

AN ORDINANCE TO AMEND
TITLE 13
OF THE CODE OF EMMITSBURG
ENTITLED
PUBLIC SERVICES

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that **CHAPTER 13.17, CROSS-CONNECTION CONTROL PROGRAM** of the Emmitsburg Municipal Code, be added and written as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**.

CHAPTER 13.17 – CROSS-CONNECTION CONTROL & BACKFLOW PREVENTION PROGRAM

- 13.17.010 - PURPOSE.**
- 13.17.020 - AUTHORITY.**
- 13.17.030 - RESPONSIBILITY.**
- 13.17.040 - DEFINITIONS.**
- 13.17.050 - ADMINISTRATION.**
- 13.17.060 - REQUIREMENTS.**
- 13.17.070 - DEGREE OF HAZARD.**
- 13.17.080 - PERMITS.**
- 13.17.090 - INSTALLATION.**
- 13.17.100 - EXISTING IN-USE BACKFLOW PREVENTION DEVICES.**
- 13.17.110 - PERIODIC TESTING.**
- 13.17.120 - RECORDS AND REPORTS.**
- 13.17.130 - FEES AND CHARGES.**
- 13.17.140 - RESIDENTIAL DUAL CHECK.**
- 13.17.150 - STRAINERS.**

13.17.010 - PURPOSE.

- A. TO PROTECT THE PUBLIC POTABLE WATER SUPPLY SERVED BY THE TOWN OF EMMITSBURG FROM THE POSSIBILITY OF CONTAMINATION OR POLLUTION BY ISOLATING, WITHIN ITS CUSTOMERS' INTERNAL DISTRIBUTION SYSTEM, SUCH CONTAMINANTS OR POLLUTANTS, WHICH COULD BACKFLOW OR BACK-SIPHON INTO THE PUBLIC WATER SYSTEM.**
- B. TO PROMOTE THE ELIMINATION OR CONTROL OF EXISTING CROSS-CONNECTIONS, ACTUAL OR POTENTIAL, BETWEEN ITS CUSTOMERS' IN-PLANT POTABLE WATER SYSTEM, AND NON-POTABLE SYSTEMS.**
- C. TO PROVIDE FOR THE MAINTENANCE OF A CONTINUING PROGRAM OF CROSS-CONNECTION CONTROL WHICH WILL EFFECTIVELY PREVENT THE CONTAMINATION OF ALL POTABLE WATER SYSTEMS BY CROSS-CONNECTION.**

13.17.020 - AUTHORITY.

A. THE FEDERAL SAFE DRINKING WATER ACT OF 1974, 42 USC §300f ET SEQ. PROVIDES THAT A PUBLIC WATER PROVIDER HAS THE PRIMARY RESPONSIBILITY FOR PREVENTING WATER FROM UNAPPROVED SOURCES, OR ANY OTHER SUBSTANCES, FROM ENTERING THE PUBLIC POTABLE WATER SYSTEM.

B. TOWN OF EMMITSBURG'S ADOPTED ORDINANCE, RULES, AND REGULATIONS.

13.17.030 - RESPONSIBILITY.

THE TOWN OF EMMITSBURG SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC POTABLE WATER DISTRIBUTION SYSTEM FROM CONTAMINATION OR POLLUTION DUE TO THE BACKFLOW OR BACK-SIPHONAGE OF CONTAMINANTS OR POLLUTANTS THROUGH THE WATER SERVICE CONNECTION. IF, IN THE JUDGEMENT OF THE TOWN OF EMMITSBURG, AN APPROVED BACKFLOW DEVICE IS REQUIRED AT THE TOWN'S WATER SERVICE CONNECTION TO ANY CUSTOMER'S PREMISES, THE TOWN OF EMMITSBURG, OR ITS DESIGNATED AGENT, SHALL GIVE NOTICE IN WRITING TO SAID CUSTOMER INSTRUCTING THE CUSTOMER TO INSTALL AN APPROVED BACKFLOW PREVENTION DEVICE AT EACH SERVICE CONNECTION TO HIS OR HER PREMISES. THE CUSTOMER SHALL, WITHIN NINETY (90) DAYS, INSTALL SUCH APPROVED DEVICE OR DEVICES AT HIS OR HER OWN EXPENSE, AND FAILURE OR REFUSAL OR INABILITY ON THE PART OF THE CUSTOMER TO INSTALL SAID DEVICE OR DEVICES WITHIN NINETY (90) DAYS SHALL CONSTITUTE A GROUND FOR DISCONTINUING WATER SERVICE TO THE PREMISES UNTIL SUCH DEVICE OR DEVICES HAVE BEEN PROPERLY INSTALLED.

13.17.040 - DEFINITIONS.

THE FOLLOWING TERMS HAVE THE MEANING INDICATED:

APPROVED: ACCEPTED BY THE TOWN OF EMMITSBURG AS MEETING AN APPLICABLE SPECIFICATION STATED OR CITED IN THIS CHAPTER, OR AS SUITABLE FOR THE PROPOSED USE.

AUXILIARY WATER SUPPLY: ANY WATER SUPPLY ON OR AVAILABLE TO THE PREMISES OTHER THAN THE PROVIDERS' APPROVED PUBLIC POTABLE WATER SUPPLY.

BACKFLOW: THE FLOW OF WATER OR OTHER LIQUIDS, MIXTURES OR SUBSTANCES, UNDER POSITIVE OR REDUCED PRESSURE IN THE DISTRIBUTION PIPES OF A POTABLE WATER SUPPLY FROM ANY SOURCE OTHER THAN ITS INTENDED SOURCE.

