

TOWN OF GOLDEN

BYLAW NUMBER 1282, 2011

CROSS CONNECTION CONTROL

Being a bylaw to establish a cross connection control program and process for the Town of Golden.

The Council of the Town of Golden, in open meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

1. CITATION

- (a) This Bylaw may be cited for all purposes as *"Town of Golden Cross Connection Control Bylaw No. 1282, 2011"*.

2. DEFINITIONS

"Approved backflow preventer"	means a backflow preventer designed to be tested and repaired in-line and to meet the head loss and flow requirements of the CSA or the AWWA as set out in section 3.
"AWWA"	means the American Water Works Association.
"Backflow"	means flow of water or other liquid, gas or other matter from any source in a backward or reverse direction so as to enter the Public Water System.
"Backflow preventer"	means a device that prevents backflow.
"backflow preventer test report"	means a form provided by the Town to be used when testing backflow preventers for recording all test data and other pertinent information in a format acceptable to the Town.
"Backflow Preventer Tester"	means a person holding a valid certificate from the BCWWA for testing backflow preventers.
"Back pressure"	means a pressure that is greater than the Public Water System supply pressure.
"Back siphonage"	means a form of backflow caused by a negative or sub-atmospheric pressure within a water system.
"BCBC"	means the <i>British Columbia Building Code</i> .
"BCWWA"	means the British Columbia Water and Wastewater Association.
"Contaminant"	means any physical, chemical, biological or radiological substance or matter in water which may render the water non-potable under the <i>Drinking Water Protection Act</i> or other Provincial laws, or otherwise compromise its safety.
"Cross connection"	means any actual or potential physical connection between a potable water system and any source of contaminant or pollution.

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"Cross-Connection Control"	means this bylaw or another enactment regulating cross-connections.
"CSA"	means the Canadian Standards Association.
"Inspection"	means an on-site review of the water source, facilities, equipment, operation or maintenance for the purpose of evaluating for compliance with this bylaw, any notice or conditions of approval issued hereunder, or another applicable enactment
"Internal isolation"	means an isolation system that consists of fixture isolation, zone isolation or area isolation or any combination of these. Fixture isolation involves installing an approved backflow preventer at the source of the potential contamination. Zone isolation involves confining the potential source of contamination within a specific area. Area isolation involves confining a section of a piping system with potable and non-potable water connections downstream of the section.
"Irrigation"	means the application of water from the Public Water System to land solely for the purpose of watering plants, including but not limited to lawns, gardens, vegetables, decorative planting, trees, shrubs and agricultural crops.
Manager of Operations	means the person holding the position of Manager of Operations for the Town, or a person appointed to act in his or her place.
"Owner"	has the same meaning as defined in the <i>Community Charter</i> , and in relation to common property under the <i>Strata Property Act</i> , means the strata corporation.
"Parcel"	has the same meaning as defined in the <i>Community Charter</i> .
"Potable water"	has the same meaning as defined in the <i>Drinking Water Protection Act</i> .
"Premises"	means any parcel, building, erection or other thing which may use water from the Public Water System.
"Premises isolation"	means the prevention of backflow into a Public Water System from a user's premises by the installation of a suitable backflow preventer at the entrance to the building or property.
"Private water source"	means a water source, such as a well, or a storage tank for receiving of bulk water, which is privately owned or operated.
"Public Water System"	means the water system or any part thereof, owned or operated by the Town.
"Town"	means the Town of Golden, or the area contained within its boundaries.
"Turn off"	means to turn off the water supply by closing a Town owned valve or by any other means approved by the Manager of Operations.

- “Turn on” means to allow the flow of water by opening a Town owned valve or by any other means approved by the Manager of Operations.
- “Water service connection” means a piping connection that conveys water from the Public Water System to the inside of a building.
- “Zone Protection” means protection provided for sections of a piping system within a building or facility with no domestic or potable water connections downstream of a backflow preventer.

A reference to a statute in this bylaw refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any statute, regulation, code or bylaw refers to that enactment as it may be amended or replaced from time to time. In the event of a conflict between this bylaw and a Provincial enactment, the stricter one prevails. Words in the singular include the plural and gender specific terms include both genders and corporations. Headings in this bylaw are for convenience only and must not be construed as defining or in any way limiting its scope or intent. If any part of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

3. CONSTRUCTION AND INSTALLATION STANDARDS

- a) Every person who is required to install a backflow preventer must ensure that it is installed, maintained and tested in accordance with the following:
 - i) CSA: the current CSA Backflow Preventers Standard; or
 - ii) AWWA: if a backflow preventer is not available that meets the standard in paragraph (a), the standard of the AWWA Cross Connection Control Manual - Pacific Northwest Section that is set in the current edition at the time of installation shall apply;
 - iii) BCBC: as set out in the edition of the BCBC that is current at the time of installation; and
 - iv) with the manufacturer’s specifications, including, but not limited to, requirements regarding accessibility and clearances.
- b) In the event of a conflict between the BCBC and the CSA or AWWA standard, or between these standards and the bylaws of the Town, the stricter requirement shall apply.

