

COLUMBIA SHUSWAP REGIONAL DISTRICT

BYLAW NO. 5726

A bylaw to establish a Cross Connection Control Program and process for the Columbia Shuswap Regional District Water Systems

WHEREAS provincial legislation requires water suppliers to ensure that provisions are in place for the elimination and prevention of contamination between their potable water and any non-potable sources;

AND WHEREAS the Regional District has established a bylaw to regulate the rates, terms and conditions under which water may be supplied and used in water systems owned and operated by the Columbia Shuswap Regional District;

AND WHEREAS the Board wishes to protect public health by controlling cross connections in Columbia Shuswap Regional District Waterworks Systems and utilities owned, operated and maintained by the Columbia Shuswap Regional District.

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, enacts as follows:

DEFINITIONS

1. In this Bylaw:

"Approved Backflow Prevention Assembly" means a backflow preventer that is designed to be tested and repaired in-line and to meet the design and testing criteria requirements of the CSA standards B64.10.01 most current edition;

"Authorized Agent" includes a Person, Firm or Corporation representing the CSRD by written consent;

"Auxiliary Water Supply" means any water available on or to a premise originating from a source or system, other than that from the CSRD Waterworks System;

"Backflow" means the flow of water or other liquids, gases or solids from any source, in the reverse direction from normal, as a result of back-siphonage or backpressure, back into the potable private water system or the CSRD Waterworks System;

"Backflow Assembly Test Report" means a form provided by or approved for use by the CSRD to be used when testing backflow assemblies to record all pertinent information and test data;

"Backflow Assembly Tester" means a person holding a valid certificate from a recognized approval agency for testing backflow prevention assemblies as approved by the CSRD;

"Backflow Preventer" means a mechanical apparatus installed in a water system that prevents backflow of contaminants into the potable Waterworks System and to meet the design and installation criteria requirements of the CAN/CSA standards B64 Series most current editions;

"Board" means the Board of Directors of the Columbia Shuswap Regional District;

"Bylaw Enforcement Officer" means a person or persons appointed from time to time by the Board as a bylaw enforcement officer, or any other person appointed as such by the Board for the purposes of enforcing this Bylaw;

"Contaminant" means any physical, chemical biological or radiological substance or matter in water which may render the water non-potable, according to the Drinking Water Protection Act.

"Cross Connection" means any actual or potential physical connection whereby the CSRD Waterworks System is connected, directly or indirectly, with any non-potable or unapproved private water supply system, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture, or any other device which contains, or may contain, non-potable or contaminated water, liquid, gases, sewage, or other waste, of unknown or unsafe quality which may be capable of imparting a pollutant or contaminant into the public water supply as a result of backflow;

"Cross Connection Control Program" means the CSRD Cross Connection Control Program Policies, Procedures and Specifications which provide references, guidelines, bulletins and amendments relevant to this bylaw;

"CSA" is the abbreviation for the Canadian Standards Association;

"Customer" means any person who is the owner or occupier, or agent for the owner or occupier, of any Premises or equipment to which water is supplied from the CSRD waterworks system;

"Discontinue" means to terminate the arrangement between the CSRD and the Customer for the supply of water and to Shut Off the service pipe, disconnect, or remove it;

"CSRD" means the Columbia Shuswap Regional District;

"Hydrant or Temporary Use Permit" means a permit issued by the CSRD for any Person requesting water from a fire hydrant, stand pipe, or temporary water connection for purposes other than emergency fire protection;

"Inspect" means an on-site review of the water use, facilities, meters, piping, equipment, operating conditions and maintenance records for the purpose of evaluating for conformity with the terms and conditions of this bylaw;

"Manager of Operations" means the Manager, Operations Management or his designate appointed by the Board for the purposes of administering, enforcing or carrying out this bylaw;

"Non-potable water" means water that does not meet Health Canada's Guidelines for Canadian Drinking Water Quality and is not destined for human consumption;

"Non-potable water systems" means an assembly of pipes, fittings, valves, and appurtenance that collects and distributes non-potable water;

"Owner" means the registered owner, or the person named as the registered owner on the tax roll by reason of agreement for sales of any lands and premises situated within the CSRD boundaries and shall, where applicable, include the agent, executor or administrator of such owner or the lessee or occupier of the premises;

"Person" shall, in addition to its ordinary meaning, include a firm or partnership, company or corporation. In addition, throughout this bylaw where the context requires, the singular shall be held to mean and to include the plural and the masculine, the feminine or body corporate;

"Potable Water" means water that meets Health Canada's Guidelines for Canadian Drinking Water Quality and is fit for human consumption;

"Premises" means any real property and all buildings and improvements thereon;

"Private Water System" means any privately owned pipe and fittings intended for the delivery or distribution of water within a premise or to a property and includes any domestic use, irrigation system, greenhouse and hydroponics system, and any other use of water supplied by the CSRD's Waterworks System;

"Service" means the supply of water from the waterworks system to any person, firm or corporation and includes all pipes, taps, valves, connections and other things necessary to or used for the purpose of the supply of water;

"Service Area" means the Service Areas defined in the following bylaws:

- Anglemont Waterworks Service Area Bylaw No. 5619;
- Cedar Heights Waterworks Service Bylaw No. 5362;
- Falkland Waterworks Service Area Bylaw No. 5194;
- Saratogo Waterworks Service Bylaw No. 5352;
- Sorrento Waterworks Service Area Bylaw No. 5541.