BACKFLOW PREVENTER: A DEVICE OR MEANS DESIGNED TO PREVENT BACKFLOW OR BACK-SIPHONAGE MOST COMMONLY CATEGORIZED AS AN AIR GAP, REDUCED PRESSURE PRINCIPLE DEVICE, DOUBLE CHECK VALVE ASSEMBLY, PRESSURE VACUUM BREAKER, ATMOSPHERE BREAKER, HOSE

BIBB VACUUM BREAKER, RESIDENTIAL DUAL CHECK, DOUBLE CHECK WITH INTERMEDIATE ATMOSPHERIC VENT, AND BAROMETRIC LOOP.

- 1. AIR GAP: A PHYSICAL SEPARATION SUFFICIENT TO PREVENT BACKFLOW BETWEEN THE FREE FLOWING DISCHARGE END OF THE POTABLE WATER SYSTEM AND ANY OTHER SYSTEM. PHYSICALLY DEFINED AS A DISTANCE EQUAL TO TWICE THE DIAMETER OF THE SUPPLY SIDE PIPE DIAMETER BUT NEVER LESS THAN ONE INCH.**
- 2. ATMOSPHERIC VACUUM BREAKER: A DEVICE, WHICH PREVENTS BACK-FLOW OR SIPHONAGE BY CREATING AN ATMOSPHERIC VENT WHEN THERE IS EITHER A NEGATIVE PRESSURE OR SUB-ATMOSPHERIC PRESSURE IN A WATER SYSTEM.**
- 3. BAROMETRIC LOOP: A FABRICATED PIPING ARRANGEMENT RISING AT LEAST THIRTY-FIVE (35) FEET AT ITS TOP MOST POINT ABOVE THE HIGHEST FIXTURE IT SUPPLIES. IT IS UTILIZED IN WATER SUPPLY SYSTEMS TO PROTECT AGAINST BACK-FLOW OR BACK-SIPHONAGE.**
- 4. DOUBLE CHECK VALVE ASSEMBLY: AN ASSEMBLY OF TWO INDEPENDENTLY OPERATING SPRING-LOADED CHECK VALVES WITH TIGHTLY CLOSING SHUT OFF VALVES ON EACH SIDE OF THE CHECK VALVES, AND PROPERLY LOCATED TEST COCKS FOR THE TESTING OF EACH VALVE.**
- 5. DOUBLE CHECK VALVE WITH INTERMEDIATE ATMOSPHERIC VENT: A DEVICE HAVING TWO SPRING LOADED CHECK VALVES SEPARATED BY AN ATMOSPHERIC VENT CHAMBER.**
- 6. HOSE BIBB VACUUM BREAKER: A DEVICE WHICH IS PERMANENTLY ATTACHED TO A HOSE BIBB AND WHICH ACTS AS AN ATMOSPHERIC VACUUM BREAKER.**
- 7. PRESSURE VACUUM BREAKER: A DEVICE CONTAINING ONE OR TWO INDEPENDENTLY OPERATED SPRING LOADED CHECK VALVES AND AN INDEPENDENTLY OPERATED SPRING LOADED AIR INLET VALVE LOCATED ON THE DISCHARGE SIDE OF THE CHECK OR CHECKS. DEVICE INCLUDES TIGHTLY CLOSING SHUT-OFF VALVES ON EACH SIDE OF THE CHECK VALVES AND PROPERLY LOCATED TEST COCKS FOR THE TESTING OF THE CHECK VALVE(S).**
- 8. REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER: AN ASSEMBLY CONSISTING OF TWO INDEPENDENTLY OPERATING CHECK VALVES WITH AN AUTOMATICALLY OPERATING DIFFERENTIAL RELIEF VALVE LOCATED BETWEEN THE TWO CHECK VALVES, TIGHTLY CLOSING SHUT-OFF VALVES ON EACH SIDE OF THE CHECK VALVES AND PROPERLY LOCATED TEST COCKS FOR THE TESTING OF THE CHECK VALVES AND THE RELIEF VALVE.**
- 9. RESIDENTIAL DUAL CHECK: AN ASSEMBLY OF TWO SPRING LOADED, INDEPENDENTLY OPERATING CHECK VALVES WITHOUT TIGHTLY**

CLOSING SHUT-OFF VALVES AND TEST COCKS. GENERALLY EMPLOYED IMMEDIATELY DOWNSTREAM OF THE WATER METER TO ACT AS A CONTAINMENT DEVICE.

BACKPRESSURE: A CONDITION IN WHICH THE OWNER'S SYSTEM PRESSURE IS GREATER THAN THE SUPPLIER'S SYSTEM PRESSURE.

BACKSIPHONAGE: THE FLOW OF WATER OR OTHER LIQUIDS, MIXTURES OR SUBSTANCES INTO THE DISTRIBUTION PIPES OF A POTABLE WATER SUPPLY SYSTEM FROM ANY SOURCE OTHER THAN ITS INTENDED SOURCE CAUSED BY THE SUDDEN REDUCTION OF PRESSURE IN THE POTABLE WATER SUPPLY SYSTEM.

CONTAINMENT: A METHOD OF BACKFLOW PREVENTION, WHICH REQUIRES A BACKFLOW PREVENTION PREVENTER AT THE WATER SERVICE ENTRANCE.

CONTAMINANT: A SUBSTANCE THAT WILL IMPAIR THE QUALITY OF THE WATER TO A DEGREE THAT IT CREATES A SERIOUS HEALTH HAZARD TO THE PUBLIC LEADING TO POISONING, ILLNESS, OR THE SPREAD OF DISEASE.

CROSS-CONNECTION: ANY ACTUAL OR POTENTIAL CONNECTION BETWEEN THE PUBLIC WATER SUPPLY AND A SOURCE OF CONTAMINATION OR POLLUTION.

