ORDINANCE NO. 6223

AN ORDINANCE TO AMEND THE AUGUSTA-RICHMOND COUNTY CODE, TITLE 5, ARTICLE 4 BY DELETING SAME IN ITS ENTIRETY AND ENACTING A NEW ARTICLE 4FOR BACKFLOW PREVENTION BY REGULATING THE CONSTRUCTION AND MAINTENANCE OF CROSS-CONNECTIONS, AUXILIARY INTAKES, BY-PASSES AND INTER-CONNECTIONS AFFECTING AUGUSTA, GEORGIA'S POTABLE WATER SUPPLY; REGULATING THE USE OF AND METHOD OF HANDLING WATER FROM PRIVATE SOUCES; REQUIRING THE CORRECTION OF UNAPPROVED OR UNAUTHORIZED INSTALLATIONS; TO PROVIDE A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE AUGUSTA-RICHMOND COUNTY COMMISSION AND IT IS HEREBY ORDAINED BY AUTHORITY OF SAME AS FOLLOWS:

Section 1. The Augusta-Richmond County Code, Title 5, Article 4 is hereby amended by deleting said Article 4 in its entirety and substituting in lieu thereof a new Article 4 to read as follows:

ARTICLE 4

BACKFLOW PREVENTION AND CROSS-CONNECTIONS

§ 5-2-72. DEFINITIONS.

For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meanings given herein unless more specifically defined within other sections of this Article. When not inconsistent with the content, words used in the present tense include the future tense, and words in the single number include the plural number. The word "shall" is always mandatory and not discretionary.

(a) "Augusta" is a political subdivision of the State of Georgia that includes all of Richmond County.

(b) "Public Water Supply" means the waterworks system furnishing water to Augusta for general use, excluding the area furnished water by the City of Hephzibah, and which supply is recognized as the public water supply by the Georgia Department of Natural Resources/Environmental Protection Division.

(c) "Cross-Connection" means any physical connection whereby the public water supply is connected with any other water supply, whether public or private, either inside or outside of any building or buildings, in such a manner that a flow of water into the public water supply is possible either through the manipulation of valves or because of ineffective check or back-pressure valves, or because of any other arrangement.

(d) "Auxiliary Intake" means any piping connection or other device whereby water may be secured from a source other than that normally used.

(e) "By-pass" means any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification plant or public water distribution system.

(f) "Inter-connection" means any system of piping or arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, storage reservoir or other device which does or may contain sewage or other waste or liquid which is capable of importing contamination to the public water supply.

(g) "Person" means any and all persons, natural or artificial, including any individual, firm or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country.

§ 5-2-73. PURPOSE.

The Augusta Utilities Department's Public Water Supply shall comply with Chapter 391-3-5-.13 of the Georgia Rules for Safe Drinking Water and PL 933-523 of the Federal Safe Drinking Water Act, Legally adopted by this Code, and which pertains to cross-connections, establishes an effective Policy and Procedures for Backflow Prevention By Containment Program to control these undesirable water uses.

§ 5-2-74. GENERAL PROVISIONS.

(a) No person shall cause a cross-connection, auxiliary intake, by-pass or inter-connection to be made or allow one to exist for any purpose whatsoever.

(b) Any person whose premises are supplied with water from the Augusta Public Water Supply, and who has also on the same premises a separate water supply or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with the Director of the Augusta Utilities Department a statement attesting to the non-existence of unapproved or unauthorized cross-connections, auxiliary intakes, by-passes or interconnections. Such Statement shall also contain an agreement that no cross-connections, auxiliary intakes, bypass or interconnection will be permitted on the premises.

§ 5-2-75. INSPECTION.

(a) It shall be the duty of the Augusta Utilities Department to cause inspections to be made of all properties served by the public water supply where cross-connections with the public water supply are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved, and shall be established by the Director of the Augusta Utilities Department.

(b) The Director of the Augusta Utilities Department or his authorized representative shall have the right to enter, at any reasonable time, any property served by a connection in the Augusta Public Water Supply for the purpose of inspecting the piping system or systems thereof for cross-connections. On request, the owner or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or refusal of access, when requested, shall be deemed evidence of the presence of cross-connections.

