

Interlaken Town Cross Connection Control Ordinance Hearing Agenda
Wednesday, 29 May 2024, 6:30 PM – 7:00 PM
Meeting Conducted Remotely with Zoom Video Conferencing Software

Zoom Meeting ID: 516 337 9977

Password: 84049

Zoom Meeting Link

<https://us02web.zoom.us/j/5163379977?pwd=QlJNT3loV3J4Nm83TFJObGVzUE1ldz09>

1. **Call to Order**
2. **Roll Call**
3. **Presentations:** Proposed Ordinance No. 10 Cross Connection Control
4. **Public Comment:** Comments will be taken by the Town Council on the proposed Cross Connection Control Ordinance. Comments are limited to four minutes per speaker. The Council may or may not respond to non-agenda issues brought up under public comment. Those wishing to comment should stand, state their full name and address, whom they represent, and the subject matter to be addressed. Total time allocated to public comments will be no more than twenty minutes.
5. **Council Comments**
6. **Adjournment**

Interlaken Town Cross Connection Control Ordinance Hearing Agenda
Wednesday, 29 May 2024, 6:15 PM – 6:35 PM
Meeting Conducted Remotely with Zoom Video Conferencing Software
A public onsite location was provided at 347 Luzern Rd. Midway

Zoom Meeting ID: 516 337 9977

Password: 84049

Zoom Meeting Link

<https://us02web.zoom.us/j/5163379977?pwd=QJNT3loV3J4Nm83TFJOdGVSUE1ldz09>

1. Call to Order - Mayor Harrigan called the meeting to order at 6:15 pm

2. Roll Call

Greg Harrigan, Mayor

Sue O’Nan, Council Member and Treasurer

Erin Merryweather, Council Member

Jill Jacobson, Council Member

Timm Dixon, Council Member, was absent

3. Presentations: Proposed Ordinance No. 10 Cross Connection Control

Bart Smith described the proposed ordinance, and the state mandate to require backflow prevention devices for all culinary water systems with a connection to an irrigation system. See the attached proposed ordinance.

4. Public Comment:

Sue O’Nan – can the water masters inspect and certify the device? Bart – no, the water masters can identify a properly installed device, but cannot certify. It. Certification must be completed by a certified tester recognized by the state.

Jill 350 Bern Way - is there a precedent for someone entering your house? Bart – we don’t have to enter the house to enforce this ordinance. If a homeowner does not comply with the requirement for an annual inspection and test, the town has the option to discontinue their service and shut off the water.

Chuck Cullom- this is a consumer protection ordinance. If someone doesn’t have a backflow prevention device it could compromise the system. There are instances in the east and the west where the utilities that have similar devices for gas and sewer where service may be discontinued if the system is compromised. In these cases the utility has the right of inspection.

5. Council Comments - None

6. Adjournment

With no additional public comment or council comments, the meeting was adjourned prior to the scheduled 7:00 pm time. Council member O’Nan moved to adjourn the meeting. Council member Jacobson seconded the motion. The motion passed unanimously. The meeting was adjourned at 6:35 pm. It was decided to proceed with the scheduled Interlaken Town Council regular meeting.



PUBLIC NOTICE

INTERLAKEN TOWN PUBLIC HEARING

Cross Connection Control Ordinance

The Interlaken Town Council will hold a public hearing on May 29, 2024 at 6:30 pm to consider the following:

- Proposed Ordinance No. 10 - Cross Connection Control

The meeting will be conducted by the Town Council through Zoom Video Conferencing:
Meeting ID: 516 337 9977 Meeting Password: 84049

A physical location will also be provided – visit the Interlaken Town website for details.

Public comments are welcome. Interested persons are encouraged to attend the public hearing, or present their views in writing to the Interlaken Town Administrator prior to the meeting.

To access the proposed Ordinance from the town website (www.town-of-interlaken.com), click on [Documents](#), then [Municipal Codes & Ordinances](#). Finally, click on the links to read the proposed Ordinance and associated documents.

Paper copies of the proposed Ordinance will also be made available upon request through the Town Clerk (435-565-3812).