DEGREE OF HAZARD: THE DEGREE OF HAZARD IS A DETERMINATION OF WHETHER THE SUBSTANCE IN THE NON-POTABLE SYSTEM IS TOXIC (HEALTH HAZARD) OR NON-TOXIC (NON-HEALTH HAZARD).

DEPARTMENT: THE TOWN OF EMMITSBURG'S WATER DEPARTMENT.

FIXTURE ISOLATION: A METHOD OF BACKFLOW PREVENTION IN WHICH A BACKFLOW PREVENTER IS INSTALLED TO CORRECT A CROSS-CONNECTION AT AN IN-PLANT LOCATION RATHER THAN AT A WATER SERVICE ENTRANCE.

MDE: THE STATE OF MARYLAND DEPARTMENT OF THE ENVIRONMENT — WATER SUPPLY PROGRAM.

NON-TOXIC SUBSTANCE: ANY SUBSTANCE THAT MAY CREATE A NON-HEALTH HAZARD, IS A NUISANCE, OR IS AESTHETICALLY OBJECTIONABLE.

OWNER: ANY PERSON, WHO HAS LEGAL TITLE TO, OR LICENSE TO OPERATE OR HABITAT IN, A PROPERTY UPON WHICH A CROSS-CONNECTION INSPECTION IS TO BE MADE OR UPON WHICH A CROSS-CONNECTION IS PRESENT.

PERSON: ANY INDIVIDUAL, PARTNERSHIP, COMPANY, PUBLIC OR PRIVATE CORPORATION, POLITICAL SUBDIVISION OR AGENCY OF THE STATE

DEPARTMENT, AGENCY OR INSTRUMENTALITY OR THE UNITED STATES OR ANY OTHER LEGAL ENTITY.

PERMIT: A DOCUMENT ISSUED BY THE TOWN OF EMMITSBURG, WHICH AUTHORIZES THE USE OF A BACKFLOW PREVENTER.

POLLUTANT: A FOREIGN SUBSTANCE, THAT IF PERMITTED TO GET INTO THE PUBLIC WATER SYSTEM, WILL DEGRADE THE WATER QUALITY SO AS TO CONSTITUTE A MODERATE HAZARD OR 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 EFFECT SUCH WATER FOR DOMESTIC USE.

SUPERINTENDENT: THE SUPERINTENDENT, OR HIS OR HER DESIGNATED REPRESENTATIVE, IN CHARGE OF THE TOWN OF EMMITSBURG WATER DEPARTMENT, AND WHO IS INVESTED WITH THE AUTHORITY AND RESPONSIBILITY FOR THE IMPLEMENTATION OF A CROSS-CONNECTION CONTROL PROGRAM AND FOR THE ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER.

TOXIC SUBSTANCE: ANY LIQUID, SOLID OR GAS, WHICH WHEN INTRODUCED INTO THE WATER SUPPLY CREATES, OR MAY CREATE A DANGER TO THE HEALTH AND WELL BEING OF THE CONSUMER OF THE WATER.

TOWN: TOWN OF EMMITSBURG.

WATER SERVICE ENTRANCE: THE POINT IN THE OWNER'S WATER SYSTEM BEYOND THE SANITARY CONTROL OF THE TOWN, GENERALLY CONSIDERED THE OUTLET END OF THE WATER METER AND ALWAYS BEFORE ANY UNPROTECTED BRANCH.

13.17.050 - ADMINISTRATION.

- A. THE DEPARTMENT WILL OPERATE A CROSS-CONNECTION CONTROL PROGRAM, TO INCLUDE THE KEEPING OF NECESSARY RECORDS, WHICH FULFILLS THE REQUIREMENTS OF THE MDE CROSS-CONNECTION REGULATIONS.**
- B. ANY OWNER SHALL ALLOW HIS/HER PROPERTY TO BE INSPECTED FOR POSSIBLE CROSS-CONNECTIONS AND SHALL FOLLOW THE PROVISIONS OF THE TOWN'S PROGRAM AND THE MDE'S REGULATIONS IF A CROSS-CONNECTION IS PERMITTED.**
- C. IF THE TOWN REQUIRES THAT THE PUBLIC SUPPLY BE PROTECTED BY CONTAINMENT, THE OWNER SHALL BE RESPONSIBLE FOR WATER QUALITY BEYOND THE OUTLET END OF THE CONTAINMENT DEVICE AND SHOULD UTILIZE FIXTURE OUTLET PROTECTION FOR THAT PURPOSE.**

HE/SHE MAY UTILIZE PUBLIC HEALTH OFFICIALS, OR PERSONNEL FROM THE TOWN OR THEIR DESIGNATED REPRESENTATIVES, TO ASSIST HIM/HER IN THE SURVEY OF HIS/HER FACILITIES AND TO ASSIST HIM/HER IN THE SELECTION OF PROPER FIXTURE OUTLET DEVICES AND THE PROPER INSTALLATION OF THESE DEVICES.

13.17.060 - REQUIREMENTS.

