

PROPOSED LEGISLATION

DATE April 2, 1999

TO: Honorable Mayor and Council members

FROM: Michael E. Morton, City Manager
Priscilla J. Blanchard, Director of Public Works

LEGISLATION: Ordinance 99-⁴⁴ Backflow prevention program

MEETING: April 7, 1999

I. Purpose and Explanation

The purpose of this ordinance is to allow the City to implement a backflow prevention program for the safety of the public water supply. This will bring the City of Hudson into compliance with the Ohio Revised Code 6109.13 regarding protection of the public water system from contamination through cross connection; the Administrative Code 3745-95 which requires protection of the public water system from contamination due to backflow of contaminants through water service connection; and the Ohio EPA program of cross-connection control.

II. Recommended Action

Passage of the attached ordinance.

III. Fiscal Impact

Currently Budgeted
 Requires Supplemental Appropriation (see attached)
 Appropriation Not Required

ORDINANCE NO. 99-44

OFFERED BY: Mr. Bashore

AN ORDINANCE TO PROVIDE AN EFFECTIVE MEANS FOR
PROTECTING THE PUBLIC WATER SYSTEM FROM CONTAMINATION
DUE TO BACKFLOW OF CONTAMINANTS THROUGH THE
WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM.

WHEREAS, Section 6109.13 of the Ohio Revised Code requires protection of the public water system from contamination through any connection whereby water from a private, auxiliary or emergency water system may enter the public water system; and

WHEREAS, Section 3745-95 of the Ohio Administrative Code requires protection of the public water system from contamination due to backflow of contaminants through the water service connection; and

WHEREAS, the Ohio Environmental Protection Agency requires the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems; and

WHEREAS, in order to accomplish these goals, it is necessary to introduce restrictions that go beyond usual plumbing code requirements.

NOW, THEREFORE, Be It Ordained by the Council of the City of Hudson, County of Summit, State of Ohio, that:

Section 1: For the safety of the public water system, industrial properties, commercial properties, public properties and residential properties with in-ground residential sprinkler systems, in-ground swimming pools or other conditions, which in the opinion of the City Manager, may pose a backflow or cross connection concern, shall be required to install an approved backflow prevention device. The City Manager will give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his/her own expense, install such an approved device at a location and in a manner approved by the City Manager and shall have inspections and tests made of such approved devices as required by the City Manager.

Section 2: No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the City of Hudson may enter the supply or distributing system of the municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the City Manager of the City of Hudson and by the Ohio Environmental Protection Agency.

Section 3: It shall be the duty of the City Manager to cause surveys and investigations to be made of industrial and other such referenced properties as indicated in Section 1, served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the City Manager shall deem necessary.

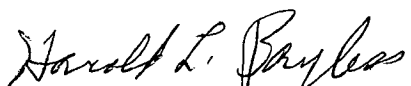
Section 4: The City Manager or a duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City of Hudson for the purpose of inspecting the piping or systems thereof. On demand, the owner, lessees or occupants of any property so served shall furnish to the City Manager any information which may be requested regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the City Manager, be deemed evidence of the presence of improper connections as provided in this ordinance.

Section 5: The City Manager is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take such other precautionary measures as may be deemed necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this ordinance.


Section 6: The City Manager is hereby authorized and directed to create and enforce Rules and Regulations for compliance with the provisions of this ordinance.

Section 7: This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

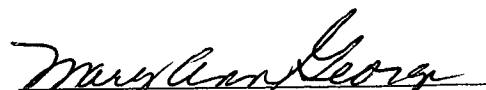
PASSED: May 5, 1999


Harold L. Bayless, Mayor

ATTEST:


Mary Ann George, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on May 5, 1999.


Mary Ann George, Clerk of Council

First Reading: April 7, 1999
Second Reading: April 21, 1999