Notice of Special Accommodations:

In compliance with the Americans with Disabilities Act, Interlaken Town will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Town Clerk at 435-565-3812 at least 72 hours prior to the meeting.

Certificate of Posting:

The undersigned Town Administrator does hereby certify that the above notice was posted May 15, 2024. The public places being at the Interlaken Pump house (326 Luzern Rd., Midway), the Utah Public Meeting Notice website (www.utah.gov/pmn), the Wasatch Wave, the Midway post office, and the Interlaken Town website (www.town-of-interlaken.com).

Bart Smith, Interlaken Town Administrator
PO Box 1256
Midway, UT 84049
interlakenclerk@gmail.com
435-565-3812



**INTERLAKEN TOWN
WASATCH COUNTY, UTAH**

**CROSS CONNECTION CONTROL ORDINANCE
MAY 29, 2024**

The purpose of this ordinance is to protect the water supply of Interlaken Town from contamination or pollution from any cross connections (existing or potential); and to assure that approved backflow prevention assemblies are tested when put into service and at least on an annual basis thereafter. This ordinance is in compliance with Section R309.105.12 of the Utah Public Drinking Water Rules (UPDWR) and the Plumbing Code as adopted by the State of Utah.

The installation or maintenance of any unprotected cross connection which would endanger the water supply of the Interlaken Town Municipal Water System is prohibited. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be immediately protected or eliminated.

The control or elimination of cross connections and the criteria for determining degree of hazard and prescribing appropriate levels of protection shall be in accordance with the Plumbing Code as adopted by the State of Utah and the UPDWR. Water service to any premise shall be contingent upon the customer providing appropriate cross connection control if determined necessary. Determinations and enforcement shall be the responsibility of the Interlaken Town Water Masters in conjunction with the Town Administrator and Town Engineer. Water service may be refused or terminated to any premises where an unprotected cross connection may allow contamination or pollutants to backflow into the public drinking water system.

Authorized employees and administrative staff of the Interlaken Town Municipal Water System with proper identification, shall have free access at reasonable hours of the day, to all areas of a premise or building to which drinking water is supplied for the purpose of conducting hazard assessment surveys. Water service may be refused or terminated, or maximum backflow protection may be required, to the premise where access to perform surveys is denied, where unprotected cross connections are located, or in the event that installed assemblies are not tested and maintained as required by State and local regulations.

Before any water service is terminated, a due process of notifying the customer and providing a reasonable time for compliance to be achieved will be observed according to the operating procedures of the Interlaken Town Municipal Water System. However, in the event of an actual backflow incident which endangers public health, water service may be terminated immediately and not be restored until the cross connection is either eliminated or adequately protected.

**INTERLAKEN TOWN
WASATCH COUNTY, UTAH**

**CROSS CONNECTION CONTROL ORDINANCE
MAY 29, 2024**

ORDINANCE NO. 10

AN ORDINANCE FOR THE CONTROL OF BACKFLOW AND CROSS
CONNECTIONS

WHEREAS, it is the desire of the Interlaken Town Council to provide clean, safe culinary water to its citizens and water customers; and

WHEREAS, unprotected cross connections, with the associated potential for backflow contamination of the culinary water system represents a danger to the health and safety of all users of the Interlaken Town Culinary Water System; and

WHEREAS, the adoption of this ordinance will be in the best interests of the citizens of Interlaken Town; and

NOW, THEREFORE, it is hereby ordained by the Town Council of Interlaken Town, Wasatch County, Utah, (the “Town Council”) as follows:

Adoption of the following Cross Connection Control Policy:

SECTION 1. CROSS CONNECTION CONTROL –GENERAL POLICY

1.1 Purpose of Ordinance:

1.1.1 To protect the Public drinking water supply of the Interlaken Town Municipal Water System from the possibility of contamination or pollution by requiring compliance with the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah, that require a cross connection control protection of all public drinking water systems in the State of Utah. Compliance with these minimum safety codes will be considered reasonable diligence for the prevention of contaminants or pollutants which could backflow into the public drinking water system; and,

1.1.2 To promote the reasonable elimination or control of cross connection in the plumbing fixtures and industrial piping system(s) of the consumer, as required by the state and plumbing regulations to assure water system safety; and,

1.1.3 To provide for the administration of a continuing program of backflow prevention which will systematically examine risk and effectively prevent the contamination or pollution of the drinking water system.