A. TOWN OF EMMITSBURG.

- 1. FOR NEW INSTALLATIONS AFTER THE START OF THIS PROGRAM: THE TOWN WILL PROVIDE ON-SITE EVALUATION AND/OR INSPECTION OF PLANS IN ORDER TO DETERMINE THE TYPE OF BACKFLOW PREVENTER, IF ANY, THAT WILL BE REQUIRED, WILL ISSUE PERMITS, AND PERFORM INSPECTIONS. IN ANY CASE, A MINIMUM OF DUAL CHECK VALVE WILL BE REQUIRED IN ANY NEW CONSTRUCTION.**
- 2. FOR PREMISES EXISTING PRIOR TO THE START OF THIS PROGRAM: THE TOWN WILL PERFORM EVALUATIONS AND INSPECTIONS OF PLANS AND/OR PREMISES AND INFORM THE OWNER BY LETTER OF ANY CORRECTIVE ACTION DEEMED NECESSARY.**
- 3. THE TOWN WILL NOT ALLOW ANY CROSS-CONNECTION TO REMAIN UNLESS IT IS PROTECTED BY AN APPROVED BACKFLOW PREVENTER FOR WHICH A PERMIT HAS BEEN ISSUED AND WHICH WILL BE REGULARLY TESTED TO INSURE SATISFACTORY OPERATION.**
- 4. THE TOWN SHALL INFORM THE OWNER BY LETTER, OF ANY FAILURE TO COMPLY BY THE TIME OF THE FIRST RE-INSPECTION. THE TOWN WILL ALLOW AN ADDITIONAL FIFTEEN (15) DAYS FOR THE CORRECTION. IN THE EVENT THE OWNER FAILS TO COMPLY WITH THE NECESSARY CORRECTION BY THE TIME OF THE SECOND RE-INSPECTION, THE TOWN WILL INFORM THE OWNER BY LETTER, THAT THE WATER SERVICE TO THE OWNER'S PREMISES WILL BE TERMINATED WITHIN A PERIOD NOT TO EXCEED FIVE (5) DAYS. THE TOWN MAY CHARGE A FEE IF THE OWNER'S WATER SERVICE IS TURNED OFF. THIS FEE MUST BE PAID BEFORE THE WATER IS TURNED ON. IN THE EVENT THAT THE OWNER INFORMS THE TOWN OF EXTENUATING CIRCUMSTANCES AS TO WHY THE CORRECTION HAS NOT BEEN MADE, A TIME EXTENSION MAY BE GRANTED BY THE TOWN BUT IN NO CASE WILL EXCEED AN ADDITIONAL THIRTY (30) DAYS.**
- 5. IF THE TOWN DETERMINES AT ANY TIME THAT A SERIOUS THREAT TO THE PUBLIC HEALTH EXISTS, THE WATER SERVICE WILL BE TERMINATED IMMEDIATELY.**
- 6. THE TOWN WILL BEGIN INITIAL PREMISES INSPECTIONS TO DETERMINE THE NATURE OF EXISTING OR POTENTIAL HAZARDS. INITIAL FOCUS WILL BE ON HIGH HAZARD INDUSTRIES AND COMMERCIAL PREMISES.**

B. OWNER.

- 1. THE OWNER SHALL BE RESPONSIBLE FOR THE ELIMINATION OR PROTECTION OF ALL CROSS-CONNECTIONS ON HIS/HER PREMISES.**

2. **THE OWNER, AFTER HAVING BEEN INFORMED BY A LETTER FROM THE TOWN, SHALL AT HIS/HER EXPENSE, INSTALL, MAINTAIN, AND TEST, OR HAVE TESTED, ANY AND ALL BACKFLOW PREVENTERS ON HIS/HER PREMISES.**
3. **ALL PROPERTIES WILL BE REQUIRED TO INSTALL A BACKFLOW PREVENTION DEVICE IMMEDIATELY DOWNSTREAM OF THE WATER METER AT THE OWNERS EXPENSE WITHIN FIVE YEARS FROM THE DATE OF ENACTMENT OF THIS ORDINANCE.**
4. **ON NEW INSTALLATIONS: THE OWNER SHALL SUBMIT A TOWN CROSS-CONNECTION PERMIT APPLICATION WITH ASSOCIATED FEE AND AN APPROVED BACK FLOW DEVICE TEST REPORT FROM A CERTIFIED BACKFLOW DEVICE TESTER. RESIDENTIAL PROPERTIES ARE EXEMPT FROM PAYING PERMITTING FEES.**
5. **FOR PREMISES EXISTING PRIOR TO THE START OF THIS PROGRAM, AND/OR PERMIT RENEWALS: THE OWNER OF HIGH HAZARD PROPERTIES SHALL SUBMIT TO THE TOWN EVERY TWO YEARS A TOWN CROSS-CONNECTION PERMIT APPLICATION WITH ASSOCIATED FEE AND AN APPROVED BACK FLOW DEVICE TEST REPORT FROM A CERTIFIED BACKFLOW DEVICE TESTER. RESIDENTIAL PROPERTIES SHALL SUBMIT TO THE TOWN EVERY TEN YEARS A TOWN CROSS-CONNECTION PERMIT APPLICATION WITH AN APPROVED BACKFLOW DEVICE TEST REPORT FROM A CERTIFIED BACKFLOW DEVICE TESTER.**
6. **THE OWNER SHALL CORRECT ANY MALFUNCTION OF THE BACKFLOW PREVENTER, WHICH IS REVEALED BY PERIODIC TESTING.**
7. **THE OWNER SHALL INFORM THE TOWN OF ANY PROPOSED OR MODIFIED CROSS-CONNECTIONS AND ANY EXISTING CROSS-CONNECTIONS OF WHICH THE OWNER IS AWARE BUT HAS NOT BEEN FOUND BY THE TOWN.**
8. **THE OWNER SHALL NOT INSTALL A BYPASS AROUND ANY BACKFLOW PREVENTER UNLESS THERE IS A BACKFLOW PREVENTER OF THE SAME TYPE OF THE BYPASS. OWNERS WHO CANNOT SHUT DOWN OPERATION FOR TESTING THE DEVICE(S) MUST SUPPLY ADDITIONAL DEVICES NECESSARY TO ALLOW TESTING TO TAKE PLACE (SEE FIG. 33).**
9. **THE OWNER SHALL INSTALL BACKFLOW PREVENTERS IN A MANNER APPROVED BY THE TOWN (SEE FIG. 33 THROUGH 37).**
10. **THE OWNER SHALL INSTALL ONLY BACKFLOW PREVENTERS APPROVED BY THE TOWN.**
11. **IN THE EVENT THE OWNER INSTALLS PLUMBING TO PROVIDE POTABLE WATER FOR DOMESTIC PURPOSES, WHICH IS ON THE TOWN'S SIDE OF THE BACKFLOW PREVENTER, SUCH PLUMBING MUST HAVE ITS OWN BACKFLOW PREVENTER INSTALLED.**

