

**CITY OF BLAINE**  
**REQUEST FOR COUNCIL ACTION**  
**MEETING DATE:** April 10, 2006

**SUBJECT:** Ordinance 06-2639 amending BMC 13.04.260 Cross-Connection

**SUBMITTING DEPT:** Public Works

**PREPARED BY:** Stephen R. Banham, Director

**AGENDA LOCATION:** Comments/Communications ☐ Consent ☐ Committee Reports ☐  
Unfinished Business ☐ New Business ☒ Public Hearing ☐ Standing Committees ☐

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**ATTACHMENTS:** 1. Ordinance No. 06-2639

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**SUMMARY/BACKGROUND:** The current text provides for installation of backflow prevention assemblies to prevent cross-connection of the City Water System with customer pollution generating activity. The code however is silent on testing requirements and the Department of Health Guidelines recommend that City Codes include these requirements. This text amendment addresses the requirements that have been in place in policy but have not be expressly articulated in the Blaine Municipal Code.

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**RECOMMENDATION:** ☒ Waive 2nd Reading: Staff recommends that Council waive the second reading and adopt Ordinance No. 06-2637 amending the Cross Connection Section 13.04.260 to clarify requirements for installation and testing of backflow prevention equipment.

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**FISCAL ANALYSIS:** No effect.

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**REVIEWED BY:** City Manager \_\_\_\_\_ Finance Dir. \_\_\_\_\_ City Clerk \_\_\_\_\_

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**COUNCIL ACTION:**

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned to: \_\_\_\_\_

**COUNCIL ACTION:** \_\_\_\_\_

## **ORDINANCE NO. 06-2639**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, AMENDING BLAINE MUNICIPAL CODE SECTIONS 13.04.260, TO CLARIFY THE REQUIRMENTS FOR INSTALLATION AND TESTING OF BACKFLOW PREVENTION DEVICES.**

**WHEREAS**, the City of Blaine as a public water system is required by WAC 246-290-490 to develop and implement a Cross Connection Control Program, and

**WHEREAS**, Washington State Department of Health guidelines state that a viable Cross-Connection Control Program must include, as a minimum, procedures to eliminate cross-connections and for regular inspection and testing of backflow prevention devices, and

**WHEREAS**, current regulations do not address requirements for regular certified testing of cross connection control assemblies that could pose a cross-connection contamination risk to the public water system;

**NOW, THEREFORE**, be it ordained by the City Council of the City of Blaine that Blaine Municipal Code Sections 13.04.260 is hereby amended as follows:

**SECTION 1.** Section 13.04.260 BMC is amended to read as follows:

#### **13.04.260 Cross-Connections.**

A. It is unlawful for any customer or consumer to have or cause to have a cross-connection between the city's water system and any other service or potential pollution source. In the event the city has cause to suspect or finds in fact that such an unlawful connection or the potential for such a connection exists the city shall require the installation of an approved backflow-prevention device or assembly, to be installed at the expense of the property owner. If the property owner refuses to install an approved device or assembly the city has the right to refuse water service.

B. Connections with backflow prevention devices or assemblies must be inspected and tested by a certified backflow assembly tester (BAT) with copies of the reports of inspection and testing provided to the Public Works Director. Certified testing is required at time of installation and then annually thereafter within 30 days of the anniversary of installation. Seasonal connections that are required to have a backflow prevention assembly must be tested before service is allowed to resume. If a service call is necessary to restore service for the duration of the test, the fees enumerated in 13.07.100 may be waived by the Public Works Director. Re-testing is required following any backflow incident or immediately following repair, relocation, reinstallation or re-plumbing of the backflow device or assembly. The City reserves the right to terminate

service to customers who fail to submit an inspection test report after testing is due per this section and following subsequent notification by the Public Works Director.

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 4:** This Ordinance shall take effect and be in force from and after its passage by the City Council and approval by the Mayor, if approved, otherwise, as provided by law and five days after the date of posting for publication.

**PASSED BY THE CITY COUNCIL OF BLAINE, WASHINGTON** on the \_\_\_\_\_ day of April, 2006, and approved by the Mayor on the same day.

CITY OF BLAINE, WASHINGTON

By: \_\_\_\_\_  
Mike Myers, Mayor

ATTEST:

APPROVED AS TO FORM:

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Sheri Sanchez, City Clerk

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Jon Sitkin, City Attorney