§ 5-2-76. OTHER INSTANCES WHERE PROTECTIVE DEVICES REQUIRED.

(a) Where the nature of use of the water supplied a premises by the Augusta Utilities Department's Public Water Supply is such that it is deemed:

(1) impractical to provide an acceptable air gap separation; or

(2) that the owner and/or occupant of the premises cannot or is not willing to demonstrate to the official in charge of the system, or his designated representative, that the water use and protective features of the plumbing are such

as to propose no threat to the safety or potability of the water supply; or

(3) that the nature and mode of operation within the premises are such that frequent alterations are made to the plumbing; or

(4) there is a likelihood that protective measures may be subverted, altered, or disconnected;

The Director of the Augusta Utilities Department, or his designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The protective devices shall be a shall be suitable for the service being protected and shall be of a type back-flow preventer approved by the Director of the Augusta Utilities Department as to the manufacture, model and size. The method of installation of the backflow protective devices shall be approved by the Director of the Augusta Utilities Department prior to installation and shall comply with the criteria set forth by the Augusta Utilities Department.

(b) The installation shall be at the expense of the owner or occupant of the premises.

(c) The Augusta Utilities Department shall have the right to inspect and test the device or devices on an annual basis or whenever deemed necessary by the Director of the Augusta Utilities Department, or his designated representative.

(d) Water Service shall not be interrupted to test the device without the knowledge of the occupant of the premises.

(e) When the use of water is critical to the continuance of normal

operations or protection of life, property, or equipment, duplicate units shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device or devices. Where only one unit is installed and the continuance is critical, the Director of the Augusta Utilities Department shall notify in writing, the occupant of the premises of the plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device. The water system shall require the occupant of the premises to make all repairs indicated promptly, and the expense of such repairs shall be borne by the owner or occupant of the premises. These repairs shall be made by qualified personnel acceptable to the Director of the Augusta Utilities Department.

§ 5-2-77. SIGN REQUIREMENTS.

(a) The potable water supply made available on the properties served by the Augusta Utilities Department's Public Water Supply shall be protected from possible contamination as specified herein.

(b) Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE FOR DRINKING

(c) Minimum acceptable sign shall have black letters one-inch high located on a red background.

§ 5-2-78. TIMEFRAME FOR COMPLIANCE.

Any person who now has cross-connections, auxiliary intakes, by-passes, or interconnections in violation of this policy shall be allowed a reasonable time within which to comply with the provisions of this policy. After a thorough investigation or the existing conditions and a appraisal of the time required to complete the work the amount of time shall be designated by the Director of the Augusta Utilities Department.

§ 5-2-79. PENALTY.

Whenever any person neglects or refuses to comply with any of the provisions of this Article the Director of the Augusta Utilities Department shall discontinue the public water supply service at the premises upon which there is found to be a cross-connection, auxiliary intake, by-pass or inter-connection, and service shall not be restored until such cross-connection, auxiliary intake, by-pass, or inter-connection has been discontinued.

§ 5-2-80. RIGHT OF DIRECTOR TO SEVER CROSS-CONNECTION.

Whenever the Augusta water supply is involved, and in the opinion of the Director of the Augusta Utility Department any cross-connection endangers or

potentially endangers the Augusta water supply, then the Director shall have the right to sever the cross-connection by shutting off the Augusta water supply.

§ 5-2-81. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid, unenforceable or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, independent, and severable provision and such holding shall not affect the validity of the remaining portions herein.

§ 5-2-82. PENALTY FOR VIOLATION OF ARTICLE.

Any person or persons failing to comply with the lawful provisions of this Article or any act prohibited hereby or failing to do any act mandated hereby shall be guilty of an offense and, upon trial as a misdemeanor and conviction, shall be subject to the penalties provided in § 1-6-1.

Section 2. That all ordinances and parts of ordinances in conflict with this ordinance shall be hereby repealed; and this ordinance shall take effect from and after its passage.

Section 3. This ordinance shall become effective upon its adoption.

Duly adopted this 7th day of December 1999.

By: _____
Mayor

Attest:

By: _____
Clerk

1st Reading: Nov. 16, 1999

2nd Reading: 12-7-99