- 12. UNLESS OTHERWISE EXEMPT, THE OWNER SHALL BE RESPONSIBLE FOR THE PAYMENT OF ALL FEES FOR PERMITS, ANNUAL OR SEMIANNUAL DEVICE TESTING, RE-TESTING IN THE CASE THAT THE DEVICE FAILS TO OPERATE CORRECTLY, AND SECOND RE-INSPECTIONS FOR NON-COMPLIANCE WITH TOWN AND MDE REQUIREMENTS.**

13.17.070 - DEGREE OF HAZARD.

THE TOWN RECOGNIZES THE THREAT TO THE PUBLIC WATER SYSTEM ARISING FROM CROSS-CONNECTIONS. ALL THREATS WILL BE CLASSIFIED BY DEGREE OF HAZARD AND WILL REQUIRE THE INSTALLATION OF APPROVED REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICES OR DOUBLE CHECK VALVES. THE TOWN CONSIDERS RESIDENTIAL USES LOW HAZARD AND COMMERCIAL AND/OR INDUSTRIAL USES HIGH HAZARD UNLESS DETERMINED OTHERWISE BY THE DEPARTMENT.

13.17.080 - PERMITS.

THE TOWN SHALL NOT PERMIT A CROSS-CONNECTION WITHIN THE PUBLIC WATER SUPPLY SYSTEM UNLESS IT IS CONSIDERED NECESSARY AND THAT IT CANNOT BE ELIMINATED.

- A. CROSS-CONNECTION PERMITS THAT ARE REQUIRED FOR EACH BACKFLOW PREVENTION DEVICE SHALL BE OBTAINED FROM THE TOWN. UNLESS OTHERWISE EXEMPT, A FEE WILL BE CHARGED FOR THE INITIAL PERMIT AND A SEPARATE FEE FOR THE RENEWAL OF EACH PERMIT.**
- B. PERMITS FOR HIGH HAZARD USES SHALL BE RENEWED EVERY TWO YEARS, AND PERMITS FOR LOW HAZARD USES SHALL BE RENEWED EVERY TEN YEARS. PERMITS ARE NON-TRANSFERABLE, AND THEY ARE SUBJECT TO REVOCATION AND BECOME IMMEDIATELY REVOKED IF THE OWNER SHOULD SO CHANGE THE TYPE OF CROSS-CONNECTION OR DEGREE OF HAZARD ASSOCIATED WITH THE SERVICE.**
- C. A PERMIT IS NOT REQUIRED WHEN FIXTURE ISOLATION IS ACHIEVED WITH THE UTILIZATION OF A NON-TESTABLE BACKFLOW PREVENTER.**

13.17.090 - INSTALLATION.

BACKFLOW PREVENTION DEVICES SHALL NOT BE INSTALLED IN BELOW GRADE VAULTS OR IN LOCATIONS WHERE THE DEVICE COULD BECOME SUBMERGED. SEE FIG. 33 THROUGH 37, WHICH ARE ATTACHED TO THE ORDINANCE CODIFIED IN THIS CHAPTER, FOR TYPICAL INSTALLATION.

13.17.100 - EXISTING IN-USE BACKFLOW PREVENTION DEVICES.

ANY EXISTING BACKFLOW PREVENTER SHALL BE ALLOWED BY THE TOWN TO CONTINUE IN SERVICE UNLESS THE DEGREE OF HAZARD IS SUCH AS TO SUPERSEDE

THE EFFECTIVENESS OF THE PRESENT BACKFLOW PREVENTER, OR RESULT IN AN UNREASONABLE RISK TO THE PUBLIC HEALTH. WHERE THE DEGREE OF HAZARD HAS INCREASED, AS IN THE CASE OF A RESIDENTIAL INSTALLATION CONVERTING TO A BUSINESS ESTABLISHMENT, ANY EXISTING BACKFLOW PREVENTER MUST BE UPGRADED TO A REDUCED PRESSURE PRINCIPLE DEVICE MUST BE INSTALLED IN THE EVENT THAT NO BACKFLOW DEVICE WAS PRESENT.

13.17.110 - PERIODIC TESTING.

