

CHAPTER 26

WATER

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Part 1

Connections

§101. Definitions. Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Chapter shall be as follows:

AUTHORITY - the Borough of Everett Area Municipal Authority.

BOROUGH - the Borough of Everett, Bedford County, Pennsylvania.

BUILDING MAIN - the extension from the water system of any structure to the lateral of a main.

COMMONWEALTH - the Commonwealth of Pennsylvania.

IMPROVED PROPERTY - any property within the Borough upon which there is erected a structure, intended or continuous or periodic habitation, occupancy or use by human beings or animals.

INDUSTRIAL ESTABLISHMENT - any improved property located within the Borough and used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article.

LATERAL - that part of the water system extending from a main to the curb line or, if there shall be no curb line, to the property line or, if no such lateral shall be provided, then "lateral" shall mean that portion of, or place in, a main which is provided for connection of any building main.

MAIN - any pipe or conduit constituting a part of the water system used or usable for water distribution purposes.

OWNER - any person vested with ownership, legal or equitable, sole or partial, of any property.

PERSON - any individual, partnership, company, associate, society, trust, corporation, municipality, municipality authority, or other group or entity.

WATER SYSTEM - all facilities, as of any particular time, for production, transmission, storage and distribution of water in, to and for the Borough and owned by the Authority.

(Ord. 271, 6/8/1992)

§102. Use of Public Water System Required.

1. The owner of any improved property within the Borough abutting upon any street, alley or right-of-way in which a water main has been provided by the Authority, and where any part of the structure on said improved property is within one hundred fifty (150) feet of said water main, shall connect with said main, in such manner as the Borough may require within sixty (60) days after notice to such owner from the Borough to make such connection. However, any improved property that shall constitute an industrial establishment or a farm

that has its own supply of water for use other than human consumption shall not be required under this Section to connect to said water main.

2. The notice by the Borough to make a connection to a main, referred to in §102(1), shall consist of a copy of this Part, including any amendments and/or supplements at the time in effect, or a summary of each Section thereof, and a written or printed document requiring the connection in accordance with the provisions of this Part and specifying that such connection shall be made within ninety (90) days after the date such notice is given or served. Such notice may be given or served at any time after a main is in place that can deliver water to the particular improved property. Such notice shall be given or served upon the owner by personal service or by registered or certified mail to his last known address.

(Ord. 271, 6/8/1992)

§103. Building Mains and Connections.

1. No person shall uncover, shall connect with, make any opening into or use, alter or disturb, in any manner, any main or any part of the water system without first obtaining a permit, in writing, from the Borough.

2. Application for a permit required under §103(1) shall be made by the owner of the improved property served or to be served or by the duly authorized agent of such owner.

3. No person shall make or shall cause to be made a connection of any improved property with a main until such person shall have fulfilled each of the following conditions:

A. Such person shall have notified the Secretary of the Borough of the desire and intention to connect such improved property to a main.

B. Such person shall have applied for and obtained a permit as required by §103(1).

C. Such person shall have given the Secretary of the Borough at least twenty-four (24) hours notice of the time when such connection will be made so that the Borough may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing.

D. If applicable, such person shall have furnished satisfactory evidence to the Secretary of the Borough that any tapping (or connection) fee that may be charged and imposed by the Authority against the owner of each improved property who connects such improved property to a main has been paid.

4. Except as otherwise provided in this Section, each improved property shall be connected separately and independently with a main through a building main. Grouping of more than one (1) improved property on one (1) building main shall not be permitted, except under special circumstances and for good cause shown, but then only after special permission of the Borough, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Borough.

5. All costs and expenses of construction of a building main and all costs and expenses of connection of a building main to a main shall be borne by the owner of the improved property to be connected; and such owner shall indemnify and shall save harmless the Borough and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a building main or connection of a building main to a main.

6. A building main shall be connected to a main at the place designated by the Borough or by the Authority and where, if applicable, the lateral is provided. A smooth, neat joint shall be made and the connection of a building main to the lateral shall be made secure and watertight.

7. If the owner of the improved property located within the Borough and abutting upon the water system, subject, however, to the exception provided for in §201(1), after ninety (90) days notice from the Borough, in accordance with §201(1), shall fail to connect such improved property, as required, the Borough may enter upon such improved property and construct such connection and may collect from such owner the costs and expenses thereof in the manner permitted by law.