1.2 Responsibility: Drinking Water Purveyor

1.2.1 The Interlaken Town Municipal Water System shall be responsible for the protection of the drinking water distribution system from the foreseeable condition leading to the possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.

1.2.2 Drinking water system surveys/inspections of the consumer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing the Interlaken Town Municipal Water System. Survey records shall indicate compliance with the State of Utah Regulations. All such records will be maintained by the Interlaken Town Municipal Water System.

1.2.3 The Interlaken Town Municipal Water System shall schedule and notify in writing, all consumers of the need for the periodic system survey to ensure compliance with existing applicable minimum health and safety standards.

1.2.4 Selection of an approved backflow prevention assembly for containment control required at the service entrance shall be determined from the results of the system survey.

1.3 Responsibility: Consumer

1.3.1 To comply with this ordinance as a term and condition of water supply and consumer's acceptance of service is admittance of his/her awareness of his/her responsibilities as a water system user.

1.3.2 It shall be the responsibility of the consumer to purchase, install, and arrange testing and maintenance of any backflow prevention device/assembly required to comply with this ordinance. Failure to comply with this ordinance shall constitute grounds for discontinuation of service.

1.4 Responsibility: Plumbing Official

1.4.1 The plumbing official's responsibility to enforce the applicable sections of the plumbing code begins at the point of service (downstream or consumer side of the meter) and continues throughout the length of the consumer's water system.

1.4.2 The plumbing official will review all plans to ensure that unprotected cross connections are not an integral part of the consumer's water system. If a cross connection cannot be eliminated, it must be protected by the installation of an air gap or an approved backflow prevention device/assembly, in accordance with the Plumbing Code as adopted by the State of Utah.

1.5 Responsibility: Certified Backflow Technician, Surveyor, or Repair Person

1.5.1 Whether employed by the consumer or a utility to survey, test, repair, or maintain backflow prevention assemblies the Certified Backflow Technician, Surveyor, or Repair Person will have the following responsibilities:

a. Ensuring that acceptable testing equipment and procedures are used for testing, repairing or

overhauling backflow prevention assemblies.

- b. Make reports of such testing and/or repairs to the consumer and the water purveyor on form approved for such use by the water purveyor within time frames as described by the Division of Drinking Water.
- c. Include the list of materials or replacement parts being used in the reports.
- d. Ensuring that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
- e. Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.
- f. Performing all tests of the mechanical devices/assemblies and shall be responsible for the competence and accuracy of all tests and reports.
- g. Insuring that his/her license is current, the testing equipment being used is acceptable to the State of Utah and is in proper operating condition.
- h. Being equipped with, and competent to use, all necessary tools, gauges, test tags, and other equipment necessary to properly test, and maintain backflow prevention assemblies.
- i. Tagging each double check valve, pressure vacuum breaker, reduced pressure backflow assembly and high hazard air gap, showing the serial number date tested and by whom. The certified technician's license number must also be on the tag.

1.5.2 Responsibility: Repair of backflow assemblies

In the case of a consumer requiring an assembly to be tested, any currently Certified Backflow Technician is authorized to make the test and report the results to the consumer and the water purveyor. Any installation repair or relocation shall be done with individuals having appropriate licensure from the department of licensing.

SECTION 2. DEFINITIONS

2.1 Water Purveyor: The person designated to be in charge of the Water Department of the Interlaken Town Municipal Water System, is invested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this ordinance.

2.2 Approved Backflow Assembly: An assembly accepted by the Utah State Department of Environmental Quality, Division of Drinking Water, as meeting an applicable specification or as suitable for the proposed use.

2.3 Auxiliary Water Supply: Any water supply on or available to the premises other than the purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters

may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, etc., or "used waters" or "industrial fluids". These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have authority for sanitary control.