- A. HIGH HAZARD PROPERTIES WITH REDUCED PRESSURE PRINCIPLE BACKFLOW DEVICES SHALL BE TESTED AND INSPECTED AT LEAST ANNUALLY.**
- B. A CERTIFIED TESTER SHALL PERFORM PERIODIC TESTING. THIS TESTING WILL BE DONE AT THE OWNER'S EXPENSE.**
- C. ANY BACKFLOW PREVENTER THAT FAILS DURING A PERIODIC TEST SHALL BE REPAIRED OR REPLACED. WHEN REPAIR OR REPLACEMENT IS NECESSARY, UPON COMPLETION OF THE REPAIR OR REPLACEMENT, THE DEVICE WILL BE RE-TESTED AT OWNER'S EXPENSE TO INSURE CORRECT OPERATION. IF THE PROPERTY IS DEEMED TO BE A HIGH HAZARD PROPERTY, THE WATER SERVICE WILL NOT BE ALLOWED TO CONTINUE IF THE BACKFLOW PREVENTER FAILS THE TEST AND CANNOT BE REPAIRED IMMEDIATELY. IN OTHER SITUATIONS, A COMPLIANCE DATE OF NOT MORE THAN THIRTY (30) DAYS AFTER THE TEST DATE WILL BE ESTABLISHED. THE OWNER IS RESPONSIBLE FOR SPARE PARTS, REPAIR TOOLS, OR A REPLACEMENT DEVICE. PARALLEL INSTALLATION OF TWO DEVICES IS AN EFFECTIVE MEANS OF THE OWNER INSURING THAT UNINTERRUPTED WATER SERVICE DURING TESTING OF REPAIR OF DEVICES AND IS STRONGLY RECOMMENDED WHEN THE OWNER DESIRES SUCH CONTINUITY.**
- D. BACKFLOW PREVENTION DEVICES WILL BE TESTED MORE FREQUENTLY THAN SPECIFIED IN SECTION 13.17.110.A. ABOVE IN CASES WHERE THERE IS A HISTORY OF TEST FAILURES AND THE TOWN DETERMINES THAT DUE TO THE DEGREE OF HAZARD INVOLVED, ADDITIONAL TESTING IS WARRANTED. COST OF THE ADDITIONAL TESTS WILL BE BORNE BY THE OWNER.**

13.17.120 - RECORDS AND REPORTS.

- A. RECORDS. THE TOWN WILL INITIATE AND MAINTAIN THE FOLLOWING:**
 - 1. MASTER FILES ON CUSTOMERS CROSS-CONNECTION TEST AND/OR INSPECTIONS.**
 - 2. MASTER FILES ON CROSS-CONNECTION PERMITS.**
 - 3. COPIES OF PERMITS AND PERMIT APPLICATIONS.**
 - 4. COPIES OF THE LISTS AND SUMMARIES SUPPLIED TO THE MDE.**

B. REPORTS. THE TOWN WILL SUBMIT THE FOLLOWING TO THE MDE:

- 1. INITIAL LISTING OF LOW HAZARD CROSS-CONNECTIONS.**
- 2. INITIAL LISTING OF HIGH HAZARD CROSS-CONNECTIONS**
- 3. ANNUAL UPDATE LISTS OF ITEMS 1 AND 2 ABOVE.**
- 4. ANNUAL SUMMARY OF CROSS-CONNECTION INSPECTIONS.**

13.17.130 - FEES AND CHARGES.

A. THE TOWN WILL PUBLISH A LIST OF FEES OR CHARGES FOR THE FOLLOWING PERMITS:

- 1. NEW INSTALLATION PERMITS – HIGH HAZARD PROPERTIES ONLY**
- 2. PERMIT RENEWAL – HIGH HAZARD PROPERTIES ONLY**

B. FEES ARE TO BE ESTABLISHED FROM TIME TO TIME BY POLICY, RESOLUTION, OR ORDINANCE BY THE TOWN AND SHALL BE PAID AT TIME OF APPLICATION.

C. TOWN OWNED PROPERTIES ARE EXEMPT FROM ALL PERMIT FEES AND CHARGES.

D. LOW HAZARD RESIDENTIAL PROPERTIES ARE EXEMPT FROM PERMITTING FEES.

13.17.140 - RESIDENTIAL DUAL CHECK.

A. EFFECTIVE THE DATE OF ENACTMENT OF THIS ORDINANCE:

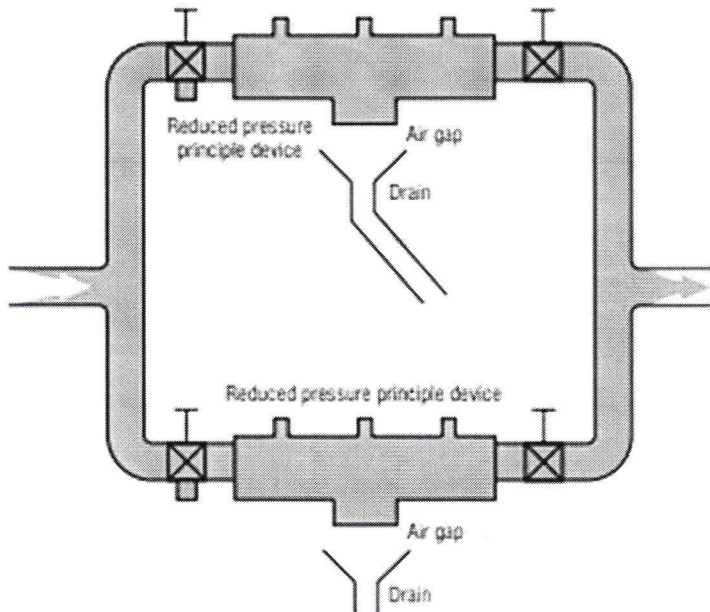
- 1. ALL NEW RESIDENTIAL BUILDINGS WILL BE REQUIRED TO INSTALL A RESIDENTIAL DUAL CHECK DEVICE IMMEDIATELY DOWNSTREAM OF THE WATER METER AT THE OWNER'S EXPENSE (SEE FIG. 37).**
- 2. ALL EXISTING RESIDENTIAL BUILDINGS WILL BE REQUIRED TO INSTALL A RESIDENTIAL DUAL CHECK DEVICE IMMEDIATELY DOWNSTREAM OF THE WATER METER AT THE OWNERS' EXPENSE WITHIN FIVE YEARS FROM THE DATE OF ENACTMENT OF THIS ORDINANCE.**

B. PROVISIONS MAY HAVE TO BE MADE BY THE OWNER TO PROVIDE FOR THERMAL EXPANSION WITHIN HIS/HER CLOSED LOOP SYSTEM, I.E., THE INSTALLATION OF THERMAL EXPANSION DEVICES AND/OR PRESSURE RELIEF VALVES.