(Ord. 271, 6/8/1992)

§104. Rules and Regulations Governing Building Mains and Connections to Mains.

1. No building main shall be covered until it has been inspected and approved by the Borough. If any part of a building main is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to a main.

2. Every building main of any improved property shall be maintained in a sanitary and safe operating condition by the owner of such improved property.

3. Every excavation for a building main shall be guarded adequately with barricades and lights to protect all persons from damage and injury. Any street, sidewalk or other public property disturbed in the course of installation of a building main shall be restored, at the cost and expense of the owner of the improved property being connected, in a manner satisfactory to the Borough.

4. If any person shall fail or shall refuse, upon receipt of a notice of the Borough or the Authority, in writing, to remedy any unsatisfactory condition with respect to a building main, within sixty (60) days of receipt of such notice, the Borough or the Authority may refuse to permit such person to be served by the water system until such unsatisfactory condition shall have been remedied to the satisfaction of the Borough and the Authority.

5. The Borough and Authority reserve the right to adopt, from time to time, additional rules and regulations, as it shall deem necessary and proper relating to connections with a main and with the water system, which additional rules and regulations, to the extent appropriate, shall be and shall be construed as part of this Part.

6. In the event the Authority expands its water system in the Borough, as the result of which any Borough road is disturbed, then any restoration of said road shall be with 2RC stones at the cost and expense of the Authority, to the extent that any such road of the Borough is restored to its original condition prior to being disturbed by the Authority, excluding only those restoration improvements which are the responsibility of the owner as provided in §104(3) of this Part.

(Ord. 271, 6/8/1992)

§105. Enforcement.

1. Penalties. Any person who shall violate this part shall be liable, upon conviction for a first offense and upon conviction for each subsequent offense, to a fine of not more than one thousand dollars (\$1,000.00), together with costs of prosecution in each case. In default of payment of said fine and costs, said person shall be subject to a term of imprisonment not to exceed thirty (30) days. Each day that a violation shall continue shall be deemed and taken to be a separate offense and shall be punishable as such.

2. Fines and costs imposed under provisions of this Part shall be enforceable and recoverable in the manner at the time provided by applicable law and shall be paid to the Borough.

(Ord. 271, 6/8/1992)

§106. Declaration of Purpose. It is declared that enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of the Borough. (Ord. 271, 6/8/1992)

Part 2

Control of Backflow and Cross-Connections

§201. General Policy

1. Purpose: The purpose of this ordinance is:

A. To protect the public water supply from contamination or pollution by isolating, within the consumer's water system, contaminants or pollutants which could backflow through the Service Line and Connection into the public water supply system.

B. To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's water supply and non-potable water systems, plumbing fixtures and sources or systems containing process fluids.

C. To provide for the maintenance and continuation of a cross-connection control program which prevents the contamination or pollution of the public and consumer's water supply.

2. Application: The public water supplier and the consumer have the joint responsibility for protection of the public water supply from contamination or pollution due to backflow. If the public water supplier requires an approved backflow prevention device, the supplier shall give notice to the consumer to install such an approved backflow prevention device at each Connection to his premises. The consumer should immediately install such an approved device or devices at his own expense. Failure, refusal, or inability on the part of the consumer to install such a device or devices shall constitute grounds for discontinuing water service to the premises until such a device or devices have been installed.

§202. Definitions

AIR GAP SEPARATION - The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying potable water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. The differential distance shall be at least double the diameter (2 x D) of the supply pipe measured vertically above the top of the rim of the vessel. In no case, shall the air gap be less than one inch.

APPROVED - A backflow prevention device or method that has been accepted by the public water supplier as suitable for the proposed use.

AUXILIARY WATER SYSTEM - Any water source or system on the premises of, or available to the customer except connections to other approved public water supply systems.

BACKFLOW - A flow condition, induced by a differential in pressure, that causes the flow of water or mixtures of water and other substances into the distribution pipes of a potable water supply system from a source other than its intended source. Backflow can result from either backsiphonage or backpressure.

