

TOWN OF ALLEGANY

LOCAL LAW NO. 1 , 1993

CROSS CONNECTION CONTROL

Be it enacted by the Town Board of the Town of Allegany as follows:

The purpose of this Local Law is to allow for uniform standards between the Town of Allegany and Village of Allegany to be used in order to safeguard potable water supplies from potential contamination by preventing back flow from a water user's system into the public water system. It is the intent of the Town of Allegany, New York, to comply with the requirements of the New York State Sanitary Code, part 5, Section 5-1.31 which said section mandates that the supplier of water protect their water system in accordance with procedures sanctioned by the Commissioner of Health. These mandated requirements are as set forth in the Cross Connection Control Manual published by the New York State Department of Health (NYSDOH) , and the terms, conditions and provisions of the New York State Sanitary Code, Part 5, Section 5-1.31 and the Cross Connection Control Manual are incorporated in this local law by reference in pertinent part.

ARTICLE II

DEFINITIONS

1) **Cross Connections.** The term "cross connection" as used in this Local Law means any unprotected connection between any part of a water system used or intended to be used as a supply of water for drinking purposes in a source or system containing water or substance that is not or cannot be approved as equally safe, wholesome and potable for human consumption.

2) **Approved Water Supply.** The term "approved water supply" means any water supply approved by the New York State Department of Health.

3) **Auxillary Supply.** The term "auxillary supply" means any water supply on or available to the premises other than the approved public water supply.

4) **Vacuum Breaker- Pressure Type and Non-Pressure Type.** A vacuum breaker which can only be used for internal plumbing control, and therefore, not acceptable as a containment device.

5) **Approved Check Valve.** The term " approved check valve" means a check valve that seals readily and completely. It must be carefully machined to have free moving parts and assured water tightness. The face of the closure element and valve seat must be bronze composition, or other non-corrodible material which will seal tightly under all prevailing conditions of field use. Pins and bushings shall be of bronze and other non-corrodible, non-sticking material, machined for easy, dependable operation. The closure element shall be internally weighted or otherwise internally equipped to promote rapid and positive closure in all sizes where this feature is obtainable.

6) **Approved Double Check Valve Assembly.** The term "approved double check valve assembly" means two single independantly acting check valves , including tightly closing shut off valves located at each end of the assembly and suitable test connections. This device must be approved as a complete assembly.

7) **Approved Reduced Pressure Zone Device.** The term "approved reduced pressure zone device" means a minimum of two independently acting check valves together with automatically operated pressure differential relief valve located between the two check valves. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall

operate to maintain the pressure between the checks at less than the supply pressure. The unit must include tightly closing shut off valves located at each end of the device, and each device shall be fitted with properly located test cocks. This device must also be approved as a complete assembly.

8) **Air Gap Separation.** The term "air gap separation" means a physical break between a supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe, measured vertically above the top rim of the vessel, in no case less than one inch.

9) **Water Supervisor.** The term "water supervisor" means the consumer or a person on the premises charged with the responsibility of complete knowledge and understanding of the water supply piping within the premises and for maintaining the consumer's water system free from cross connections and other sanitary defects, as required by this local law and all other required regulations and laws.

10) **Certified Back Flow Prevention Device Tester.** The term "certified back flow prevention device tester" is an individual who has successfully completed a New York State Department of Health approved course in the testing of back flow prevention devices and has been issued a certificate by the New York State Department of Health.

ARTICLE III

A) **Where Protection is Required.** The water system shall be required to maintain a degree of protection commensurate with the degree of hazard regardless of whether the hazard is immediate or potential. To that extent, the Cross Connection Control Manual published by NYSDOH shall be used, as a guide, to determine where protection is required. It shall be the responsibility of the water user to provide and maintain such required protection devices and

such devices shall be of a type acceptable to the New York State Department of Health. Plans for the installation of protective devices must be submitted to the Town Highway Superintendent , and/or the County Health Department for approval.

