

## CITY OF SALMON ARM

### BYLAW NO. 3934

#### **A bylaw to establish a cross connection control program and process within the City of Salmon Arm.**

---

WHEREAS, provincial legislation requires water suppliers to ensure that provisions are in place for the elimination and prevention of contamination between their potable water and any non-potable sources.

AND WHEREAS, the Council has established a bylaw to regulate the City of Salmon Arm Water/Works System.

NOW THEREFORE, the Council of the City of Salmon Arm, in open meeting assembled, ENACTS AS FOLLOWS:

**1. DEFINITIONS (Amend to existing bylaw definitions)**

In this Bylaw:

"Approved Backflow Prevention Assembly" means a backflow preventer that is designed to be tested and repaired in-line and to meet the design and testing criteria requirements of the CSA standards B64.1 0.01 most current edition;

"Authorized Agent" includes a Person, Firm or Corporation representing the City of Salmon Arm by written consent;

"Auxiliary Water Supply" means any water available on or to a premise originating from a source or system, other than that from the City of Salmon Arm Waterworks System;

"Backflow" The flow of water or other liquids, gases or solids from any source, in the reverse direction from normal, as a result of back-siphonage or backpressure, back into the potable private water system or the City of Salmon Arm Waterworks System;

"Backflow Assembly Test Report" means a form provided by or approved for use by the City of Salmon Arm to be used when testing backflow assemblies to record all pertinent information and test data;

"Backflow Assembly Tester" means a person holding a valid certificate from the American Water Works Association, British Columbia Section for testing backflow prevention assemblies and approved by the City of Salmon Arm;

"Backflow Preventer" means a mechanical apparatus installed in a water system that prevents backflow of contaminants into the potable Waterworks System and to meet the

design and installation criteria requirements of the CAN/CSA standards B64 Series most current editions;

"Building Official" means the Manager of Permits and Licensing for the City, and every other building official appointed by the City to inspect buildings or structures in respect of building or plumbing standards;

"City" means the City of Salmon Arm;

"Cross Connection" means any actual or potential physical connection whereby the City of Salmon Arm Waterworks System is connected, directly or indirectly, with any non-potable or unapproved private water supply system, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture, or any other device which contains, or may contain, non-potable or contaminated water, liquid, gases, sewage, or other waste, of unknown or unsafe quality which may be capable of imparting a pollutant or contaminant into the public water supply as a result of backflow;

"Cross Connection Control Program" means the City of Salmon Arm Cross Connection Control Program Policies, Procedures and Specifications which provide references, guidelines, bulletins and amendments relevant to this bylaw;

"CSA" is the abbreviation for the Canadian Standards Association;

"Consumer" means any person who is the owner, agent for the owner, lessee, or occupant of any Premise to which water is supplied from the City's waterworks system;

"Discontinue" means to terminate the arrangement between the City of Salmon Arm and the Consumer for the supply of water and to Shut Off the service pipe, disconnect, or remove it;

"Inspect" means an on-site review of the water use, facilities, meters, piping, equipment, operating conditions and maintenance records for the purpose of evaluating for conformity with the terms and conditions of this bylaw;

"Owner" means the registered owner, or the person named as the registered owner on the tax roll by reason of agreement for sales, of any lands and premises situated within the City of Salmon Arm boundaries and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the premises;

"Person" shall, in addition to its ordinary meaning, include a firm or partnership, company or corporation. In addition, throughout this bylaw where the context requires, the singular shall be held to mean and to include the plural and the masculine, the feminine or body corporate;

"Potable Water" means water that is fit for human consumption as defined in the *B.C. Drinking Water Protection Act and Regulations*;

"Premises" means any Real property and buildings on it;

"Private Water System" means any privately owned pipe and fittings intended for the delivery or distribution of water within a premise or to a property and includes any domestic use, irrigation system, greenhouse and hydroponics system, and any other use of water supplied by the City of Salmon Arm Waterworks System;

"Service" means the supply of water from the waterworks system to any person, firm or corporation and includes all pipes, taps, valves, connections and other things necessary to or used for the purpose of the supply of water;

"Service Connection Point" means the point of physical connection between the waterworks system and the private water system. Typically the Service Connection Point is at the downstream side of the water meter and/or is located at or near the Owners property line;

"Temporary Use Permit" means a permit issued by the City of Salmon Arm for any Person requesting water from a fire hydrant, stand pipe, or temporary water connection for purposes other than emergency fire protection;

"Turn Off" means to turn off the water supply by closing a City of Salmon Arm owned valve or curb stop by any other means approved by the City of Salmon Arm;

"Turn On" means to allow the flow of water by opening a City of Salmon Arm owned valve or by any other means approved by the City of Salmon Arm;

"Used Water" means any potable water which is no longer in the water distribution system including potable water that has moved downstream or past the Water Connection (water meter) and/or the property line to the private water system;

"Waterworks System" means the pipe connecting the Waterworks System of the City of Salmon Arm and all fittings and valves owned or maintained by the City of Salmon Arm provided to the property line on any street, lane, right-of-way.

