

Chapter 9

**CROSS-CONNECTIONS;  
WATER SUPPLY**

- Sec. 9-1: Purpose and Scope
- Sec. 9-2: Definitions
- Sec. 9-3: Cross-Connections
- Sec. 9-4: Use of Backflow Prevention Assembly
- Sec. 9-5: Cross-Connection Inspection
- Sec. 9-6: Installation Permits and Installation
- Sec. 9-7: Additional Remedies
- Sec. 9-8: Violations; Penalties

**Sec. 9-1. Purpose and Scope.**

The purpose of this Chapter is to protect the public health of water consumers by the control of actual and/or potential cross-connections.

An additional purpose of this Chapter is to acknowledge the City’s authority granted by Article XII, Section 2 of the Idaho Constitution and by Title 50, Chapter 3 of the Idaho Code, to promote and maintain the peace, good government and welfare of the City in a manner not inconsistent with the laws of the State of Idaho.

(Ord. 2004-05; 01/05/04)

**Sec. 9-2. Definitions.**

- A. *Backflow*. The flow, other than the intended direction of flow of any foreign liquids, gases, or substances into the distribution of a public water supply.
- B. *Backflow Assembly Tester (BAT) - Licensed*. A person who tests backflow assemblies and possesses a valid Backflow Assembly License issued by the State of Idaho Bureau of Occupational Licenses.
- C. *Backflow Prevention Assembly – Approved*. A backflow preventer which is designed to be in-line tested and repaired. An "assembly" shall consist of the backflow prevention unit, two (2) resilient seated shutoff valves and test cocks. Approval of backflow assemblies by the City shall be on the

basis of a favorable laboratory and field evaluation by an approved testing laboratory and the State of Idaho Rules for Public Drinking Water Systems, IDAPA 58.01.08.

- D. *Backflow Prevention Device*. A backflow preventer that is not designed for in-line testing and repair.
- E. *Contaminant*. Any physical, chemical, biological, or radiological substance or matter in water.
- F. *Cross Connection*. Any actual or potential connection or piping arrangement between a public or a consumer’s potable water system and any other source or system through which it is possible to introduce into any part of the potable water system used water, water from any source other than an approved public water system, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. Cross connections include bypass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices which, or because of which, “backflow” can or may occur.
- G. *Public Water Supply*. Any system or water supply intended or used for human consumption or other domestic uses, including source, treatment storage, transmission and distribution facilities, where water is furnished to any collection or number of individuals, or is made available to the public for human consumption or domestic use.  
(Ord. 2014-03, 03/03/2014)

**Sec. 9-3. Cross-Connections.**

- A. The City shall have the authority to establish requirements more stringent than the Idaho Department of Environmental Quality (IDEQ) Rules, Idaho Administrative Procedure Act (IDAPA) Section 58.01.08, “Idaho Rules for Public Drinking Water Systems”, if it is deemed that conditions so mandate. The control or

elimination of cross-connections shall be in accordance with this Chapter together with the latest editions of the Pacific Northwest Section of the American Water Works Association “Cross Connection Control Manual Accepted Procedure and Practice” and the Foundation for Cross-Connection Control and Hydraulic Research “Manual of Cross-Connection Control”. The City Supervisor or designee shall adopt rules and regulations as necessary to carry out the provisions of this Chapter.

- B. No water service connection to any premises shall be installed or continued in use unless the water supply is protected by a backflow prevention assembly or a backflow prevention device as may be required by this Chapter. The installation or maintenance of a cross-connection which may endanger the water quality of the potable water supply of the City shall be unlawful and is prohibited. Any cross-connection now existing or hereafter installed which endangers such water quality is hereby declared to be a public nuisance and the same shall be abated.

(Ord. 2004-05; 01/05/04; 2014-03, 03/03/2014; 2021-09, 07/19/2021)

**Sec. 9-4. Use of a Backflow Prevention Assembly.**

- A. A backflow prevention assembly shall be installed on any premises where, in the judgment of the City, the nature and extent of the activities undertaken, or the materials stored on the premises, would present an immediate and dangerous hazard to health and/or be deleterious to the quality of the water should a cross-connection occur. The installation of the backflow prevention assembly shall occur even though a cross-connection may not exist at the time the backflow prevention assembly is installed. The City shall determine the need for a backflow prevention assembly after considering conditions

that include, but are not limited to, the following:

1. Premises having an auxiliary water supply.
2. Premises having internal cross-connections that are not correctable, or intricate plumbing arrangements which make it impracticable to ascertain whether or not cross-connections exist.
3. Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist.
4. Premises having a repeated history of cross-connections being established or re-established.
5. Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters.
6. Premises where materials of a toxic or hazardous nature are handled in such a way that if back siphonage should occur, a serious health hazard might result.
7. The following types of facilities will fall into one (1) of the above categories where a backflow prevention assembly is required to protect the public water supply. A backflow prevention assembly shall be installed at such facilities unless the City determines that no hazard exists:
  - a. Hospitals, mortuaries, clinics, dental clinics, veterinarian clinics, and the like.
  - b. Laboratories.
  - c. Metal plating industries.
  - d. Piers and docks.
  - e. Sewage treatment plants.
  - f. Food or beverage processing plants.
  - g. Restaurants.
  - h. Chemical or other industrial plants.