BACKFLOW PREVENTER - A device or other means which will prevent the backflow of water or any other substance into the public water supply system.

BACKPRESSURE - The backflow of water or a mixture of water and other substances from a plumbing fixture or other customer source, into a public water supply system due to an increase of pressure in the fixture or customer source to a value that exceeds the system pressure.

BACKSIPHONAGE - The backflow of water or a mixture of water and other substances from a plumbing fixture or other customer source, into a public water supply system due to a temporary negative or sub-atmospheric pressure within the public water supply system.

CONNECTION - That part of the public water system extending from the end of the service line to the water meter.

CONSUMER - The owner or person in control of any premises supplied by or in any manner connected to a public water supply system.

CONSUMER' S WATER SYSTEM - Any water system, located on the consumer's premises supplied by or in any manner connected to a public water supply system. A household plumbing system is considered to be a consumer's water system.

CONTAINMENT - Cross-connection control which isolates the customer's entire facility from the public water supply system so as to provide the protection necessary to prevent contamination of the public water supply in the event of backflow from the customer's facility. Though containment control prevents contamination of the public water supply, it offers no protection to the water distribution system within the facility. Reduced pressure zone devices are used for containment control.

CONTAMINATION - The degradation of the quality of the drinking water by wastewaters, processed fluids, or any water of a quality less than accepted drinking water quality to a degree which would create an actual hazard to the public health through poisoning or through the spread of disease.

CROSS-CONNECTION - An arrangement allowing either a direct or indirect connection through which backflow, including backsiphonage, can occur between the drinking water in a public water system and a system containing a source or potential source of contamination, or allowing treated water to be removed from any public water system, used for any purpose or routed through any device or pipes outside the public water system, and returned to the public water system. The term does not include connections to devices totally within the control of one or more public water systems and connections between water mains.

DEGREE OF HAZARD - An evaluation of the potential risk to health and the adverse effect upon the public water supply system.

DOUBLE CHECK VALVE ASSEMBLY - An assembly composed of two single, independently acting, soft-seated, spring-loaded 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.

HEALTH HAZARD - Any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well-being of its users. The word "severe", as used to qualify "health hazard", means a hazard to the health of the user that could reasonably be expected to result in significant morbidity or death.

INTERCHANGEABLE CONNECTION - An arrangement or device that will allow alternate, but not simultaneous, use of two sources of water.

NON-HEALTH HAZARD - Any condition, device or practice in a water system or its operation that creates, or may create, an impairment of the quality of the water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such water for domestic use.

NON-POTABLE WATER - Water not safe for drinking, personal, culinary, or any other type of domestic use.

PERSON - Any individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision or any agency of federal or state government. The term includes the officers, employees and agents of any partnership, association, company, corporation, municipality, municipal authority, political subdivision or any agency of federal or state government.

POLLUTION - The presence in water of any foreign substance that tends to degrade its quality so as to constitute a hazard, or to impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such waters for domestic use.

POTABLE WATER - Water which is satisfactory for drinking, personal, culinary, and domestic purposes and meets the requirements of DEP.

PROCESS FLUIDS - Any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional, or system hazard if introduced into the public or a consumer's water system. This includes, but is not limited to:

- a. Polluted or contaminated waters;
- b. Process waters; sanitary quality;
- d. Cooling waters;
- e. Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- f. Chemicals in solution or suspension;
- g. Oils, gases, acids, alkalis, and other liquid or gaseous fluids used in industrial or other processes, or for fire fighting purposes;
- h. Heating system waters from boilers or heat pumps.

PUBLIC WATER SUPPLIER - The Borough of Everett Area Municipal Authority or a successor agency authorized by the Everett Borough

Council to operate and maintain the public water supply system in Everett Borough.

**PUBLIC WATER SUPPLY SYSTEM** - A system which provides water to the public for human consumption in Everett Borough. The term includes any collection, treatment, storage, and distribution facilities under control of the public water supplies and used in connection with the system. The term includes collection or pretreatment storage facilities not under such control which are used in connection with the system. The term also includes a system which provides water for human consumption via bottling, vending machines, retail sale, or bulk hauling methods.