## **2. WATER SUPPLY AND PRESSURE**

2.1 The City of Salmon Arm does not guarantee pressure or continuous supply of water, or accept responsibility at any time for the maintenance of pressure in its water mains or for increases or decreases in pressure. The City of Salmon Arm reserves the right at any and all times, without notice, to change operating water pressure and to shut off the water supply for the purposes of making repairs, extensions, alterations or improvements, or for any other reason.

2.2 The City of Salmon Arm, its officers, employees or agents shall not incur any liability of any kind what so ever by reason of the cessation in whole or in part of water pressure or

water supply, or changes in operating pressures, or by reason of the water containing sediments, deposits, or other foreign matter.

- 2.3 Where steam or hot water boilers or other equipment is fed with water by pressure directly from the waterworks system, the City of Salmon Arm shall not be liable for any injury or damage which may result from such pressure or from lack of such pressure or any injury or damage resulting from the improper installation of a backflow preventer.

### **3. INSPECTION**

- 3.1 The City of Salmon Arm and/or its authorized agent shall be entitled, at its determination to:

- i) Access the private water system located on private property at all reasonable hours in order to carry out inspections and surveys of the premises to determine the existence of connections or cross connections prohibited by this bylaw and as stated in the City of Salmon Arm Cross-Connection Control Program.
- ii) Impose minimum standards that must be met and satisfied relating to the type of backflow preventer and the installation and maintenance of the same as specified by the City of Salmon Arm Cross Connection Control Program.
- iii) Inspect the type of backflow preventer, the installation and state of maintenance and repair of the same.

### **4. CONDITION OF SERVICE**

- 4.1 Service supplied by the City of Salmon Arm to a Consumer shall only be provided where, in the opinion of the City of Salmon Arm, the waterworks system has been effectively protected from any actual or potential cross connections existing at or within the Consumer's private water system.

- 4.2 No Consumer or other person shall turn on a water valve to provide Service to the occupants of any newly renovated or constructed or reconstructed premise(s) until the private water system in such premise(s) has been inspected for Cross Connections and approved by the Building Inspector and/or the City of Salmon Arm, or otherwise satisfies Section 5.1 of this bylaw.

### **5. CONTAMINATION**

5. Subject to the provisions of this Bylaw:

- 5.1 No person shall create a cross connection by connecting, causing to be connected, or allowing to remain connected to the City of Salmon Arm waterworks system, any device, piping, fixture, fitting, container, appliance or any other chattel or thing which

may under any circumstances allow non-potable water, used water, wastewater or any chemical, liquid, gas or other substance to enter the waterworks system.

## **6. CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION**

6.1 Where the City of Salmon Arm or authorized agent determines that there exists a connection or cross connection prohibited by this Bylaw and/or the Cross Connection Control Program, written notice may be given to the Consumer to correct the connection or cross connection at the expense of the Consumer within a specified time.

6.2 A Consumer to whom notice has been given under this section shall eliminate or control the connection or cross connection by installing an Approved Backflow Preventer conforming to the CAN/CSA B64.10-07 or most current edition, for the selection and installation of backflow preventers and the City of Salmon Arm Cross Connection Control Program Policies, Procedures and Specifications.

6.3 The Consumer shall install a type of backflow preventer commensurate to the degree of hazard as established by CAN/CSA B64.10 (most current) and that is approved by the City of Salmon Arm.

6.4 Notwithstanding anything contained herein if, in the opinion of the City of Salmon Arm, the configuration of any water connection which creates a risk of contamination to the waterworks system, the Consumer, shall install on the private water system at the location of the service connection point from the waterworks system an Approved Backflow Prevention Assembly, in addition to any backflow preventers installed in the Consumer's private water system.

6.5 The failure to be sent a notice(s), or the failure to receive a notice(s), shall not excuse the mandatory duty of the Consumer or other responsible party to comply with this Bylaw and/or the City of Salmon Arm Cross Connection Control Program and all other applicable bylaws.

6.6 Where any condition is found to exist which, in the opinion of the City of Salmon Arm, may otherwise expose the waterworks system to risk of contamination, the City of Salmon Arm or authorized agent shall, at their discretion, take one or more of the following actions:

- i) Give notice to the Consumer to correct the condition or cross connection(s) at the expense of the Consumer within a specified time period;
- ii) The Consumer shall be issued a ticket in the mount of \$100.00 each day until, in the opinion to the City of Salmon Arm the condition is corrected;
- iii) Turn Off or Discontinue Service until the condition is corrected; or

- iv) Install an approved Backflow Prevention Assembly at the Service Connection Point with all costs being charged to the Consumer.

