

Chapter 52

WATER CROSS CONNECTIONS AND
BACKFLOW PROTECTION

Local Law

No. 3

1986

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[HISTORY: Adopted Walton Village Board 4-21-86 as Local Law No. 3, 1986. Amendments noted where applicable.]

GENERAL REFERENCES

Water — See Ch. 51.

§ 52-1. Purpose.

The purpose of this local law is to:

- A. Protect the public potable water supply of the Village of Walton from the possibility of contamination by isolating within its

customer's internal distribution system or its customer's private water system such contaminations or pollutants which could backflow into the public water supply system.

- B. Comply with the requirements of the New York State Sanitary Code 5-1.21, in conformance with the State Health Department's Cross Connection Control Manual.

§ 52-2. Definitions; word usage.

- A. For the purpose of this chapter, unless it is plainly evident from the context that a different meaning is intended, certain terms used herein are defined as follows:

AIR GAP SEPARATION — A physical break between a supply pipe and a receiving vessel. The air gap shall be at least double the diameter of supply pipe, measured vertically above the top rim of the vessel, and in no case no less than one (1) inch.

APPROVED CHECK VALVE — A check valve that seats readily and completely. It must be carefully machined to have free-moving parts and assured watertightness. The face of the closure element and valve seat must be bronze, composition or other noncorrodible material which will seat tightly under all prevailing conditions of field use. Pins and bushings shall be bronze or other noncorrodible, nonsticking material, machined for easy, dependable operation. The closure element (e.g., clapper) shall be internally weighted or otherwise internally equipped to promote rapid and positive closure in all sizes where this feature is obtainable.

APPROVED DOUBLE CHECK VALVE ASSEMBLY — An assembly of at least two (2) independently acting approved check valves, including tightly closing shutoff valves on each side of the check valve assembly and suitable test cocks plus connections available for testing the watertightness of each check valve.

APPROVED REDUCED PRESSURE PRINCIPAL BACKFLOW PREVENTION DEVICE — A device incorporating two (2) or more check valves and an automatically operating

differential relief valve located between the two (2) checks, two (2) shutoff valves, and equipped with necessary appurtenances for testing. The devices shall operate to maintain the pressure in the zone between the two (2) check valves, less than the pressure on the public water supply side of the device. At cessation of normal flow the pressure between the check valves shall be less than the supply pressure. In case of leakage of either valve, the differential relief valve shall operate to maintain this reduced pressure by discharging to the atmosphere. To be approved, these devices must be readily accessible for maintenance and testing and installed in a location where no part of the device shall be submerged.

APPROVED WATER SUPPLY — Any supply approved by, or under the public health supervision of, a public health agency of the State of New York, the County of Delaware or the Village of Walton. In determining what constitutes an approved water supply, the Department of Health of the State of New York (herein called the "State Health Department") shall have the final judgment as to its safety and potability.

CERTIFIED TESTER — That individual or firm approved by the State Health Department to make inspections and operational tests of backflow prevention devices.

CONSUMER — Any person to whom water is sold and furnished from the Village of Walton.

CONTAMINATION — An impairment of the quality of the village water supply by the presence of any foreign substance (organic, inorganic, radiological or biological) to a degree which creates a hazard to the public health.

CROSS CONNECTION — An unprotected connection between any part of the village water works system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved as safe, wholesome and potable for human consumption.

NONTOXIC SUBSTANCE — Any substance of a nonpoisonous nature that may create a moderate or minor hazard to the water supply system.

PERSON — Any natural person, firm, association, organization, partnership, trust or association or persons, joint venture, corporation, or company and includes the United States, the State of New York, the County of Delaware, any special purpose district, and any officer or agent thereof.

PREMISES — Integrated land area, including improvements thereon undivided by public thoroughfares or water distribution mains of the Village of Walton and where all parts of the premises are operated under the same management and for the same purpose.

PROTECTIVE DEVICE — Any of the following devices:

- (1) Air gap separation.
- (2) Approved reduced pressure principle backflow prevention device.
- (3) Approved double check valve assembly.

