

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 12-51-2005

Passed December 6, 2005

AN ORDINANCE TO PROVIDE AN EFFECTIVE MEANS FOR PROTECTING THE PUBLIC WATER SYSTEM FROM CONTAMINATION DUE TO THE BACKFLOW OF CONTAMINANTS THROUGH THE WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM.

WHEREAS, Section 6109 of the Ohio Revised Code requires protection of the public water system from contamination through any connection whereby water from a private, auxiliary or emergency water system may enter the public water system; and

WHEREAS, Section 3745-95 of the Ohio Administrative Code requires protection of the public water system from contamination due to backflow of contaminants through the water service connection; and

WHEREAS, the Ohio Environmental Protection Agency requires the maintenance of a continuing program of backflow prevention control which will systematically and effectively prevent the contamination of all potable water systems; and

WHEREAS, in order to accomplish these goals it is necessary to introduce restrictions that go beyond usual plumbing code requirements; NOW, THEREFORE;

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE,
STATE OF OHIO:**

SECTION I. That if, in the judgment of the Director of Public Service, an approved backflow prevention device is necessary for the safety of the public water system; the Director of Public Service will give notice to the water consumer to install such an approved device. The water consumer shall, at his own expense, install such an approved device at a location and in a manner approved by the Director of Public Service and shall have inspections and tests of such approved devices as required by the Director of Public Service.

SECTION II. That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the City may enter the supply or distributing system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection have been approved by the Director of Public Service and by the Ohio Environmental Protection Agency.

SECTION III. That it shall be the duty of the Director of Public Service to cause surveys and investigations to be made at the properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Director of Public Service shall deem necessary.

SECTION IV. That the Director of Public Service or his duly authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to the public water supply or distribution system of the City for the purpose of inspecting the piping system or systems thereof. On demand the owner, lessees or occupants of any property so served shall furnish to the Director of Public Service any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when

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demand, shall, within the discretion of the Director of Public Service, be deemed evidence of the presence of improper connections as provided in this ordinance.

SECTION V. That the Director of Public Service is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of this ordinance is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this ordinance.

SECTION VI. *That the Director of Public Service shall establish Rules and Regulations to govern the application and oversight of the backflow prevention program.*

SECTION VII. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: December 6, 2005 DATE [Signature] PRESIDENT OF COUNCIL

ATTEST: [Signature] CLERK OF COUNCIL

APPROVED: December 6, 2005 DATE [Signature] MAYOR

APPROVED AS TO FORM: [Signature]
GARY D. KENWORTHY
CITY LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
FOR LEGALITY ONLY