**REDUCED PRESSURE ZONE DEVICE (RPZD)** - A device which contains two independently acting, soft-seated, spring-loaded check valves, together with a soft-seated, spring-loaded, diaphragm-activated, pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, shall maintain the pressure between the checks at less than the supply pressure by opening to the atmosphere. The device must include tightly closing shutoff valves located at each end, and each device shall be fitted with properly located test cocks.

**SERVICE LINE** - That part of the public water system including the corporation stop, saddle, pipe, curb stop and curb box, extending from the water main to the property line.

**SYSTEM HAZARD** - A condition posing an actual or potential threat of damage to the physical properties of the public water system or to the consumer's potable water system.

#### §203. Water System

1. The water system shall be considered as made up of two parts: the public water supply system and the consumer's water system.

2. The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the public water supply system under the control of the public water supplier up to the point where the consumer's water system begins.

3. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the public distribution system.

4. The public distribution system shall include the network of conduits used for delivery of water from the source to the consumer's water system.

5. The consumer's water system shall include the connection and all facilities beyond the meter which are utilized in conveying water from the public distribution system to points of use.

#### §204. Cross-Connections Prohibited

1. No water service line and connection shall be installed or maintained to any premises where actual or potential cross-connections to the public water supply system or consumer's water system may exist, unless such cross-connections are abated or controlled to the satisfaction of the public water supplier.

2. No connection shall be installed or maintained whereby water from an auxiliary water supply may enter a public or consumer's water system unless such auxiliary water supply, as well as the method of connection and use of such supply, has been approved by the water supplier.

§205. Surveys and Investigations

1. The consumer's premises shall be open at all times to the public water supplier, or its authorized representative, for the purposes of surveying for, or investigating, actual or potential cross-connections.

2. On request by the public water supplier, the consumer shall furnish information on water use practices within his premises.

3. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his/her premises to determine whether there are actual or potential cross-connections to his/her water system.

§206. Where Protection is Required

1. An approved backflow prevention device shall be installed prior to the first branch line leading off each service line to a consumer's water system where, in the judgment of the public water supplier, an actual or potential hazard to the public water supply system exists.

2. An approved backflow prevention device shall be installed on each service line to a consumer's water system where the following conditions exist:

a. Systems having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the public water supplier and approved by the Pennsylvania Department of Environmental Protection or a successor agency.

b. Systems where any substance is handled in such a fashion as to create an actual or potential hazard to the public water supply system. This shall include systems having sources or auxiliary systems which contain process fluids or waters originating from the public water supply system, which are no longer under the sanitary control of the water purveyor.

c. Systems having internal cross-connections that are not correctable, or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.

d. Systems where, because of security requirements or restrictions, it is impossible or impractical to make a complete cross-connection survey.

- e. Systems having a repeated history of cross-connections.
- f. Others specified by the public water supplier.

3. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the public water supplier determines that no actual or potential hazards to the public water supply system exist:

- a. hospitals, mortuaries, clinics, nursing homes;
- b. laboratories;
- c. sewage treatment plants, sewage pumping station or storm water pumping station;
- d. food or beverage processing plants;
- e. chemical plants;
- f. metal plating industries;
- g. petroleum processing or storage plants;
- h. radioactive material processing plants;
- i. car wash or truck wash; or
- j. others specified by the public water supplier.

§207. Type of Protection Required

1. The type of protection required under §206 of this ordinance shall depend on the degree of hazard which exists as follows:

a. An approved air gap separation shall be installed where the public water supply system may be contaminated with substances that are dangerous to public health and could cause a severe health hazard, and where such a device would be technically feasible and/or practical.

b. An approved air gap separation or an approved reduced pressure zone device shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.

c. An approved air gap separation, an approved reduced pressure zone device, or an approved double check valve assembly shall be installed where the public water supply system may be polluted with substances that would be objectionable or constitute a non-health hazard.

