

## **BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT**

### **Ordinance 28**

**Establishes regulations for a backflow prevention and cross connection control program within the municipal water distribution system**

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**BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT AS FOLLOWS:**

#### **A. Purpose and Authority**

The Bolinas Community Public Utility District furnishes public water supplies under permits issued by the State of California Department of Health Services. In order to comply with the terms of these permits and with all State regulations intended to protect the public water supply from contamination, an appropriate back flow preventer shall be installed at every service connection where one is required by regulations of the Department of Health Services, by other State regulations, or by this Ordinance of the BCPUD . In particular, this Regulation shall implement the requirements of Title 17, Sections 7583 through 7603, inclusive, of the California Code of Regulations and shall provide District operating rules for implementing a cross-connection program.

Examples of sites where back flow prevention devices are required include locations with an auxiliary water supply, locations where pressurized fluids are handled, locations with plumbing connections to unpotable piping or water storage facilities. Need shall be determined in accordance with Section 7585 of Title 17 of the California Code of Regulations; the California State "Manual of Cross-Connection Control Procedures & Practices" may also be referenced to determine need.

This Regulation supplements and does not supersede local plumbing regulations, codes or ordinances, or State regulations related to water supply.

#### **B. Definitions**

For the purposes of this Regulation, the definitions in Section 7583 of Title 17 of the California Code of Regulations shall apply.

#### **C. Survey**

When this Regulation becomes effective, the staff of the BCPUD shall conduct a survey by appropriate means to identify water user premises where cross-connections are likely to occur. Each new connection shall be evaluated for the possibility of cross-connection. Staff shall exercise reasonable diligence to identify changes at water user premises that indicate a possibility of cross-connection.

#### **D. Cross-Connection Condition**

A "cross-connection condition" shall be deemed to exist at a water user premises when there is an unprotected actual or potential connection between the potable water system used to supply water for drinking purposes and any source or system containing unapproved water of any substance that is not or cannot be approved as safe, wholesome and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which back flow could

occur, shall be considered to constitute a cross-connection condition. Special consideration shall be given to premises of the types listed in Section 7585 of Title 17 of the California Code of Regulations for purposes of evaluating the degree of health hazard to the public water supply.

#### **E. Cross-Connection Inspector**

The District shall designate at least one person to be its cross-connection inspector, which person or persons shall have the responsibility for inspecting, testing, and certifying back flow preventers. Such inspectors shall be individuals certified by the American Water Works Association, the University of Southern California, or the BCPUD as back flow prevention testers.

#### **F. Maintenance of Records**

The District's staff shall maintain for a minimum of three years, records of the locations, tests, maintenance, repairs, and replacements of back flow preventers required pursuant to Section 7585 of Title 17 of the California Code of Regulations.

#### **G. Master Shutoff Valve**

Every customer service shall be equipped with a master shutoff valve regardless of whether or not a cross-connection condition exists at the water user premises.

#### **H. Type of Backflow Preventer Required**

In the event of a cross-connection condition at a water user premises, the type of preventer to be installed shall be determined by the district, giving consideration to the likelihood of back flow occurring, the type of contamination that may occur, and applicable State regulations. The general types of back flow preventers the District may require (in decreasing order of protection) are: Air Gap (AG), Reduced Pressure Principle device (RP), and double check valve (DCV). A single check valve installed as a back flow preventer shall not be deemed sufficient at a water user premises where a cross-connection condition exists. The specific model of any device must be approved by the District.

#### **I. Initial Installation/Inspection, Testing, and Certification of Back flow Preventer**

The manner and location of installation of a back flow preventer shall be subject to District approval. In general, all back flow preventers shall be installed by the District. However, the District may, at its discretion, authorize installation by others. The initial installation/inspection, testing, and certification of a required back flow preventer shall be at the expense of the customer or property owner.