B) Type of Protection. The protective device required shall depend on the degree of hazard as tabulated below:

1) Where a residential customer maintains an auxiliary water supply in addition to the public water supply, the two systems must not be interconnected. Where the two systems are interconnected, the following options will be deemed appropriate and in compliance with existing New York State policies and recommendations, and with this local law.

a) Disconnection of the auxiliary water supply from the public water supply. An inspection to determine compliance will be made initially and at least every three years thereafter or whenever the property is sold. The inspection may be made by the water supplier or the local Building Code Inspector;

b) Installation of an acceptable Reduced Pressure Zone (RPZ) device on the public water supply connection;

c) Property abandonment of the auxiliary water supply;

d) Sampling for the auxiliary water supply to determine quality in accordance with Sections 5-1.50 and 5-1.51 of the New York State Sanitary Code. Sampling frequency will be specified by the State or local Health Department. Where water quality does not meet the standards, one of the first three alternatives would apply.

2) At the service connection to any premises on which a substance that would be objectionable (but not necessarily hazardous to health if introduced into the public water supply) is handled so as to constitute a cross connection, the public water supply shall be protected by an approved double check valve assembly.

3) At the service connection to any premises on which a substance of unusual toxic concentration or danger to health is or

may be handled; but not under pressure, the public water supply shall be protected by an air gap separation or an approved reduced pressure zone back flow prevention device. If an air gap is installed, it shall be located as close as practical to the water meter, and all piping between the water meter and receiving tanks shall be entirely visible. A reduced pressure zone device when installed shall be located as close as possible to the property line.

4) At the service connection to any premises on which any material dangerous to health, or toxic substance and toxic concentration, is or may be handled under pressure, the public water supply shall be protected by an air gap separation. The air gap shall be located as close as practical to the water meter, and any piping between the water meter and receiving tanks shall be entirely visible. If these conditions cannot reasonably be met, the public water supply shall be protected with an approved reduced pressure zone back flow prevention device and it shall be located as close as possible to the property line.

5) At the service connection to any sewage treatment plant or sewage pumping station, the public water supply shall be protected by an air gap separation. The air gap shall be located as close as practicable to the water meter and all piping between the water meter and receiving tanks shall be entirely visible. If these conditions cannot reasonably be met, the public water supply shall be protected with an approved reduced pressure zone back flow prevention device and it shall be located as close as possible to the property line.

C) Frequency of Inspection of Protective Devices. It shall be the duty of the water user on any premises in which backflow protective devices are installed to have competent inspections made at least once a year. In addition to the annual inspections, certified inspections and operational test must also be made when any backflow prevention device is to be installed, repaired or replaced, or where successive inspections indicate repeated failure. Devices shall

be repaired, overhauled or replaced at the expense of the water user whenever they are found to be defective. These tests shall be performed by a qualified backflow prevention device tester, the tester shall be a Town of Allegany employee, and all test results will be provided to a water user within 72 hours after the test is made. In the event the Town of Allegany does not employ a qualified tester, the Town of Allegany shall provide the water users with a list of qualified testers. Records of such test repairs and overhaul shall also be kept and made available to the water user and the local health department upon request.

D) **Inspection and Test Fees.** Inspection and test fees shall be established by the Town Board of the Town of Allegany.

ARTICLE IV

PENALTIES AND RECOURSE FOR NON-COMPLIANCE

A) No water service connection to any premises shall be installed or maintained by the water user, unless the water supply is protected as required by this Local Law and such other applicable local, state and federal laws, rules and regulations.

B) If any facility served by a water system denies access to the premises for inspection purposes or for the purpose of determining if protection to the public water system is necessary, then the maximum protection condition shall be imposed with the requirement that the number of devices shall equal the number of service lines.

C) The following penalties shall be applicable for a violation of this Local Law:

1. Failure to install the appropriate back flow prevention device with a prescribed time frame after first notice : \$250.00

2. Failure to install the appropriate back flow prevention device within prescribed time frames after second notice: Termination of service.

3. Failure to at least annually test the back flow prevention device: \$300.00 and/or termination of water service.


4. Failure to replace or repair a back flow prevention device as required: \$1,000.00 and/or termination of water service.

5. Each day of a continuing violation shall constitute a separate violation and shall be subject to a separate fine and/or termination of water service.

ARTICLE V

EFFECTIVE DATE

This Local Law shall take effect upon filing with the New York State Department of State.



DANIEL F. EATON, SR.,
Allegany Town Supervisor