§208. Backflow Prevention Devices

1. Any backflow prevention device required by this ordinance shall be of a model or construction approved by the public water supplier and shall comply with the following:

a. Air gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the receiving vessel, but in no case less than one inch.

b. A double check valve assembly or a reduced pressure zone device shall be approved by the public water supplier and shall mean a device that has been manufactured in full conformance with

standards established by the American Water Works Association (AWWA) entitled:

ANSI/AWWA C510 Standard for Double Check  
Valve Backflow-Prevention Assembly.  
and  
ANSI/AWWA C511 Standard for Reduced-Pressure  
Principle Backflow-Prevention Assembly

Said AWWA standards are herein adopted by the public water supplier. Final approval, however, of the reduced pressure zone device and the double check valve assembly shall be evidenced by a certificate of full approval, issued by an approved testing laboratory, certifying full compliance with the said AWWA standards.

c. An interchangeable connection to be approved shall be either a swing type connector or a four-way valve of the lubricated plug type that operates through a mechanism which unseats the plug, turns it ninety degrees and reseats the plug. Four-way valves shall not be used as stop valves but must have separate stop valves on each pipe connected to the valve. The telltale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made.

2. Existing backflow prevention devices approved by the public water supplier at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirement of §208.1. of this ordinance provided the public water supplier is assured that they will satisfactorily protect the public water supply system. Whenever the existing device is moved from the present location, or requires more than minimum maintenance, or when the public water supplier finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of this ordinance.

§209. Installation

1. Backflow prevention devices required by this ordinance shall be installed at a location, and in a manner, approved by the public water supplier. The device(s) shall be installed by a person approved by the public water supplier, properly qualified and under the supervision and inspection of the public water supplier. Installation and inspection of the devices shall be at the expense of the water consumer.

2. Backflow prevention devices installed on the connection to a consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

§210. Inspection and Maintenance

1. It shall be the duty of the consumer at any premises on which backflow prevention devices are required by this ordinance to have inspections, tests, and overhaul made in accordance with the following schedule, or more often where inspections indicate a need.

a. Air separation shall be inspected at the time of installation, and at least every 12 months thereafter.

b. Double check valve assemblies shall be inspected and tested for tightness at the time of installation, and at least every 12 months thereafter. These devices shall be dismantled, inspected internally, cleaned, and repaired whenever needed, and at least every 30 months.

c. Reduced pressure zone devices shall be inspected and tested for tightness at the time of installation, and at least every 12 months thereafter. These devices shall be dismantled, inspected internally, cleaned, and repaired whenever needed and at least every five years.

d. Interchangeable connections shall be inspected at the time of installation, and at least every 12 months thereafter.

2. Inspections, tests, and overhaul of backflow prevention devices shall be made at the expense of the water consumer, and shall be performed by the public water supplier or a person approved by the public water supplier and certified to inspect, test, and overhaul backflow prevention devices.

3. Whenever backflow prevention devices required by this ordinance are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

4. The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, and repairs. Records of inspections, tests, repairs, and overhaul shall be submitted to the public water supplier upon request.

5. Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the public water supplier.

#### §211. Booster Pumps

1. Where a booster pump has been installed on the service line or connection to, or within, any premises, such a pump shall be equipped with a low pressure cut-off device designed to shutoff the booster pump when the pressure in the service line on the suction side of the pump drops to 10 pounds per square inch gauge or less for a period of 30 seconds or longer.

2. It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the public water supplier, at least once a year, that the device is operating properly.

#### §212. Enforcement

1. The public water supplier may deny or discontinue, after issuing reasonable notice, the water service to any premises wherein any backflow prevention device required by this ordinance is not installed, tested, and maintained in a manner acceptable to the public water supplier, or if it is found that the backflow prevention device

has been removed or by-passed, or if an unprotected cross-connection exists on the premises, or if a low pressure cut-off device required by this ordinance is not installed and maintained in working order.

2. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this ordinance and to the satisfaction of the public water supplier.

3. Penalties. Any person who shall violate Part 2 (Control of Backflow and Cross-Connections) of this ordinance (Chapter 26 - Water) shall be liable, upon conviction for a first offense and upon conviction for each subsequent offense, to a fine of not more than one thousand dollars (\$1,000.00), together with costs of prosecution in each case. In default of payment of said fine and costs, said person shall be subject to a term of imprisonment not to exceed thirty (30) days. Each day that a violation shall continue shall be deemed and taken to be a separate offense and shall be punishable as such.

4. Fines and costs imposed under provisions of this Part shall be enforceable and recoverable in the manner at the time provided by applicable law and shall be paid to the Borough.