13.17.150 - STRAINERS.

THE TOWN MAY REQUIRE THAT ALL NEW RETROFIT INSTALLATIONS OF REDUCED PRESSURE PRINCIPLE DEVICES AND DOUBLE CHECK VALVE BACKFLOW PREVENTERS INCLUDE THE INSTALLATION OF STRAINERS LOCATED IMMEDIATELY UPSTREAM OF THE BACKFLOW DEVICE. THE INSTALLATION OF STRAINERS WILL PRELUDE THE FOULING OF BACKFLOW DEVICES DUE TO BOTH FORESEEN AND UNFORESEEN CIRCUMSTANCES OCCURRING TO THE WATER SUPPLY SYSTEM SUCH AS WATER MAIN REPAIRS, WATER MAIN BREAKS, FIRES, PERIODIC CLEANING AND FLUSHING OF MAINS, ETC. THESE OCCURRENCES MAY "STIR UP" DEBRIS WITHIN THE WATER MAIN THAT WILL CAUSE FOULING OF BACKFLOW DEVICES INSTALLED WITHOUT THE BENEFIT OF STRAINERS.

FIGURE 33.
Typical bypass configuration
reduced pressure principle
devices



Note: Devices to be set a min. of 12" and a max. of 30" from the floor and 12" from any wall.

FIGURE 34.
Typical installation reduced
pressure principle device
horizontal illustration.

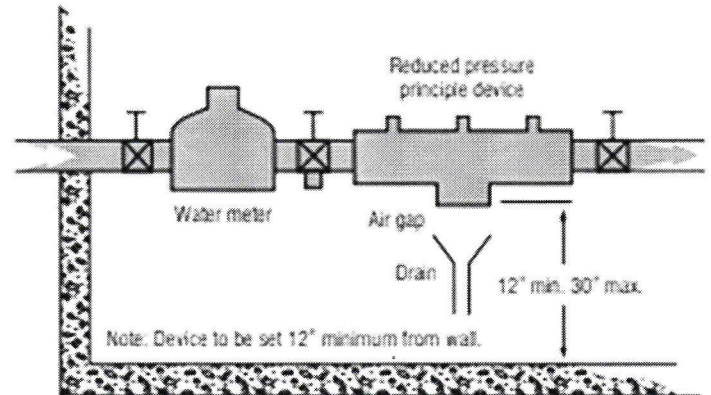
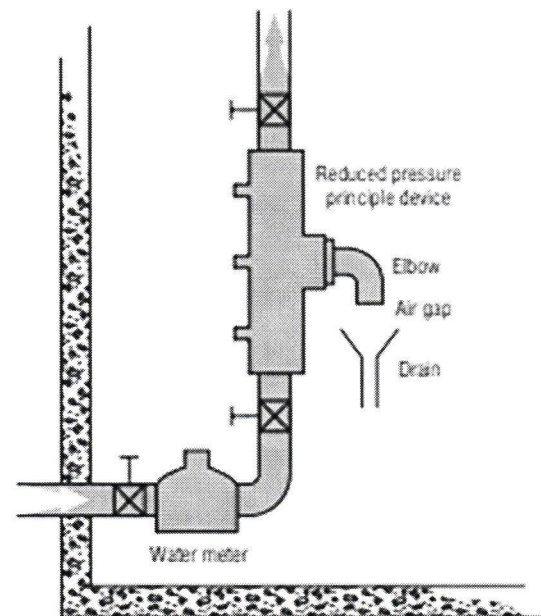


FIGURE 35.
Typical installation reduced
pressure principle device vertical
illustration.



Note: (1) Refer to manufacturers installation data for vertical mount.
(2) Unit to be set at a height to permit ready access for testing and service.
(3) Vertical installation only to be used if horizontal installation cannot be achieved.

Typical fire line installation double
check valve vertical installation.

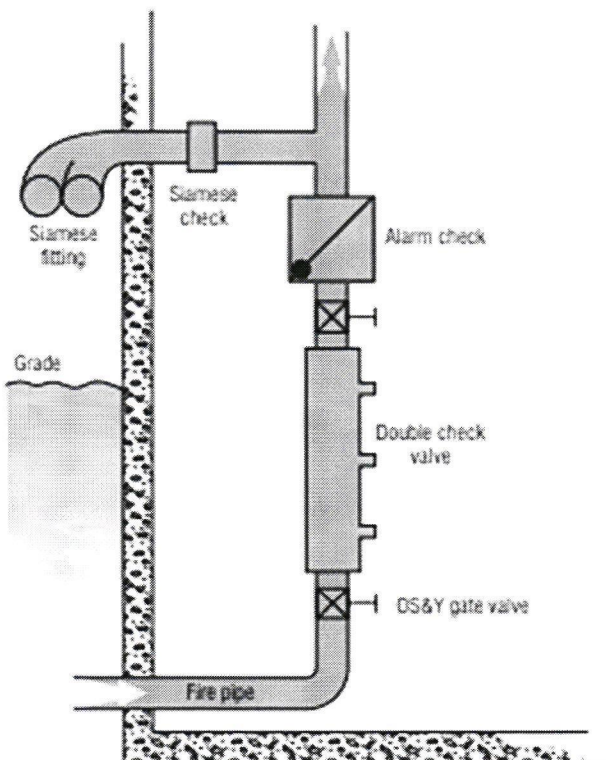


FIGURE 36.
Typical installation double check
valve horizontal and vertical
installation.