4. GENERAL PROVISIONS

- a) A person must not connect, cause to be connected, or allow or suffer to remain connected, a private water source, directly or indirectly, to the Public Water System, except strictly in compliance with this bylaw.
- b) An owner of a private water system connected to the Public Water System must not permit, suffer or allow the use of that Public Water System or the creation of a cross connection, except in strict compliance with all of the following:

- i) an approved backflow preventer must be installed that conforms to the standards established in section 3 of this bylaw;
 - ii) the backflow preventer must be of a type and size approved by the Manager of Operations, and;
 - iii) the backflow preventer must be installed on the water service connection to the premises or at another location approved by the Manager of Operations.
- c) Every owner who is required to install a backflow preventer must, at his or her own cost and expense, ensure that the backflow preventer:
 - i) is maintained in good working order at all times;
 - ii) is not altered or damaged in any way so as to alter or impair its operation;
 - iii) is properly protected at all times against damage, including impact, hot water, fire, vandalism, corrosion, freezing and damage by neglect;
 - iv) is tested by a Backflow Preventer Device Tester immediately after its initial installation;
 - v) is repaired or replaced as advised by a Backflow Preventer Device Tester so that it may be certified as being of an approved type and standard, installed correctly and in proper operating condition; and
 - vi) is tested by a Backflow Preventer Device Tester at least once in every twelve (12) month period, and more frequently as required by this bylaw or, if the backflow preventer has been found deficient or otherwise to have not met the standards of this bylaw, as directed by the Manager of Operations.
- d) Within thirty (30) days of a backflow preventer having been installed, the owner must, at his or her own cost and expense, provide to the Town a backflow preventer test report prepared by the Backflow Preventer Device Tester who tested it, and certification from the Backflow Preventer Device Tester confirming:
 - i) the date of installation for the backflow preventer;
 - ii) the specific location of the backflow preventer and what cross connection it is intended to isolate;

- iii) the manufacturer, model, size and serial number of the backflow preventer installed;
 - iv) that it is an approved backflow preventer, and;
 - v) that it has been installed correctly and is in proper operating condition.
- e) If a backflow preventer appears to have been damaged, impaired, altered, vandalized, removed, or to be malfunctioning in any way, the owner, occupant or other person who uses a private water system must:
- i) immediately stop using the private water system until the backflow preventer is repaired or replaced, and passes a re-test;
 - ii) as soon as possible, notify the Manager of Operations, and;
 - iii) at the owner's cost and expense, repair or replace the backflow preventer, in accordance with sections 5e.) and 5d.), as applicable.

6. IRRIGATION SYSTEMS

Prior to commencement of operation of an irrigation system in each irrigation season, every owner required to have a backflow preventer installed must have the backflow preventer inspected and tested by a Backflow Preventer Tester to ensure that it is an approved backflow preventer, installed correctly and in proper operating condition. The owner must provide a true copy of the backflow preventer test report to the Manager of Operations within thirty (30) days of completion of the test and prior to operation of the system.

7. BULK WATER TANK FILLING

The owner of any water tank shall maintain a minimum air gap of 30 cm between the end of the filler hose and the fill port of the bulk water tank when filling the tank.

8. CONSTRUCTION AND RENOVATIONS

- a) If a property or premises undergoes a change of use or redevelopment the property owner or occupant must notify the Manager of Operations before redeveloping to confirm the required back flow device for the new use or redevelopment.
- b) A person must not turn on the water supply to any newly renovated, constructed or reconstructed premises until the plumbing system in such premises has been inspected for cross connections and approved by the Manager of Operations.
- c) The Manager of Operations may approve the plumbing system if the plumbing

system meets all aspects of Cross Connection Control including, without limitation, the installation of the approved backflow preventer(s), the receipt of backflow preventer test report(s), and on being satisfied that there are no health concerns to the Public Water System.

9. TEST NOTIFICATION

Where a person has apparently failed to have a backflow preventer tested in accordance with this bylaw, the Manager of Operations may notify the owner or occupant that the backflow preventer must be tested and be brought into compliance within ninety-six (96) hours, or a specified lesser period, of the notice being delivered. If the notice is not complied with within the time specified, the Manager may turn off the water supply without further notice.

10. ENTRY BY TOWN

- a) The Manager of Operations or a person designated by the Manager may, at all reasonable times, enter any property or premises to which Town water is supplied, to inspect the curb stop, backflow preventer and any related systems and equipment for compliance with this bylaw or another applicable enactment, and for compliance with any notice or approval given under this bylaw.
- b) A person must not obstruct, prevent, interfere with or otherwise hinder the Town, its Manager of Operations or other officials, employees, contractors, servants, or agents in exercising a power or carrying out a duty or function under this bylaw or any related enactments, notices or orders.
- c) Following an inspection the Manager of Operations may notify the owners or occupant to repair or replace the backflow preventer or other plumbing equipment or system. If the owner or occupant cannot be contacted or fails to fully comply with the notice as required within the specified time, the Manager may cause or direct the repairs or replacements to be carried out by the Town or a contractor for the Town as the Manager considers necessary or advisable for the protection of the Water Service and the potability of the Public Water Supply, and the owner shall be responsible for the costs incurred by the Town.