SERVICE CONNECTION — The terminal end of a service connection from the village water supply at its point of delivery to the consumer. If a meter is installed, "service connection" means the downstream end of the meter. No unprotected take-offs from the service line ahead of any meter or backflow protective device located at the point of delivery to the consumer shall be permitted.

SUPERINTENDENT — The Superintendent of Water of the Village of Walton, or his authorized representative.

TOXIC SUBSTANCE — Any substance (liquid, solid or gaseous), including raw sewage and lethal substances, that when introduced into the water supply system creates or may create a danger to the health and well being.

UNAPPROVED WATER SUPPLY — Any water supply on or available to the premises other than an approved water supply.

VILLAGE — The Village of Walton.

VILLAGE WATER SUPPLY — An approved water supply sold and delivered to the consumers' premises through the water works system of the Village of Walton.

B. "Shall" is mandatory; "may" is permissive.

§ 52-3. Where protection required; type of protection.

- A. Unapproved water supply. At the service connection to any premises having an unapproved water supply, the village water supply shall be protected by an approved reduced pressure principle backflow protection device or an air gap separation.
- B. Toxic substances (hazardous facility). At the service connection to any premises on which toxic substances may be handled in such a manner as to constitute a cross connection, the village water supply shall be protected by an approved reduced pressure principle backflow prevention device or an air gap separation.
- C. Nontoxic substances. At the service connection to any premises on which a substance that would be objectionable (but not necessarily hazardous to health) if introduced into the village water supply is handled in such a manner as to constitute a cross connection, the village water supply shall be protected by an approved double check valve assembly.
- D. Nonhazardous to hazardous. In the event a facility is rated nonhazardous and on such date becomes hazardous, notification of at least thirty (30) days be given to the Superintendent before the change takes place. Protection by the use of a protective device as required on hazardous substances must be installed.
- E. Sewage treatment plant and dumping stations. At the service connection to any sewage treatment plant or sewage pumping station, the village water supply shall be protected by an air-gap separation. The air gap shall be located as close as practicable to the service connection, and all piping between the

service connection and receiving tank shall be entirely visible. If these conditions cannot be reasonably met, the village water supply shall be protected with an approved reduced pressure principle backflow device, providing this alternative is acceptable to the Superintendent. A final decision in this matter shall be made by the State Health Department.

F. Fire system. At the service connection to any premises in which a fire protective system is installed, the village water supply shall be protected based on the water source and arrangement of supplies in accordance with the following classifications:

- (1) Class 1. Direct connection from public water mains only; no pumps, tanks or reservoirs; no physical connections from auxiliary water supplies, no antifreeze or other additives of any kind; all sprinkler drains discharging to atmosphere, dry wells or other safe outlets. Protection: single check valve assembly if not already installed in the system.
- (2) Class 2. Same as Class 1, except booster pump may be installed in the connections from the street mains. Protection: single check valve assembly if not already installed in the system.
- (3) Class 3. Direct connection from public water supply main plus one (1) or more of the following: elevated storage tanks; fire pumps taking suction from aboveground covered reservoirs or tanks; and pressure tanks. Protection: approved double check valve.
- (4) Class 4. Directly supplied from public mains similar to Classes 1 and 2, and with an auxiliary water supply or available to the premises; or an auxiliary supply may be located within one thousand seven hundred (1,700) feet of the pumper connection. Protection: approved air gap or reduced pressure principle backflow protective device.
- (5) Class 5. Directly supplied from public main, and interconnected with auxiliary supplies, such as pumps taking suction from reservoirs exposed to contamination or rivers

and ponds; driven wells; mills or other industrial water systems; or when antifreeze or other industrial water systems, or where antifreeze or other additives are used. Protection: approved air gap or reduced pressure principle backflow prevention device.

- (6) Class 6. Combined industrial and fire protection systems supplied from the public water mains only, with or without gravity storage or pump suction tanks. Protection: determined by the Superintendent upon review of engineering drawings or the system.
- G. Lawn sprinkling systems. At the service connection to any permanently installed lawn sprinkling system the village water supply shall be protected by an approved double check valve assembly. If the lawn sprinkling system handles liquid fertilizers or other chemicals, the village water supply shall be protected by an approved reduced pressure principle backflow prevention device.

