

# VILLAGE OF ALFRED, NEW YORK

## LOCAL LAW NO. 1 – 1994

Be it enacted by the Board of Trustees of the Village of Alfred as follows:

### Cross Connection Control

#### Section 1. Cross Connection Control- General Policy

1.1 Purpose. The purpose of this Local Law is:

1.1.1. To Protect the public potable water supply of the Village of Alfred, Allegany County, from the possibility of contamination by isolating within its customer's private water system (s) such contaminations or pollutants which could backflow into public water supply sytem; and

1.1.2. To comply with the requirements of the New York State Sanitary Code 5-1.31.

1.2. Responsibility.

The Village of Alfred Water Department Superintendent shall be responsible for the protection of the Village's distribution system from contamination due to the backflow of the judgment of said Superintendent, an acceptable backflow prevention device is required at the district's water service connection to any customer's premises, for the safety of the water system, the Superintendent or his designated agent shall give notice in writing to said customer to install such connection to his premises. The customer shall immediately and failure, refusal or inability on the part of the customer to install said device or devices immediately shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

#### Section 2. Definitions.

2.1 Acceptable Backflow Prevention Device is an acceptable air gap, reduced pressure zone device or double check valve assembly as used to contain potential contaminate within a facility. In order for the reduced pressure zone device or the double check valve assembly to be acceptable it must be listed on the most current version of the New York State Department of Health list of Acceptable Devices.

2.2 Aesthetically Objectionable Facility is one in which substance are present, which if introduced into the public water supply system could be a nuisance to other water customers, but would not adversely affect human health. Typical examples of such substance are: food-grade dyes, hot water, stagnant water from fire lines in which no chemical additives are used, etc.

2.3 Air Gap means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and, in no case less than one inch.

- 2.4 Approved means accepted by the Village of Alfred Water Department Superintendent as meeting an applicable specification stated or cited in this Local Law, or as suitable for the proposed use.
- 2.5 Auxiliary Water Supply means any water supply on or available to the premises other than the Village of Alfred approved public water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, contaminated or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.
- 2.6 Backflow means a flow condition, induced by a differential in pressure, that causes a flow of water or other liquids and/or gases into the distribution pipes of the Village of Alfred's water supply system from any source other than its intended source.
- 2.7 Certified Testers means that individual or firm approved to accomplish this necessary inspections and operational tests of backflow prevents devices.
- 2.8 Contamination means the presence in water of a substance that tends to degrade its quality.
- 2.9 Customer means a water use served by the Village of Alfred's supply system.
- 2.10 Customer's Water System means the piping used to convey water supplied by the Village of Alfred's water supply system throughout a customer's facility. The system shall include all of those parts of the piping beyond the control point of the Village of Alfred's Water Department. The control point is either the curb valve or the main valve located in the public right of way that isolates the customer's facilities from the Department distribution system.
- 2.11 Degree of Hazard means whether a facility is rated as hazardous, aesthetically objectionable, or non-hazardous.
- 2.12 Double Check Valve Assembly, Acceptable, means an assembly composed of two single, independently acting check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.
- 2.13 Hazardous Facility is one in which substances may be present which if introduced into the public water system would or may endanger or have an adverse effect on the health of other water customers. Typical examples: laboratories, sewage treatment plant, chemical plants, hospitals, mortuaries.
- 2.14 Non-Hazardous Facility is on which does not require the installation of an acceptable backflow prevention device.
- 2.15 Public Water Supply system means the Village of Alfred's water system including the source, treatment works, transmission mains, distribution system, and storage facilities serving the public. This includes the distribution system up to its connection with the customer's water system.
- 2.16 Reduced Pressure Zone Device, Acceptable, means a device containing a minimum of two independently acting check valves, together with an automatically operated pressure differential relief valve located between two check valves. During normal flow and at the cessation of normal flow the pressure between these two checks shall be less than the upstream (supply) pressure. In case of leakage of either check valve, the differential relief valve, by discharging

to the atmosphere, shall operate to maintain the pressure. The unit must include tightly closing shutoff valves located at each end of the device and each device shall be fitted with properly located test cocks.

