

GUIDANCE FOR WRITING AN ENABLING AUTHORITY FOR SMALL WATER SYSTEMS

The following is guidance for developing an enabling ordinance for your water system. On the last page is a sample to help you in the process. A small water system is defined as having fewer than 300 connections. You may wish to consult with your legal representative before implementing your ordinance. Your water system's written **ordinance** or **enabling authority** must be on file with the Drinking Water Program.

THE RULES OAR 333-061-0070

- (10) In community water systems, water suppliers shall implement a cross connection control program directly, or by written agreement with another agency experienced in cross connection control. The local cross connection program shall consist of the following elements:
- (a) Local ordinance or **enabling authority** that authorizes discontinuing water service to premises for:
 - (b) Failure to remove or eliminate an existing unprotected or potential cross connection;
 - (A) Failure to install a required approved backflow prevention assembly;
 - (B) Failure to maintain an approved backflow prevention assembly; or
 - (C) Failure to conduct the required testing of an approved backflow prevention assembly.

WHAT TO INCLUDE IN YOUR ENABLING AUTHORITY

The **enabling authority** can be a stand-alone document or included in your water systems requirements for service, bylaws, resolutions or home owner's association rules. The Drinking Water Services is not a source for legal advice and every water system needs to conform to their water system's legal structure.

The following items **must be included** in your **enabling ordinance**:

1. Authorization to discontinue water service to premises for failure to:
 - a. Remove or eliminate an existing unprotected or potential cross connection;
A few common residential cross connections include the installation of in ground sprinkler systems, and a hot tub, Jacuzzi, or pool.
 - b. Install a required approved backflow prevention assembly;
If a cross connection has been identified, but the owner does not want to install a backflow assembly.
 - c. Maintain an approved backflow prevention assembly; or
This may include but is not limited to annual testing, repairs, or proper maintenance of the assembly.
 - d. Conduct the required testing of an approved backflow prevention assembly.
Backflow assemblies are required to be tested at the time of installation, any repair or relocation, at least annually, or more frequently as determined by the water supplier.

The following items **should** be included in your **enabling ordinance**:

1. A list of any high hazards within your water system and how they will be protected from cross connection (air gap or reduced pressure backflow assembly).
How do you know if something is a high hazard? Table 42 identifies the types of facilities that are high hazards. The majority of small systems do not have any high hazards, but it can be a good idea to have a plan in place for future development.
2. A description of what corrective actions will be taken if a water user fails to comply with the water supplier's cross connection control requirements.
When a backflow assembly is tested and it fails the test, the assembly must be repaired or replaced and then tested again.

Email a copy of your water systems enabling authority to mail to: cross.connection@odhsoha.oregon.gov

Enabling Authority

Water System Name: _____

PWS ID# 41- _____ **Revised Date:** _____

Purpose

The purpose of this ordinance is to protect the health of the people served by this water system by preventing contaminants from flowing backwards into the water supply. To accomplish this, these rules are in compliance with Oregon Administrative Rules (OARs) 333-061-0070 through 333-061-0074.

Requirements

Actual or potential cross connections are prohibited. If a potential exists for a cross connection the water system must be protected by an appropriate backflow prevention device or assembly.

Any high hazards, as specified in the OARs will be given the highest priority, and protected with an approved air gap or reduced pressure backflow assembly.

Enforcement

The water system has the right to refuse or terminate water service to any customer who does not:

- Install a backflow device or assembly, when an actual or potential cross connection exists.
- Test the assembly at least annually and complete necessary repairs

The water system reserves the right to require a backflow device at the customer's side of the water meter if access is not allowed to determine if a backflow device or assembly is necessary.

The water system will allow a reasonable time to achieve compliance with our rules, but should a backflow incident occur, the water system has the right to terminate service immediately and restore it only after compliance.

Additional

A list of all high hazard connections and how they are protected from a cross connection is attached to this enabling authority.

This enabling authority is approved and adopted and will remain in effect as of this date until such time as revised or eliminated.

Printed Name: _____ **Title:** _____

Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

Signature: _____ **Date:** _____