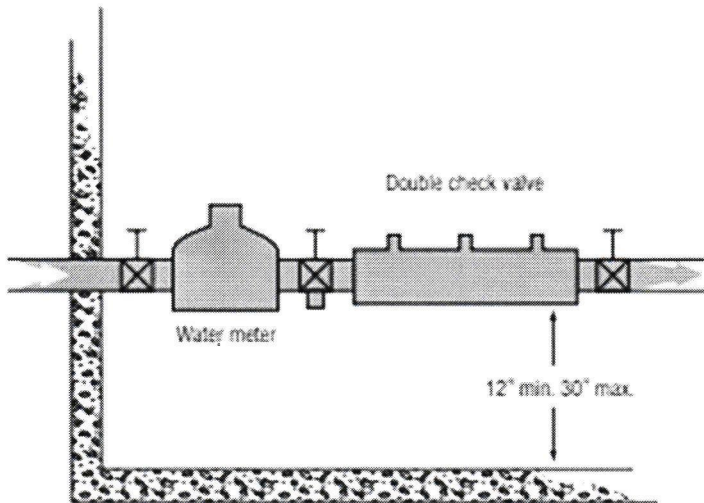
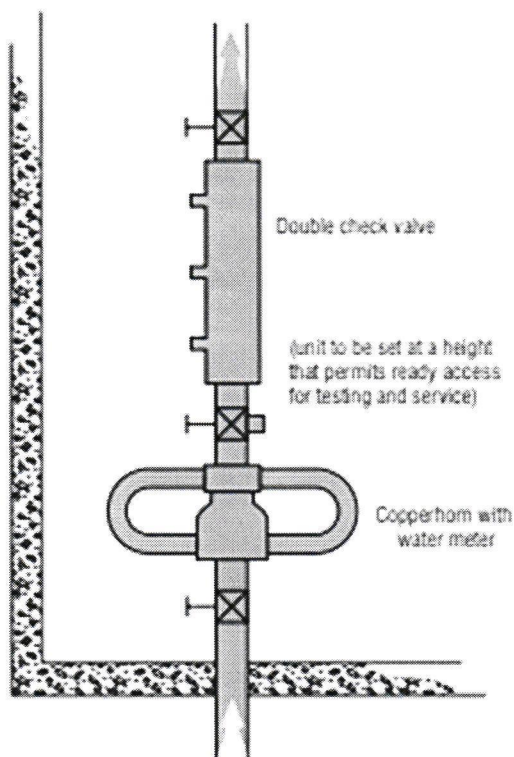
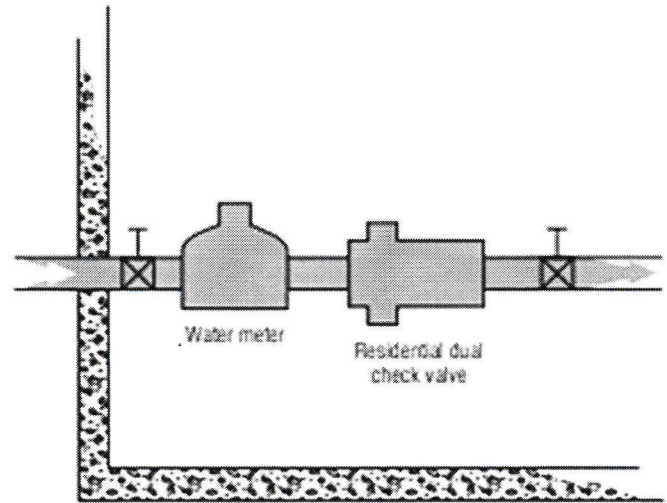
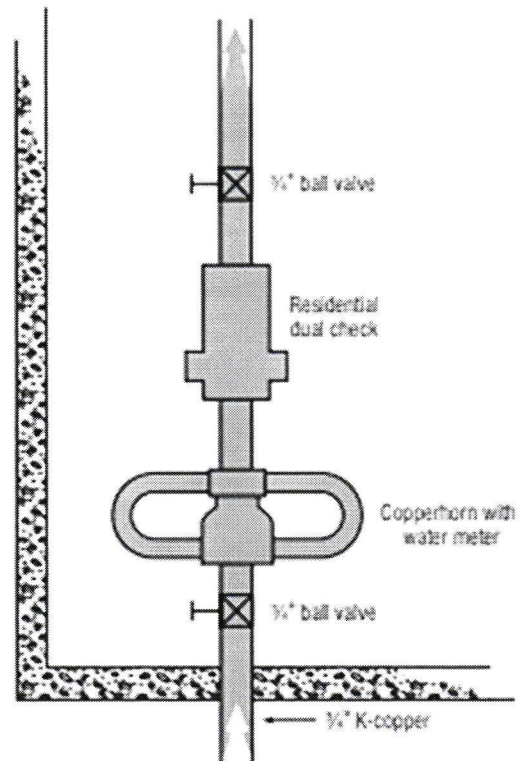


FIGURE 37.
Typical installation residential dual
check with straight set and
copperhorn.



Note: Vertical installation only to be used if horizontal installation cannot be achieved.




BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

PASSED this 1st day of April, 2019

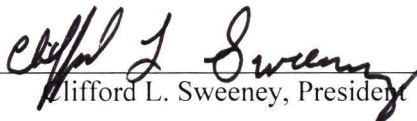
by a vote of 4 for, 1 against, 0 absent, and 0 abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:



Madeline Shaw, Town Clerk

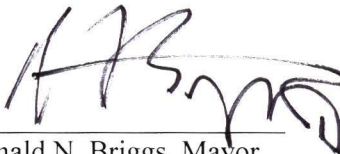


Clifford L. Sweeney, President

MAYOR


X APPROVED _____ VETOED

this 1st day of April, 2019



Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.



Madeline Shaw, Town Clerk
Date: 4/2/2019