- 2.17 Superintendent means the Superintendent of the Water Department of the Village of Alfred.

### Section 3. Requirements.

- 3.1 The customer's water system shall be open for inspection at all reasonable times to authorized representatives of the Village of Alfred's Water Department.
- 3.2 The Village of Alfred's Water Department shall rate a customer's water system according to its degree of hazard to the public water supply system. Some of the factors to be considered are the use and availability of contaminants, the availability of an auxiliary water supply, and the type of fire fighting system in use.
- 3.3 An acceptable backflow prevention device shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served, but in all cases, before the first branch line leading off the service line, as follows:
- 3.3.1 Whenever a customer's water system is rated hazardous, an acceptable reduced pressure zone device or air gap shall be installed.
  - 3.3.2 Whenever a customer's water system is rated aesthetically objectionable, as a minimum, an acceptable double check valve assembly shall be installed.
- 3.4 The design of the installation of an acceptable backflow prevention device must be prepared in accordance with New York State laws and regulations. The design must be approved by the Superintendent and all agencies required by the applicable New York and Village of Alfred laws and regulations.
- 3.5 It shall be the duty of the customer at any premises where backflow prevention devices are installed to have certified inspections and operational tests made at least once a year. In those instances where the Superintendent deems the hazard to be great enough, he may require certified inspections at more frequent intervals. Certified inspections and operations tests must also be made when any backflow prevention device is to be installed, repaired, overhauled, or replaced in addition to the requirement of an annual certified inspection and operational test. All inspections and tests should be at the expense of the customer and shall be performed by the device manufacturer's representative, Village of Alfred personnel, or by a certified tester approved by the Village of Alfred Water Department Superintendent. The Superintendent shall make available the names, addresses, and telephone numbers of those persons which are certified as testers for backflow prevention devices. It shall be the duty of the Superintendent to see that certified inspection and operational tests of the backflow prevention devices are made. The customer shall notify the Superintendent in advance, in writing, when the tests are to be undertaken so that he or his representative may witness the tests if it is so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer whenever said devices are found to be defective.

Records of such testes, repairs and overhaul, shall be kept and made available to the Water Department Superintendent. Copies of all testing and maintenance records shall be sent to the Superintendent immediately after the work s performed.

- 3.6 All presently installed prevention devices which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under section 3.5.6, be excluded from the requirements of these rules so long as the Superintendent is assured that they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or constitutes a hazard to health, the unit shall be replaced by a backflow prevention devide meeting the requirements of this section.
- 3.7 No water system connection to any customer's water system shall be installed or maintained by the Village of Alfred unless the water supply is protected as required by State laws and regulations and this Local Law. Service of water to any premises shall be discontinued by the Village of Alfred if a backflow prevention device required by this Local Law is not installed, tested, and maintained, or if it is found that a backflow prevention device has been removed or bypassed. Service will not be restored until such conditions or defects are corrected.

#### Section 4. Enforcement and Penalties.

- 4.1 A violation of the provisions of Section 3 of this Local Law is a Misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1000) or imprisonment not exceeding six(6) months, or by both such fine and imprisonment. In lieu of, or in addition to, such fine and imprisonment or both, each such violation shall be subject to a civil penalty not exceeding One Thousand Dollars (\$1000) for any case to be recovered in an action or proceeding brought by the village Attorney of the Village of Alfred in a court of competent jurisdiction. Each day of continuing violation shall be subject to a separate such fine, imprisonment or civil penalty.
- 4.2 The Village Attorney may maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with this Local Law of restrain by injuncion any violation of this Local Law, notwithstanding the provisions of subsection 4.1 hereof for a penalty of other punishment.
- 4.3 Where any violation of this Local Law causes expense to the Village, such violation may also be punishable by a civil suit against the violator, brought by the Village Attorney of the Village of Alfred, in the name of the Village in a Court of competent jurisdiction, to recover such additional costs.

#### Section 5. Law in Force

- 5.1 This Local Law will be effective upon its proper filing as required by law.