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PWSID # 5210009

ORDINANCE NO. 21213

TO PROVIDE A PROGRAM FOR PROTECTING THE PUBLIC WATER SYSTEM  
FROM CONTAMINATION DUE TO BACKFLOW OF CONTAMINANTS THROUGH  
THE WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM

WHEREAS 675 IAC, Article 16, Rule 1.2, of the Indiana Plumbing Code, as adopted by the  
Indiana Fire Prevention and Building Safety Commission, requires protection of the public  
water supply from contaminants due to backflow through connections to fire protection and  
standpipe systems; and,

WHEREAS the Indiana Department of Environmental Management authorizes the  
maintenance of a continuing program of cross-connection control which will systematically  
and effectively prevent the contamination of all potable water systems;

NOW, THEREFORE, BE IT ORDAINED by the *board of Rural Membership Water  
Corporation of Clark Co.* of the State of Indiana:

SECTION 1. That a cross connection shall be defined as any physical connection or  
arrangement between two otherwise separate systems, one of which contains potable water  
from the *Rural Membership Water Corporation of Clark Co.* water system, and the other,  
water from a private source, water of unknown or questionable safety, or steam, gases, or  
chemicals, whereby there may be a flow from one system to the other, the direction of flow  
depending on the pressure differential between the two systems.

SECTION 2. That no person, firm, or corporation shall establish or permit to be established  
or maintain or permit to be maintained any cross connection. No interconnection shall be  
established whereby potable water from a private, auxiliary, or emergency water supply other  
than the regular public water supply of *Rural Membership Water Corporation of Clark Co.*  
may enter the supply or distribution system of said municipality, unless such private,  
auxiliary, or emergency water supply and the method of connection and use of such supply  
shall have been approved by the *Rural Membership Water Corporation of Clark Co.* and by  
the Indiana Department of Environmental Management in accordance with 327 IAC 8-10.

SECTION 3. That it shall be the duty of the *Rural Membership Water Corporation of Clark  
Co.* to cause inspections to be made of all properties served by the public water system where

cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the ***Rural Membership Water Corporation of Clark Co.***.

SECTION 4. That upon presentation of credentials, the representative of the ***Rural Membership Water Corporation of Clark Co.*** shall have the right to request entry at any reasonable time to examine the property served by a connection to the public water system of ***Rural Membership Water Corporation of Clark Co.*** for cross connections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross connections.

SECTION 5. That the ***Rural Membership Water Corporation of Clark Co.*** is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice is served on the owner, lessee, or occupants of the property or premises where a violation is found or suspected to exist. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

SECTION 6. That, if it is deemed by the ***Rural Membership Water Corporation of Clark Co.*** that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the clerk of the ***Rural Membership Water Corporation of Clark Co.*** and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for hearing within 10 days of such emergency discontinuance.

SECTION 7. That all consumers using toxic or hazardous liquids, all hospitals, mortuaries, wastewater treatment plants, laboratories, and all other hazardous users install and maintain a reduced pressure principal backflow preventer in the main water line serving each building on the premises. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing.

SECTION 8. The reduced pressure principle backflow preventers shall not be installed below ground level.

SECTION 9. That this ordinance does not supersede the Indiana Plumbing Code, the IDEM Rule 327IAC 8-10 or the ***Rural Membership Water Corporation of Clark Co.*** plumbing ordinance No. ***21213***, but is supplementary to them.

SECTION 10. In addition to IDEM Rule 327 IAC 8-10-4(c), the following customer facilities need a backflow prevention device:  
***(provide a list of facilities)***

SECTION 11. That if, in the judgment of the Superintendent of Water, an approved backflow prevention device is necessary for the safety of the public water system; the Superintendent of Water will give notice to the water consumer to install such an approved device

immediately. The water consumer shall, at his own expenses, install such an approved device at a location and in a manner approved by the Superintendent of Water and shall have inspections and tests made of such approved devices as required by the ***Superintendent of Rural Membership Water Corporation*** and in accordance with IDEM Rule 327 IAC 8-10.

SECTION 12. This ordinance shall become effective ten (10) days after adoption on second reading.

APPROVED AS TO FORM AND LEGALITY

ORDINANCE NO. 201213

X 

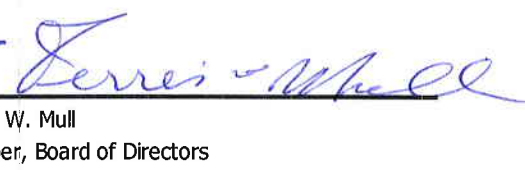
Elmer R. Masters  
President, Board of Directors

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Richard M. Belcher  
Vice-President, Board of Directors

X 

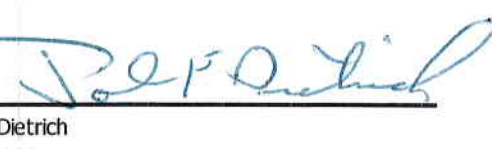
Richard Davenport  
Sect & Tres., Board of Directors

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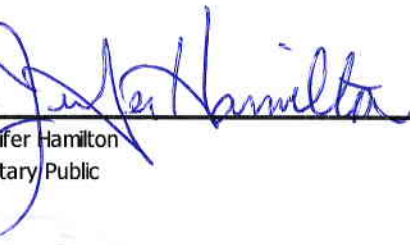
Ferris W. Mull  
Member, Board of Directors

X 

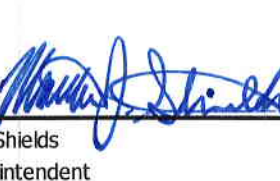
Doug Dunlevy  
Member, Board of Directors

X 

John Dietrich  
Attorney

X 

Jeannifer Hamilton  
A Notary Public

X 

Matt Shields  
Superintendent

## **Amendments**

### **02.12.13**

Indiana Department of Environmental Management's Cross Connection Control and Backflow Prevention Manual will also be used on determining all information pertaining to ***Rural Membership Water Corporation's*** Cross Connection Program.

## **Tier Violations**

### **Tier 1 Violation**

The first tier violation is a written violation letter for not submitting of test results with a one hundred dollar fine assessed to water bill (\$100). This letter is mailed one (1) month after test results are due in relation to the manufactures specifications of testing backflow prevention device. We are not responsible for US Mail delivery. The fine is assessed to water bill 30 days after letter is sent.

### **Tier 2 Violation**

The second tier violation is a written violation letter for not submitting of test results with a four hundred dollar fine assessed to water bill (\$400). This letter is mailed two (2) months after test results are due in relation to the manufactures specifications of testing backflow prevention device. We are not responsible for US Mail delivery. The fine is assessed to water bill 30 days after letter is sent.

### **Tier 3 Violation**

The third tier violation is a final written violation letter for not submitting of test results will consist of a 30 day window to file results with RMWC or service will be disconnected until all terms are meet. Maximum fine for said failure will consist of \$500 fine assessed to water bill and with termination of water service plus a fifty (\$50) dollar reconnection fee. Water service cannot be re-established until all fines are paid and test results have been submitted to the RMWC. This violation letter is mailed four (4) months after test results are due in relation to the manufactures specifications of testing backflow prevention device. We are not responsible for US Mail delivery.