



CITY OF WOODLAND

ORDINANCE NO. 1556

**AN ORDINANCE AMENDING THE WOODLAND MUNICIPAL CODE(WMC) CHAPTER 13.28.010 BACKFLOW AND CROSS CONNECTION AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION AS MORE PARTICULARLY SET FORTH HEREIN.**

**WHEREAS**, a “cross connection” is a point in a plumbing system where the potable water supply is connected to a non-potable water source<sup>1</sup>; and

**WHEREAS**, pollutants or contamination can enter the safe drinking water system through uncontrolled cross connections when backflows occur; and

**WHEREAS**, “backpressure” can occur when the potable water supply is connected to another system, deliberately or inadvertently, operated at a higher pressure, with such principal causes as booster pumps, pressure vessels and elevated plumbing; and

**WHEREAS**, “backflow preventers” are mechanical devices designed to prevent such backflow through those cross connections; however backflow preventers to protect as designed must meet stringent installation requirements; and

**WHEREAS**, the City of Woodland first adopted Ordinance No. 802, Backflow and Cross Connection in 1995 these issues; however, the Washington Department of Health has greatly increased those state standards, based on extensive research and experience, over the past thirty years, see Cross-Connection Control and Backflow Prevention | Washington State Department of Health; and

**WHEREAS**, the City Council therefore finds that is in the best interests of the City to update WMC 13.28 in order to better assure the health and welfare of its citizens, as well as those non-citizens who live, work and play in the Woodland area, as well as meet the health mandates of the State of Washington.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Woodland as follows:

**Section 1 Repeal and Replace:** Repeal Ordinance No. 802 - WMC 13.28.010 (Backflow and Cross Connection) in its entirety and replace it with Ordinance No. 1556 Attachment A.

**Section 2 Severability:** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3 Effective Date:** This ordinance shall become effective five (5) days after its publication in the media or paper of record as required by law.

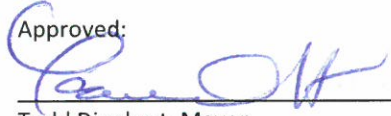
---

<sup>1</sup> *Cross Connections Can Create Health Hazards*, a brochure of the American Water Works Association, Pacific Northwest Section 2003.

ADOPTED IN OPEN MEETING 1st day of April 2024.

CITY OF WOODLAND, WASHINGTON

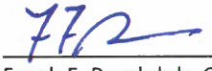
Approved:

  
\_\_\_\_\_  
Todd Dinehart, Mayor

Attest:

  
\_\_\_\_\_  
Georgina D. Anderson, Deputy Clerk Treasurer

Approved as to form:

  
\_\_\_\_\_  
Frank F. Randolph, City Attorney

**Chapter 13.28 BACKFLOW AND CROSS-CONNECTION PREVENTION**

**13.28.010 Definitions.**

For the purpose of this chapter, certain words and terms shall be used, interpreted and defined as set forth in this section.

"Backflow" means the flow other than the intended direction of flow of any foreign liquids, gases or substances into the distribution system of the public drinking water system of Woodland.

"Backflow prevention device" means a device manufactured and intended to counteract back pressure or prevent back siphonage into the public drinking water supply system as approved by the Washington State Department of Health for that purpose.

1. "RPBA" means reduced pressure principle backflow prevention assembly.
2. "RPDA" means reduced pressure principle detector backflow prevention assembly.
3. "DCVA" means double check valve backflow prevention assembly.
4. "DCDA" means double check detector backflow prevention assembly.
5. "PVBA" means pressure vacuum breaker assembly.

"Contamination" means the entry into, or the presence in, the public drinking water system of any substance or matter when present in drinking water above an acceptable level which may adversely affect the health of the consumer and/or the aesthetic qualities of the water consumed.

"Cross-connection" means any physical arrangement whereby public drinking water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device or vessel which contains or may contain contaminated water, sewage or other waste or liquids of unknown or unsafe quality which may be capable of imparting contamination to the public water supply system of Woodland as a result of backflow.

"Director" means the City of Woodland Public Works Director or designated agent.

All definitions contained in the State of Washington Administrative Code (WAC) 246-290, as amended as of or after the effective date of the ordinance codified in this section, shall by this reference be considered definitions within this chapter.

**13.28.020 Purpose.**

The purpose of this chapter, in conjunction with the Uniform Plumbing Code Chapter 10, State of Washington cross-connection regulations and the current edition of the Cross Connection Control Manual— Accepted Procedure and Practice, published by the Pacific Northwest Section, American Water Works Association, is to protect the health of the water

consumer and the potability of the water in the distribution system. Inspection and regulation of all actual or potential cross-connections between potable and non-potable systems is required in order to minimize the danger of contamination or pollution of the public potable water supply. No water service connection to any premises shall be installed or continued in use and no water service shall be provided by Woodland unless Woodland's water supply is protected by backflow prevention devices as may be required by this chapter or the Washington Administrative Code Chapter 246-290 or any superseding code section. The installation or maintenance of a cross-connection which will endanger the water quality of the potable water supply of the city shall be unlawful and is prohibited. Any such cross-connection now existing or hereafter installed is declared to be a public nuisance and the same shall be abated. Controlling and preventing cross-connections is accomplished by either removing the cross-connection or installing an approved backflow prevention assembly to protect the public potable water supply.

