the City Manager of the water system shall require that
(Official in charge)
immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water system from the on-site piping system unless the imminent hazard(s) is corrected immediately.

SECTION 7. Required Protective Device. Where the nature of use of the water supplied a premises by the water system is such that it is deemed:

A. Impractical to provide an effective air-gap separation;

B. The owner and/or occupant of the premises cannot, or is not willing, to demonstrate to the City Manager (Official in charge) or his designated representative that the water use and protective features of the plumbing are such as to pose no threat to the safety or potability of the water;

C. The nature and mode of operation within a premises are such that frequent alterations are made to the plumbing; or

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

Then the City Manager (Official in charge) 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 preventers approved by the Tennessee Department of Health and Environment as to manufacture, model, and size. The method of installation of backflow protective devices shall be approved by the City Manager (Official in charge) prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health and Environment. The installation shall be at the expense of the owner or occupant of the premises.

Personnel of the Lakewood Public Water System shall have the right to inspect and test the device on an annual basis or whenever deemed necessary by the City Manager (Official in charge). 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. Where it is found that only one unit has been installed and the continuance of service is critical, the City Manger (Official in charge) shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test or repair the device. The water system shall require the occupant of the premises to make all repairs indicated promptly, and to keep any protective device working properly. 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 (Official in charge). The failure to maintain a backflow prevention device in proper working order shall be grounds for discontinuing water service to a premises. Likewise the removal, by-passing, or

altering a protective device or the installation thereof so as to render a device ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the customer has corrected or eliminated such conditions or defects to the satisfaction of the City Manager.
(Official in charge)

SECTION 8. Non-potable Supplies. The potable water system made available to premises served by the public water system shall 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 conspicuous manner as:

WATER UNSAFE
FOR DRINKING

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

SECTION 9. Provision Applicable. The requirements contained herein shall apply to all premises served by the Lakewood Public 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, being essential for the protection of the 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 City of Lakewood
(city or town)
Corporate Limits.

SECTION 10. Penalty. Any person who neglects or refuses 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 Fifty Dollars ($50), and each day of continued violation after conviction shall constitute a separate offense.

SECTION 11. Severability Clause. Should any part(s). of this ordinance be declared invalid for any reason, no other part(s), of this ordinance shall be affected thereby.

SECTION 12. Effective Date. All ordinances and part(s) 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 March 17 1988
Date

2nd Reading April 7 1988 By Resolution
Date

3rd Reading X
Date

Approved By: _____ Mayor

Attested to by: Melanne D. Stromatt City Recorder