

CROSS-CONNECTION

Chapter 5A Local Law # 2 1996

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(History: Adopted, Hilton Village Board, 2-5-96 as Local Law No. 2, 1996. Amended 2/1/11 by L.L. #1)

5A-1 Purpose

- A.** To protect the public potable water supply served by the Village of Hilton from the possibility of contamination or pollution by isolation, within its customers internal distribution system, such contaminants or pollutants which could backflow or back-siphon into the public water system.
- B.** To promote the elimination or control of existing cross-connections, actual or potential between its customers in-plant potable water system, and non-potable systems.
- C.** To provide for the maintenance of a continuing program of cross-connection control which will effectively prevent the contamination or pollution of all potable water systems by cross-connection.

5A-2 Authority

- A.** The Federal safe drinking water act of 1974, and the statutes of the State of New York, Department of Health, Bureau of Public Water Supply states @the water purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.@

5A-3 Responsibility

- A.** The Village Board shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of the Village Board, an approved backflow device is required at the Village=s water service connection to any customer=s premises, the Village Board, or its delegated agent, shall give notice in writing to said customer to install an approved backflow prevention device at each service connection to their premises. The customer shall, within ninety (90) days, install such approved device or devices at their own expense, and failure or refusal, or inability on the part of the customer to install said device or devices within ninety (90) days, shall constitute a ground for termination of water service to the premises until such device or devices have been properly installed.

5A-4 Requirements

A. Village of Hilton

- (1) On new installations, less than \$5,000 the Village Board's delegated agent will provide on-site evaluations and/or inspection of plans in order to determine the type of backflow device, if any, that will be required. For larger projects the installation must be designed by a Registered Professional Engineer, or an architect licensed by the State of New York. The Village Code Enforcement Officer shall issue a permit for new installations. All backflow prevention devices shall be tested upon initial installation and annually thereafter by a tester certified by the New York State Department of Health and the results of the test submitted to the Village of Hilton and the Monroe County Department of Health.
- (2) For premises existing prior to the start of this program, the Village Board's delegated agent will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, ninety (90) days will be allowed, however, this time may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.
- (3) The Village Board will not allow any cross-connection to remain unless it is protected by an approved backflow prevention device for which a permit has been issued and the device will be annually tested to insure satisfactory operation.
- (4) If the Village Board or its delegated agent determines AT ANY TIME that a serious threat to the public health exists, the water service will be terminated immediately.
- (5) The Village Board shall have on file, a list of private contractors who are certified back flow device testers. All charges for these tests will be paid by the Owner of the building or property.

B. Owner

- (1) The Owner shall be responsible for the elimination or protection of all cross-connections on their premises.
- (2) The Owner, after having been informed by a letter from the Village, shall at their expense, install, maintain, and test, or have tested, any and all backflow devices on their premises.
- (3) The Owner shall correct any malfunction of the backflow preventer which is revealed by periodic testing.
- (4) The Owner shall inform the Village Board or its delegated agent of any proposed or modified cross-connections and also any existing cross-connections of which the Owner is aware but has not been found by the Village.
- (5) The Owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners who cannot shut down operation for testing of the devices must supply additional devices necessary to allow testing to take place.

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B. Owner

- (6) The Owner shall install only backflow prevention devices approved by the New York State Department of Health, and in a manner accepted by the Village of Hilton.
- (7) The Owner shall be responsible for the payment of all fees for permits, annual testing, re-testing in the event the device fails to operate properly, and second re-inspections for non-compliance with Village or Health Department requirements.
- (8) The Owner shall install a Fire or Domestic Service strainer upflow on any backflow prevention device when ACONTAINMENT has been deemed necessary by the Village Board or its delegated agent.
- (9) The Owner must be aware that installation of any backflow prevention device results in a Aclosed plumbing system. As such, provisions should be made by the Owner to provide for thermal expansion within the closed loop system, i.e., the installation of thermal expansion devices and/or pressure relief valves.
- (10) The Owner must provide Ahose bib vacuum breakers for each outside faucet adapted for a hose connection. This includes residential.

5A-5 Records and Reports

The Village Board or its delegated agent shall maintain files on all testing, permits, inspections, and devices, and will submit records to the Monroe County Department of Health.

5A-6 Fees and Charges

Permit fees and charges will be established at the annual meeting of the Village Board each year.

5A-7 Enforcement and Penalties

Any person, firm, or corporation who commits or permits a violation of any of the provisions of this ordinance shall be deemed to have committed a misdemeanor against this ordinance and will be subject to a fine of not less than twenty-five (\$25.00) dollars nor more than five hundred (\$500.00) or by imprisonment of not more than one (1) year or both.

The imposition of all penalties for any violation of this ordinance shall not excuse the violation nor permit it to continue. The application of the above penalty or penalties or the prosecution for a violation of the provisions of this ordinance shall not be held to prevent the shut-off of water to the premises. Each day the provisions of this ordinance are violated shall constitute a separate violation.

5A-8 Severability

Should any section or provision of this ordinance be declared by any court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.