- i. Petroleum processing or storage plants.
  - j. Radioactive material processing plants or nuclear reactors.
  - k. Where a single water service is used to supply three (3) or more businesses.
  - l. Where the meter serving the property is one and one-half inches (1 1/2") or larger.
  - m. Any building on a hill or any building having any plumbing fixture that is thirty feet (30') or higher above the water meter face.
  - n. Agricultural chemical storage, formulation and distribution facilities.
  - o. Tank truck fill stations.
  - p. Car washes.
  - q. Fire sprinkler systems.
  - r. Underground irrigation systems.
  - s. Any other agricultural, commercial, and industrial facility that has the potential to introduce contaminants into the public water system.
8. Other premises, as specified by the City, where backflow prevention assemblies are required to protect the public water supply.
- B. The type of protective assembly required shall depend on the degree of hazard which exists:
- 1. An Air-Gap separation or a Reduced Pressure Backflow Assembly shall be installed where the public water supply may be contaminated with sewage, industrial waste of a toxic nature, or other contaminant which could cause a health or system hazard.
  - 2. In the case of a substance which may be objectionable but not hazardous to health, a Double Check Valve Assembly, Pressure Vacuum Breaker Air-Gap separation, or a Reduced Pressure Backflow Assembly shall be installed.
  - 3. All fire sprinkler systems shall have as a minimum level of protection, an approved Double Check Valve Assembly. If it is determined that a potential health hazard exists, an approved Reduced Pressure Backflow Assembly shall be required by the City.
4. All premises with an auxiliary water supply shall have, as a minimum level of protection, an approved Reduced Pressure Backflow Assembly.
- C. A backflow prevention assembly required by this Chapter shall be installed at the meter, at the property line of the premises when meters are not used, or at a location designated by the City. The assembly shall be located so as to be readily accessible for maintenance and testing.
  - D. A backflow prevention assembly required by this Chapter shall be installed under the supervision of, and with the approval of, the Designated City Official.
  - E. Any protective assembly required by this Chapter shall be a model approved by the City. A Double Check Valve Assembly, Pressure Vacuum Breaker, or a Reduced Pressure Backflow Assembly will be approved if it has successfully passed performance tests of the University of Southern California Engineering Center or other testing laboratories satisfactory to the City. Every assembly required in this Chapter shall be furnished and installed by, and at the expense of, the customer.
  - F. A backflow prevention assembly required by this Chapter shall pass an initial test performed by a licensed BAT at the expense of the customer, and shall have a tag attached to the assembly by the BAT who performed said test and shall indicate the date of said test, prior to inspection and delivery of water service.
  - G. A backflow prevention assembly installed pursuant to this Chapter, shall be inspected, tested, and tagged annually, or more often if necessary. Inspections, tests and maintenance shall be at the customer's expense. Inspections, tests, repairs and records thereof shall be accomplished under the

Designated City Official’s supervision by a licensed BAT.

- H. All installed assemblies protecting underground irrigation systems shall be tested within ten (10) business days of annual recharge (start-up), and no later than the 30<sup>th</sup> day of June, each year.
- I. All other installed assemblies shall be tested no later than the 30<sup>th</sup> day of September, each year.
- J. The City shall have the authority to set and modify due dates by which backflow assembly test(s) required by this Chapter must be completed.
- K. Whenever an assembly fails testing, it shall be repaired, replaced, or isolated at the customer’s expense in accordance with IDAPA Section 58.01.08.
- L. Whenever an assembly fails testing, the BAT performing the test shall notify both the City and the owner and user of the assembly within one (1) business day.
- M. Failure of the customer to cooperate in the installation, maintenance, testing or inspection of a backflow prevention assembly required by this Chapter shall be grounds for the termination of water service to the premises, or, in the alternative, the installation of an air-gap separation at the customer's expense.  
(Ord. 2004-05, 01/05/04; 2014-03, 03/03/2014; 2015-02, 02/17/2015; 2021-09, 07/19/2021)

**Sec. 9-5. Cross-Connection Inspection.**

- A. No water shall be delivered to any structure hereafter built within the City or within areas served by City water until the same shall have been inspected by the City for possible cross-connections and has been approved as being free of same.
- B. Any construction for industrial or other purposes which is classified as a hazardous facility pursuant to this Chapter, where it is reasonable to anticipate intermittent cross-connections, or as determined by the City, shall be protected by the

installation of one or more backflow prevention assemblies at the point of service from the public water supply or any other location designated by the City.

- C. Inspections shall be made periodically of all buildings, structures, or improvements of any nature now receiving water through the City's system, for the purpose of ascertaining whether cross-connections exist. Such inspections shall be made by the Designated City Official.  
(Ord. 2021-09, 07/19/2021)

**Sec. 9-6. Installation Permits and Installation.**

If a backflow prevention device, or a backflow prevention assembly is found to be necessary, the owner of the property served must apply to the City for a permit as specified in Title 5, Chapter 4, of this Code. The device or assembly shall be installed per the latest edition of the Uniform Plumbing Code or per the rules adopted by the City.  
(Ord. 2014-03, 03/03/2014; 2021-09, 07/19/2021)

**Sec. 9-7. Additional Remedies.**

In the event an improper cross-connection is not corrected within the time limit set by the City, or, in the event the City is refused access to any property for the purpose of determining whether or not cross-connections exist, delivery of water to the property shall cease until the deficiency is corrected to the City’s satisfaction. In addition, the City may effect the necessary repairs or modifications at the expense of the property owner and refuse delivery of water to the property until the cost thereof shall have been paid.  
(Ord. 2021-09, 07/19/2021)

**Sec. 9-8. Violations; Penalties.**

Any person who violates, disobeys, omits, neglects, refuses to comply with, or resists the enforcement of any of the provisions of this Chapter or the rules and regulations as adopted by the City, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished

pursuant to this Code and the Idaho Code  
unless otherwise specifically provided for in  
this Chapter.  
(Ord. 2021-09, 07/19/2021)