6.7 Any Consumer whose water has been turned off pursuant to this Bylaw shall not have the water from the City of Salmon Arm Waterworks System turned on until all requirements of the City of Salmon Arm have been met and the Consumer has paid to the City of Salmon Arm all costs associated with the turn off / turn on of Service, and the Consumer's default under this section has been remedied.

## **7. TESTING AND MAINTENANCE OF BACKFLOW PREVENTION ASSEMBLIES**

7.1 The Consumer shall provide to the City of Salmon Arm within thirty (30) days of initial installation, repair or relocation of an approved backflow prevention assembly a City of Salmon Arm backflow assembly test report from a certified Backflow Assembly Tester confirming the following:

- i) The installation date of the Approved Backflow Prevention Assembly;
- ii) The specific location of the assembly and what cross connection or hazard it is intended to isolate;
- iii) The manufacturer, model, size and serial number of the backflow preventer installed; and
- iv) That it is an approved backflow prevention assembly, installed correctly and in proper operating condition.

7.2 Approved backflow prevention assemblies are required to be inspected and tested by a certified Backflow Assembly Tester, upon installation, after repair and at least once in every twelve (12) month period or more often if required by the City of Salmon Arm.

7.3 Where a Consumer fails to have an Approved Backflow Prevention Assembly tested, the City of Salmon Arm may notify the Consumer that the backflow assembly must be tested within five (5) working days, or within a specified period agreed to by the City of Salmon Arm. If the Consumer fails to comply with such notice the City of Salmon Arm or authorized agent shall discontinue service(s) and the Consumer may be subject to penalties listed under this Bylaw.

7.4 Where there is a visible or other indication that a backflow preventer is malfunctioning, it is the responsibility of the Consumer to immediately notify the City of Salmon Arm, and further, to stop using the private water system until the backflow preventer is replaced or repaired and re-tested. This includes but is not limited to damage by: freezing, hot water, fire or otherwise due to neglect.

## **8. TEMPORARY WATER USE CONNECTION**

- 8.1 Except for emergency fire use, no Person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance to a fire hydrant, stand pipe or any other temporary water connection:
- i) In a manner which, under any circumstances, may allow used water, wastewater or any liquid or substance of any kind to enter the City of Salmon Arm waterworks system; and
  - ii) Without using an Approved Backflow Prevention Assembly which has been approved and installed in accordance with the City of Salmon Arm Cross Connection Control Program; and
  - iii) Without first obtaining a Temporary Water Use Permit.
- 8.2 Any Consumer who violates this section will be refused access to Service through the use of a fire hydrant or temporary water connection and may be subject to penalties listed under this Bylaw.

## **9. AUXILIARY WATER SUPPLIES**

- 9.1 No connection shall be installed or maintained whereby water from an auxiliary water supply system may enter the waterworks system or private water system unless such auxiliary water supply system and the method of connection and use of such system shall have been approved by the City of Salmon Arm.

## **10. COMMERCIAL AND AGRICULTURAL IRRIGATION USE AND TURN ON**

- 10.1 Where a cross connection exists between the City of Salmon Arm waterworks system and a private water system, in addition to the general provisions stated in this bylaw, the Consumer shall also comply with the following:
- i) Prior to commencement of operation of the private water system in each irrigation season, the Consumer or any person operating a commercial or agricultural irrigation system shall have the Approved Backflow Prevention Assembly inspected and tested, at the Consumer's expense, by a certified Backflow Assembly Tester; and
  - ii) An Approved Reduced Pressure Principal Backflow Assembly (RP) shall be used whenever fertilizers, chemicals or any other substance detrimental to health are introduced to a Private Water System.

## **11. ENFORCEMENT AND PENALTIES**

- 11.1 Every person who contravenes a provision of this Bylaw, or who suffers, allows or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw.
- 11.2 Every violation shall be deemed to be a continuing, new and separate offence for each day during which the offence continues.
- 11.3 Any person who contravenes any provision of this Bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding \$2,000.00 and costs. If an offence is a continuing offence, each day that the offence is continued constitutes a separate and distinct offence.
- 11.4 This Bylaw may be enforced by the impositions of fines under the City of Salmon Arm Municipal Ticketing Information Utilization Bylaw No. 2760 and amendments thereto.
- 11.5 Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

## **12. SEVERABILITY**

If any part, section, sub-section, or clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

## **13. ENACTMENT**

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

## **14. EFFECTIVE DATE**

This bylaw shall come into full force and effect upon adoption.



**15. CITATION**

This bylaw may be cited as “City of Salmon Arm Cross Connection Control Bylaw No. 3934”

READ A FIRST TIME THIS            22nd    DAY OF                                    October            2012

READ A SECOND TIME THIS        22nd    DAY OF                                    October            2012

READ A THIRD TIME THIS         22nd    DAY OF                                    October            2012

ADOPTED BY COUNCIL THIS        13th    DAY OF                                    November        2012

\_\_\_\_\_  
"N. COOPER"

MAYOR

\_\_\_\_\_  
"C. BANNISTER"

CORPORATE OFFICER