2.4 Backflow: The reversal of the normal flow of water caused by either back-pressure or back siphonage.

2.5 Back-Pressure: The flow of water or other liquids, mixtures, or substances from a region of high pressure to a region of lower pressure into the water distribution pipes of a potable water supply system from any source(s) other than the intended source.

2.6 Back-Siphonage: The flow of water or other liquids, mixtures, or substances under vacuum conditions into the distribution pipes of a potable water supply system from any source(s) other than the intended source, caused by the reduction of pressure in the potable water system.

2.7 Backflow Prevention Assembly: An assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Plumbing Code as adopted by the State of Utah and in the Cross Connection Control Program for Utah maintained by the Division of Drinking Water.

2.8 Cross Connection: Any physical connection or arrangement of piping or fixtures which **may** allow non-potable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a water distribution system. This would include temporary conditions, such as swing connections, removable sections, four way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multiport tubes or other plumbing arrangements.

2.9 Contamination: Means a degradation of the quality of the potable water supply by sewage industrial fluids or waste liquids, compounds or other materials that may create a health hazard.

2.10 Cross Connection-Controlled: A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

2.11 Cross Connection-Containment: The installation of an approved backflow assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find permanently eliminate or control all actual or potential cross connection within the customer's water distribution system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supply a portion of a customer's water distribution system; or, it shall mean the installation of a portion of a customer's water system where there are actual or potential cross connections which cannot be effectively eliminated or controlled at the point of the cross connection (isolation).

SECTION 3. REQUIREMENTS

3.1 Policy:

3.1.1 No water service connection to any premises shall be installed or maintained by the Water Purveyor unless the water supply is protected as required by State laws, regulations, codes, and this ordinance shall be discontinued by the water purveyor after due process of written notifications of violation and an appropriate time suspense for voluntary compliance, if:

- a.** A backflow prevention assembly required by this ordinance for the control of backflow and cross connections is not installed, tested, and maintained, or
- b.** If it is found that a backflow prevention assembly has been removed or by-passed, or
- c.** If an unprotected cross connection exists on the premises, or
- d.** If the periodic system survey has not been conducted.
- e.** Service will not be restored until such conditions or defects are corrected.

3.1.2 The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the water purveyor to determine whether cross connections or other structural or sanitary hazards, including violation of this ordinance exist and to audit the results of the required survey (R309.105.12 of the Utah Administrative Code).

3.1.3 Whenever the public water purveyor deems a service connection's water usage contributes a sufficient hazard to the water supply, and approved backflow prevention assembly shall be installed on the service line of the identified consumer's water system, at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line.

3.1.4 The type of protective assembly required under subsection 3.1.3, shall depend upon the degree of hazard which exists at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.

3.1.5 All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 3.1.6, be excluded from the requirements of these rules so long as the water purveyor is assured that they will satisfactorily protect the public water system. Whenever the existing is moved from the present location or requires more than minimum maintenance or when the water purveyor finds that the operation or of this assembly constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting all local and state requirements.

3.1.6 It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys; inspections, and operational tests made at least once per year at the consumer's expense. In those instances where the Public Water Purveyor deems the hazard to

be great, he may require certified surveys/inspections and tests at a more frequent interval. It shall be the duty of the purveyor to see that these tests are made according to the standards set forth by the State Department of Environmental Quality, Division of Drinking Water.

3.1.7 All backflow prevention assemblies shall be tested within ten (10) working days of installation.

3.1.8 No backflow prevention assemblies shall be installed so as to create a safety hazard. (Example: Installed over an electrical panel, steam pipes, boilers, or above ceiling level).

3.2 Violation of this Policy:

If violation of this ordinance exists if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of the deficiencies noted within the survey or test results, then the water purveyor shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with all State and local regulations and statutes relating to plumbing, safe drinking water suppliers, and this ordinance.

The foregoing Cross Connection Control ordinance was passed and approved by the Interlaken Town Municipal Water System of Interlaken Town, Wasatch County, Utah on the _____ day of _____, 20____ .

Approver:

(Gregory Harrigan, Interlaken Town Mayor

ATTEST:

Bartlett Smith, Interlaken Town Clerk and Administrator

(SEAL)