11. NOTICE OF PROHIBITED CROSS CONNECTION

- a) Where the Manager of Operations determines that there exists a cross connection prohibited by this Bylaw, the Manager may:
 - i) turn off the water supply to the premises and notify the owner or occupant that an approved backflow preventer must be installed and tested in accordance with this bylaw, at the owner's expense, prior to the water supply being turned on; or

- ii) if, in the opinion of the Manager of Operations, a health hazard does not presently exist, the Manager may give notice to the owner or occupant to correct the cross connection, at the expense of the owner, within a specified period.
- b) An owner or occupant to whom notice has been given under this bylaw must, at his or her own expense, promptly, or in any case within a period specified in the notice, correct the cross connection by installing an approved backflow preventer in accordance with this bylaw.
- c) Any person whose water supply from the Public Water System has been turned off pursuant to this bylaw, before having it turned on again, must:
 - i) ensure that all of the provisions of this bylaw have been complied with, and;
 - ii) pay to the Town a fee of \$100.00 per affected water supply.
 - iii) whether or not an owner, occupant or other person receives a notice under this bylaw, that person continues to be subject to full compliance with this bylaw and any related enactments, notices or orders.
 - iv) no person will have any claim against the Town by reason of turning off the water supply as is herein authorized.

12. CHANGE OF USE OR REDEVELOPMENT

If as a result of a change of use of a premises or redevelopment of a property an existing back flow device is no longer suitable for the proposed use, the Manager of Operations may require the owner to remove the existing device and install a device that is approved for that new use or redevelopment.

13. TEMPORARY WATER SUPPLY FOR CONSTRUCTION

- a) Every person desiring to obtain a temporary supply of water for construction purposes must apply to the Manager of Operations and must:
 - i) obtain written approval of the Manager of Operations;
 - ii) comply with any terms, restrictions, requirements and conditions imposed by the Manager of Operations that are pertinent to the property or premises;
 - iii) use an approved backflow preventer which has been installed in accordance with this bylaw and all other applicable bylaws; and

- iv) ensure that the temporary supply is utilized and maintained in such a manner that it may not, under any circumstances, allow non-potable water or any other contaminant to enter the Public Water System.
- b) The Manager of Operations may refuse to approve, or may revoke an approval of an application under section 12 if the Manager is of the opinion that all of the provisions of this bylaw, another applicable enactment, or a term, restriction, requirement or condition of approval cannot be met or are not being met.

14. REMEDIATION AND COST RECOVERY

- a) If a person to whom a notice is delivered under this bylaw fails to take the required action or otherwise fails to fully comply with the notice within the time specified therein, the Town may, through its employees, servants or a contractors, enter on the property and fulfill the requirements or otherwise bring it into compliance with this bylaw. The owner shall be responsible for all fees that may apply, and in addition, for any costs and expenses incurred by the Town in effecting compliance. The total amount shall become a debt owing to the Town if not paid within 30 days of an invoice being delivered.
- b) Any fees or amounts invoiced under this bylaw are due and payable by December 31st, if not paid on or before that date, may be collected and payment enforced in the same manner as taxes in arrears in accordance with the Community Charter.

15. OFFENCE AND PENALTY

- a) Every person who violates any provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, commits an offence, and each day that a violation continues constitutes a separate offence. Upon conviction of an offence under this bylaw, a person is liable:
 - i) to pay a fine of up to \$10,000.00 if proceedings are brought under the *Offence Act* or;
 - ii) to pay a fine of up to \$1,000 for that offence in the "*Municipal Ticket Information Utilization Bylaw No. 1035,*" as may be amended or replaced from time to time.

16. SEVERABILITY

If any portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

17. REPEAL

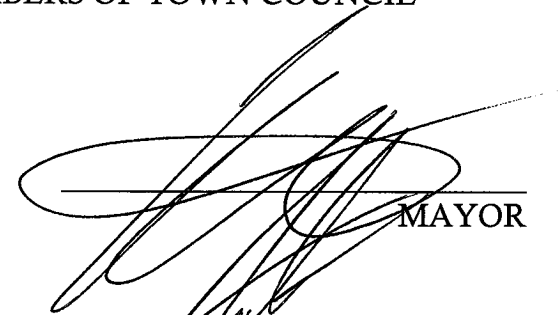
The "*Cross Connection Control Bylaw Number 1178, 2005*" and all amendments thereto are hereby repealed in their entirety

READ A FIRST TIME THIS 3RD DAY OF MAY , 2011.

READ A SECOND TIME THIS 24TH DAY OF MAY , 2011.

READ A THIRD TIME THIS 7TH DAY OF JUNE , 2011.

ADOPTED THIS 21ST DAY OF JUNE 2011, BY A
UNANIMOUS DECISION OF ALL MEMBERS OF TOWN COUNCIL
PRESENT AND ELIGIBLE TO VOTE



MAYOR



CORPORATE OFFICER