§ 52-4. Responsibility.

- A. Consumer responsibility. It shall be the responsibility of each consumer at his own expense to furnish, install and keep in good working order and safe condition any and all protective devices required in this chapter. The village shall not be responsible for any loss or damage directly or indirectly resulting from or caused by the improper or negligent installation, operation, use, repair or maintenance of, or interfering with, any protective device by any customer or any other person.
- B. Design and approval. The design for the installation of a backflow prevention device must be prepared in accordance with New York State laws and regulations, and must be approved by the Superintendent and all agencies required by state laws and regulations.

§ 52-5. Inspections and records.

The consumer on whose premises any protective device is installed shall have each such device inspected by a certified tester annually.

If successive inspections disclose repeated failures in the operations of any device, the Superintendent may require more frequent inspections. Each device shall be repaired, overhauled or replaced at the expense of the consumer wherever it is found to be defective. Records of such tests, repairs and overhauls shall be kept and a copy of such records forwarded to the Superintendent on an annual basis. The Superintendent shall have the duty of determining that the inspections required herein are performed properly. If following demand therefor, the consumer fails to have any of the inspections made as required herein or to make the above described records available, the Superintendent shall have the right to have the device tested and the consumer shall pay the cost thereof.

§ 52-6. Compliance required; discontinuance of service; notice; right to enter premises.

- A. No water service connection shall be installed on the premises of any consumer unless the village water supply is protected as required by this chapter.
- B. Delivery of water to the premises of any consumer may be discontinued by the Superintendent if any protective device required by this chapter has not been installed, inspected, tested and maintained, or is defective, or has been removed or bypassed.
- C. Delivery of water shall be discontinued immediately and without notice to the consumer if the Superintendent determines that:
 - (1) The village water supply is being contaminated or is in immediate danger of contamination.
 - (2) A protective device required by this chapter has not been installed, or is defective, or has been removed or bypassed.
 - (3) The consumer cannot be immediately located.

D. Notice.

- (1) Except as provided in Subsection C, delivery of water shall not be discontinued until written notice thereof has been given to the consumer. The notice shall state:
 - (a) The conditions or defects which must be corrected.
 - (b) The manner in which the stated conditions or defects are to be corrected.
 - (c) The date on or after which delivery of water will be discontinued, and which shall not be less than fifteen (15) nor more than ninety (90) days following the date of delivery of mailing of this notice. The Superintendent may grant the consumer an extension for an additional period not to exceed ninety (90) days if he determines the consumer has exercised due diligence but has been unable to comply with the notice within the time originally allowed.
- (2) The notice shall be given by delivering same to the consumer, the manager or agent thereof, or to any person in charge of, or employed in the place of business of the consumer; or, if the consumer has not a place of business, then at the place of residence of the consumer if known, or by leaving the notice at either the place of business or the residence of the consumer. If the consumer cannot be found, service of the notice shall be mailed, postage fully prepaid, addressed to the consumer at the place of business or residence set forth in the application of consumer for water service in the records of the village.
- (3) Once discontinued, delivery of water shall not be resumed until any protection device required by this chapter and approved by the Superintendent has been properly installed, or until the conditions at the consumer's premises creating the need for a protective device have been abated or corrected to the satisfaction of the Superintendent.

- E. For the purpose of making any inspections or discharging the duties imposed by this chapter, the Superintendent shall have the right to enter upon the premises of any consumer. Each consumer, as a condition of the continued delivery to his premises of water from the village water supply, shall be considered as having stated his consent to the entry upon his premises of the Superintendent for the purposes stated herein.

§ 52-7. Existing devices.

All presently installed prevention devices which do not meet the requirements of this chapter but were approved devices 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 § 52-5 be excluded from the requirements of these rules so long as the Superintendent is assured that they will satisfactorily protect the village's water supply. Whenever the existing device is moved from the present location or requires more than minimum maintenance which constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this chapter.

§ 52-8. When effective.

This local law shall take effect immediately.

§ 52-9. Severability.

If any section, subsection, sentence, clause or phrase of this local law is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this local law.