

13.04.430 Purpose.

It is the purpose of this article to protect the health of customers receiving water from the city by protecting the public water system of the city from contamination.

(Ord. 1102, Added, 06/02/1987)

13.04.440 Definitions.

A. Whenever used in this article:

1. "Backflow" means the undesirable reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.
2. "Backflow prevention assembly" means a reduced-pressure backflow assembly (RPBA), reduced-pressure detector assembly (RPDA), double check valve assembly (DCVA), double check detector assembly (DCDA), pressure vacuum breaker assembly (PVBA), or spill-resistant vacuum breaker assembly (SVBA) of make, model, and size that is approved by the Washington State Department of Health.
3. "Cross-connection" means any actual or potential physical connection between a public water system or the consumer's water system and any source of nonpotable liquid, solid, or gas that could contaminate the potable water supply by backflow.
4. "Premises isolation" means a manner of protecting the city owned and controlled water system through the installation of approved air gaps or approved backflow prevention assemblies at or near the service connection or alternative location acceptable to the city to isolate the consumer's water system from the city's distribution system.
5. "Responsible person" means, as applicable, the owner(s) of the property and/or the tenant(s) or person(s) in possession thereof.
6. "Public works director" means the director of the city public works department or his/her designee.

B. Upon the filing of one copy with the finance director, all definitions contained in WAC 246-290-490, as amended as of or after the effective date of the ordinance from which this section derives, shall by this reference be considered definitions within this article.

(Ord. O2011-002, Amended, 03/01/2011; Ord. O2004-013, Amended, 09/07/2004; Ord. O95-032, Amended, 10/17/1995; Ord. 1102, Amended, 06/02/1987; Ord. 869, Added, 03/18/1980)

13.04.450 State provisions adopted.

The provisions of WAC 246-290-490 as amended as of or after the effective date of the ordinance from which this section derives, relating to cross-connection control and elimination and the use of backflow prevention assemblies, are adopted and made a part hereof. In furtherance of the city's goal to protect the public health and safety, all provisions of the Washington Administrative Code may be executed and applied by the department of public works in determining when cross-connections are prohibited and when backflow prevention assemblies shall be required.

(Ord. O2004-013, Amended, 09/07/2004; Ord. 1102, Added, 06/02/1987)

13.04.460 Inspection – Right of entry.

Whenever it is necessary to make an inspection to enforce any provision of this article, or whenever there is reasonable cause to believe that there exists a violation of this article in any building or upon any premises within the jurisdiction of the city that is receiving water service from the city, the public works director or his/her designee, upon presentation of proper credentials, may, with the responsible person's permission, enter upon the premises at all reasonable times to inspect and/or test the same or to perform any duty imposed upon him or her by this article. Except in emergency situations, he or she shall first give the responsible person, if they can be located after reasonable effort, advance written notice of the authorized official's intention to enter upon the

premises. In the event the responsible person refuses entry, or does not respond to the notice of intention to inspect, the authorized official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry and in seeking any necessary reparative measures in compliance with this article.

(Ord. O2011-002, Amended, 03/01/2011; Ord. O2004-013, Amended, 09/07/2004; Ord. 1102, Added, 06/02/1987)

13.04.470 Backflow prevention assembly – Compliance required.

A. No water service connection from the city's water system to any premises shall be installed or maintained unless the water supply is protected by backflow prevention assemblies as required by the public works director or his/her designee and the rules and regulations of the Washington State Department of Health and this article. The installation or maintenance of a cross-connection which will, or has the potential to endanger the city's water quality is prohibited. Any such cross-connection existing at the effective date of the ordinance from which this section derives, or hereafter installed, is declared to be unlawful. The control and/or elimination of cross-connections within the city shall be in accordance with WAC 246-290-490 or superseding Washington Administrative Code provisions, and shall provide the highest degree of protection to the city's water system.

B. Service to any property, landowner or water user receiving its water supply from the city water supply system shall be contingent upon compliance with all requirements of the rules and regulations of the Washington State Department of Health and of this article. Service shall be discontinued to any premises, water user or property owner for failure to comply or for failure to permit entry upon the premises for purposes of inspection and/or testing. Any discontinued service will not be reestablished until the public works director has approved compliance with such requirement of the rules and regulations contained in this article.

C. Any customers using water from the city of Tumwater are responsible for compliance with this article and shall be strictly liable for all damage incurred as a result of failure to comply with the express terms and provisions contained herein.

(Ord. O2011-002, Amended, 03/01/2011; Ord. O2004-013, Amended, 09/07/2004; Ord. 1102, Added, 06/02/1987)

13.04.480 Public works to administer.

The department of public works shall be responsible for administering this article including the development of the necessary procedures and practices to accomplish same, consistent with the standards in this article and WAC 246-290-490 as set forth in the city's cross-connection control program as approved by the Washington State Department of Health.

(Ord. O2004-013, Amended, 09/07/2004; Ord. 1102, Added, 06/02/1987)

Article III. Violation – Penalty