"Service Connection Point" means the point of physical connection between the waterworks system and the private water system. Typically the Service Connection Point is at the downstream side of the water meter and/or is located at or near the Owner's property line.

"Turn Off" means to turn off the water supply by closing a CSRD owned valve or curb stop by any other means approved by the CSRD;

"Turn On" means to allow the flow of water by opening a CSRD owned valve or by any other means approved by the CSRD;

"Used Water" means any potable water which is no longer in the CSRD water distribution system including potable water that has moved downstream or past the Water Connection (water meter) and/or the property line to the private water system;

"Water Service" means the supply of water to a Customer by means of the CSRD Waterworks System.

"Waterworks System" means the pipe connecting the Waterworks System of the CSRD and all fittings and valves owned or maintained by the CSRD provided to the property line on any street, lane, right-of-way or easement.

APPLICATION

This Bylaw applies to all water supplied by the CSRD within the Service Area.

WATER SUPPLY AND PRESSURE

2. The CSRD does not guarantee pressure or continuous supply of water, or accept responsibility at any time for the maintenance of pressure in its water mains or for increases or decreases in pressure. The CSRD reserves the right at any and all times, without notice, to change operating water pressure and to shut off the water supply for the purposes of making repairs, extensions, alterations or improvements, or for any other reason.
3. The CSRD, its officers, employees or agents shall not incur any liability of any kind what so ever by reason of the cessation in whole or in part of water pressure or water supply, or changes in operating pressures, or by reason of the water containing sediments, deposits, or other foreign matter.
4. Where steam or hot water boilers or other equipment is fed with water by pressure directly from the waterworks system, the CSRD shall not be liable for any injury or damage which may result from such pressure or from lack of such pressure or any injury or damage resulting from the improper installation of a backflow preventer.

INSPECTION

5. The CSRD and/or its authorized agent shall be entitled, at its determination to:
 - i) Access the private water system located on private property at all reasonable hours in order to carry out inspections and surveys of the premises to determine the existence of connections or cross connections prohibited by this bylaw and as stated in the CSRD Cross-Connection Control Program;
 - ii) Impose minimum standards that must be met and satisfied relating to the type of backflow preventer and the installation and maintenance of the same as specified by the CSRD Cross Connection Control Program;
 - iii) Inspect the type of backflow preventer, the installation and state of maintenance and repair of the same.

CONDITION OF SERVICE

6. Service supplied by the CSRD to a Customer shall only be provided where, in the opinion of the CSRD, the waterworks system has been effectively protected from any actual or potential cross connections existing at or within the Customer's private water system.
7. No Customer or other person shall turn on a water valve to provide Service to the occupants of any newly renovated or constructed or reconstructed premise(s) until the private water system in such premise(s) has been inspected for Cross Connections and approved by the CSRD.

PREVENTION OF CONTAMINATION

8. Subject to the provisions of this Bylaw, no Person shall create a cross connection by connecting, causing to be connected, or allowing to remain connected to the CSRD waterworks system, any device, piping, fixture, fitting, container, appliance or any other chattel or thing which may under any circumstances allow non-potable water, used water, wastewater or any chemical, liquid, gas or other substance to enter the waterworks system.

CROSS CONNECTION CONTROL

9. The Customer shall install a type of backflow preventer on the private water system where the service connection point enters the building and downstream of the water meter or other location(s) approved by the CSRD at the expense of the Owner. This applies to all commercial, industrial and institutional premises that require service supplied by the CSRD waterworks system.

Notwithstanding anything contained herein, if, in the opinion of the CSRD, the configuration of any water connection which creates a risk of contamination to the waterworks system, the Customer, shall have a backflow prevention device installed on the private water system where the service connection point enters the building and downstream of the water meter, or in a location(s) approved by the CSRD.

10. The Customer shall install a type of backflow preventer commensurate to the degree of hazard as established by CAN/CSA B64.10 (most current) or as determined and approved by the CSRD.
11. Where the CSRD or authorized agent determines that there exists a connection or cross connection prohibited by this Bylaw and/or the Cross Connection Control Program, written notice may be given to the Customer to correct the connection or cross connection at the expense of the Customer within a specified time.
12. A Customer to whom notice has been given under this section shall eliminate or control the connection or cross connection by installing an Approved Backflow Preventer conforming to the CAN/CSA B64.10 most current edition, manual for the selection and installation of backflow preventers and the CSRD's Cross Connection Control Program Policies, Procedures and Specifications.
13. The failure to be sent a notice(s), or the failure to receive a notice(s), shall not excuse the mandatory duty of the Customer or other responsible party to comply with this Bylaw and/or the CSRD Cross Connection Control Program and all other applicable bylaws.
14. Where any condition is found to exist which, in the opinion of the CSRD, may otherwise expose the waterworks system to risk of contamination, the CSRD or authorized agent shall, at their discretion, take one or more of the following actions:
 - a) Give notice to the Customer to correct the condition or *cross connection(s)* at the expense of the Customer within a specified time period; and/or
 - b) Shut Off or Discontinued Service until the condition is corrected; and/or
 - c) Install an approved Backflow Prevention Assembly at the Service Connection Point with all costs being charged to the Customer.