The city is required to eliminate or control all cross-connections throughout its service area. Therefore, anyone wanting or using water from the city is required to comply with these regulations. The owner of the property in which a cross-connection occurs is fully responsible for all damages incurred.

#### **13.28.030 Enforcement.**

The director of public works will enforce the provisions of this chapter. The public works director may delegate responsibilities to a certified cross-connection control specialist/inspector. The provisions of this chapter may supersede state regulations but in no case shall they be less stringent. All approved standards, policies and methods of operation shall be approved by the director of public works or delegate, and may be revised or modified as the need arises. All backflow prevention assemblies required by this chapter shall be a model approved by the State of Washington.

Approved backflow prevention assemblies required by this chapter shall be installed under the direction of the director of public works and/or under the supervision of the cross-connection specialist/inspector per the city standards. The device shall be located so as to be readily accessible for maintenance and testing.

#### **13.28.040 Testing.**

All RPBA's, RPDAs, DCVAs, DCDAs and PVBA's are required to be tested at least annually and all air gaps installed in lieu of an approved backflow prevention assembly shall be inspected at least annually. Completed test reports shall be returned to the city within thirty days after receipt of the yearly test notification. Tests and inspections may be required on a more frequent basis at the discretion of the Public Works Director or delegate, such as successive inspections indicate repeated failure or concerns with the backflow prevention assembly. All costs for testing and inspection of backflow prevention devices shall be borne by the customer.

Non-compliant backflow assembly owners will incur penalty fees and water turn on and off fees as listed in the current fee schedule, and the water meter will be shut off or disconnected

to water services till a pass test has been submitted to the City of Woodland. All fees will be added to the customers utility bill.

If the results of the test indicate that repairs are necessary, the repairs must be made within 14 days and a new test must be taken immediately after repairs are made. Re-tested results must be forwarded to the Public Works Department within fifteen (15) days of the retest. Failure to repair the device will result in termination of water service.

#### **13.28.050 Inspection—Right of entry.**

Authorized employees of the city with proper identification shall have free access at reasonable hours of the day to all parts of a premises or within buildings to which water is supplied. Water service shall be refused or terminated to any premises for failure to allow necessary inspections.

#### **13.28.060 Compliance.**

##### Commercial and Industrial Device Requirements

- A. Any new commercial and/or industrial facility or existing commercial and/or industrial facility shall be required to install a RPBA (reduced pressure backflow assembly) in accordance with WAC 246-290 for premises isolation.
- B. Commercial / Industrial Irrigation Requirements – Any new or existing irrigation system shall be required to install a DCVA (double check valve assembly) when installing an in-ground irrigation system that is on its own meter. If the irrigation system will share the building's water meter, then this does not apply. Please refer to option A. for facility requirements. If the irrigation system is downstream of the main water supply a backflow device on a separate irrigation meter is not required but recommended.
- C. Fire Sprinkler Systems shall be protected with state approve device WAC246-290 and as outlined in City of Woodland Standards.

##### Residential Backflow Device Requirements

- A. Residential Water Connections - Any new or existing residential dwelling shall be required to install a DCVA (double check valve assembly) when installing an in-ground irrigation system, swimming pool or any other water connection other than domestic residential use that is connected to the city water supply.
- B. Residential Supplemental Water Supply - Any new residential dwelling shall be required to install a RPBA (reduced pressure backflow assembly) when the premises is supplied by a supplemental water supply such as but not limited to, well, river water, sand spike, or any other water source.
- C. Fire Sprinkler Systems shall be protected with state approve device WAC246-290 and as outlined in City of Woodland Standards.

Any commercial or residential customer wishing to contest the requirements of a backflow assembly requirement shall be required to have a hazard assessment survey conducted by the city's certified backflow cross connection control specialists to determine the level of backflow protection required.

Any water sold in bulk via a city owned hydrant and meter shall supply a RPBA and annual test report before water is supplied. A visible air gap between the hydrant and water connection will be accepted in lieu of an RPBA if inspected by one of the city's cross connection specialists.

Air Vacuum Breakers are not an acceptable backflow prevention device in accordance with the city's backflow cross connection program.

Failure of the customer to cooperate in the installation, maintenance, repair, inspection and testing or if it is found that a backflow prevention assembly has been removed, by-passed, or if an unprotected cross-connection exists on the premises of backflow prevention assemblies required by this chapter shall be grounds for termination of water service to the premises or the requirement for an air gap separation. Service will not be restored until such conditions are corrected and water turn off and turn on fees have been paid. Such fees are established by the City of Woodland's current fee schedule.

**13.28.070 No duty of care.**

The provisions of this chapter are adopted in the furtherance of the general health, safety and welfare of the city and are not meant to create a duty of care with respect to any individual, utility service user or customer.