#### **J. Periodic Inspection and Testing of Back flow Preventers**

A certified inspection by a District-designated inspector of all back flow preventers shall be performed annually. More frequent inspection shall be required in cases where successive inspections indicate repeated failure, or in cases where unusual conditions or unusually hazardous cross-connections indicate a need for more frequent inspection in order to safeguard the public water supply, or in cases where more frequent inspection is determined to be necessary by the health agency.

A report of each certified inspection shall be submitted to the district within thirty (30) days of the inspection. An inspection shall be conducted within thirty (30) days of the scheduled inspection date.

#### **K. Repair and Replacement of Back flow Preventer**

A back flow preventer that fails a performance test will be repaired or replaced by the District, provided that the preventer was initially installed by the District or has been previously certified by the District, and the bimonthly back flow service charge is in effect for the customer account for the water user premises where the preventer is located. If an upgrade of a back flow preventer is required, the upgrade installation and initial testing costs shall be at the expense of the customer or property owner, and shall not be covered by the bimonthly back flow service charge.

## **L. Noncompliance**

If a consumer fails to comply with this Ordinance by failure to notify the District of the existence of a cross-connection condition, or a failure to install, test, or correct deficiencies, or by removal, tampering with, modifying, or bypassing a preventer, the District shall have the right to refuse water service or to discontinue water service, and, if it deems necessary, to physically disconnect the consumer's piping from the District's distribution system.

## **M. Access for Inspection**

BCPUD personnel and representatives of any governmental health agency shall have the right of ingress to and egress from the consumer's premises during normal business hours with not less than 72 hours notification for the purpose of investigating compliance with this Ordinance and State Health Department requirements.

## **N. Liability**

The District shall not be liable for any injury to persons or damage to property which may result directly or indirectly from the installation, malfunction, testing, or repair of any backflow preventer.

## **O. Installation, Maintenance Costs, and Administrative Fee (as amended by Ordinance 41)**

### **1. Customer Responsibility for Installation and Maintenance**

An appropriate backflow prevention assembly shall be installed at each service connection where required to prevent backflow from the water user's premises into the District's potable water system.

- All costs associated with the initial installation, repair, or replacement of a backflow prevention assembly shall be borne by the customer or property owner.
- The BCPUD does not provide installation services and does not currently have staff qualified to perform such work.
- The customer shall pay all costs for the purchase and installation of the backflow prevention assembly, including any required permits and testing at the time of installation.

### **2. Annual Testing and Maintenance**

Backflow prevention assemblies must be tested at least annually by a certified tester.

- The cost of annual testing and any necessary maintenance or repairs shall be the responsibility of the customer.
- Test results must be submitted to the District within thirty (30) days of the scheduled test date.

### **3. Administrative Fees**

To cover the District's costs for managing the cross-connection control program, including recordkeeping, compliance tracking, and customer notifications, an annual administrative fee shall be assessed to each account with a required backflow prevention assembly.

- This fee is separate from the cost of installation, testing, or maintenance and is non-refundable.
- The Annual Testing Administrative fee shall be set by the Board of Directors and published in the District's fee schedule. The fee shall be \$20.00 per backflow prevention assembly.

### **P. Exceptions for 1.5 Inch and Larger Assemblies**

In the case of a 1.5 inch or larger backflow preventer assembly, the District may, at its option, provide periodic inspection, testing, maintenance, repair, replacement, and certification on a time and materials (plus overhead) basis, rather than as provided for in paragraph "O" of this Ordinance. At its option, in the case of 1.5 inch or larger backflow preventer assembly, the District may require the customer or property owner to provide directly for maintenance, repair, and replacement of the backflow preventer, with the District providing only inspection, testing, and certification.

PASSED AND ADOPTED This 16th Day of November, 1994, following a first reading at the September 28, 1994 Regular Meeting, by the following vote:

AYES: Amoroso, McClellan, McNaughton, Pfeiffer, Siedman

NOES: None

ABSTAIN: None

ABSENT: None

**Amended December 17, 2025 (Ord 41)**