15. Any Customer to whom Service has been turned off pursuant to this Bylaw shall not have the Service turned on until all requirements of the CSRD have been met and the Customer has paid to the CSRD all costs associated with the shut off / turn on of Service, and the Customer's default under this section has been remedied.

TESTING AND MAINTENANCE OF BACKFLOW PREVENTION ASSEMBLIES

16. The Customer shall provide to the CSRD within thirty (30) days of initial installation, repair or relocation of an approved backflow prevention assembly a CSRD backflow assembly test report from a certified Backflow Assembly Tester confirming the following:
 - a) The installation date of the Approved Backflow Prevention Assembly;
 - b) The specific location of the assembly and what cross connection or hazard it is intended to isolate;
 - c) The manufacturer, model, size and serial number of the backflow preventer installed; and
 - d) That it is an approved backflow prevention assembly, installed correctly and in proper operating condition.
17. Approved backflow prevention assemblies are required to be inspected and tested by a certified Backflow Assembly Tester, upon installation, after repair and at least once in every twelve (12) month period or more often if required by the CSRD.
18. Where a Customer fails to have an Approved Backflow Prevention Assembly tested, the District may notify the Customer that the backflow assembly must be tested within five (5) working days, or within a specified period agreed to by the CSRD. If the Customer fails to comply with such notice the CSRD or authorized agent shall discontinue service(s) and/or the Customer may be subject to penalties section listed under this Bylaw.
19. Where a backflow preventer is removed or where there is a visible or other indication that a backflow preventer is malfunctioning, it is the responsibility of the Customer to immediately notify the CSRD and further, to stop using the private water system until the backflow preventer is replaced or repaired and re-tested. This includes but is not limited to damage by: freezing, hot water, fire or otherwise due to neglect.

TEMPORARY WATER USE CONNECTION

20. Except for emergency fire use, no Person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance to a fire hydrant, stand pipé or any other temporary water connection:
 - a) In a manner which, under any circumstances, may allow used water, wastewater or any liquid or substance of any kind to enter the CSRD waterworks system; and
 - b) Without using an Approved Backflow Prevention Assembly which has been approved and installed in accordance with the CSRD Cross Connection Control Program; and
 - c) Without first obtaining a Hydrant or Temporary Water Use Permit.

Any Customer who violates this section will be refused access to Service through the use of a fire hydrant or temporary water connection and may be subject to penalties listed under this Bylaw.

AUXILIARY AND NON-POTABLE WATER SUPPLIES

21. No auxiliary water supply or system shall be connected to the CSRD waterworks system unless the connection is protected against backflow with an air gap or appropriate backflow preventer which has been approved and installed in accordance with the CSRD Cross Connection Control Program.
22. There shall be no direct connection between a non-potable water system and any other potable water system.
23. All piping, exposed standpipes, fittings, valves and outlets for non-potable water systems must be permanently identified by a color approved by the CSRD and/or labeled "Non Potable Water Do Not Drink" with a sign or identification system approved by the CSRD.

ENFORCEMENT

24. The provisions of this Bylaw may be enforced by the Bylaw Enforcement Officer or by the RCMP unless otherwise specified.

PENALTY SECTION

25. Every Person who violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done or fails to comply with any provision of this Bylaw is guilty of an offence against this bylaw and shall be liable to:
 - i) upon summary conviction, to the penalties prescribed by the Offence Act (British Columbia) not exceeding One Thousand Dollars (\$1,000.00);
 - ii) a municipal ticket information for any offence against this Bylaw that has been designated as a ticketable offence pursuant to the CSRD's municipal ticket information bylaw;or any combination of the above.
26. Each day that a violation exists or is permitted to exist is deemed to be a separate and distinct offence under this Bylaw.

INTERPRETATION

- 27. The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of this provisions of this Bylaw.
- 28. If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

CITATION

- 29. This Bylaw may be cited for all purposes as "CSRD Cross Connection Control Bylaw No. 5726."

READ a first time this 15th day of September, 2016.

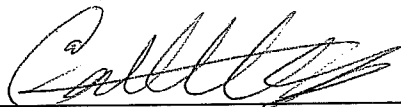
READ a second time this 15th day of September, 2016.

READ a third time this 15th day of September, 2016.

ADOPTED this 15th day of September, 2016.



 MANAGER OF CORPORATE
 ADMINISTRATION SERVICES (SECRETARY)



 CHAIR, Vice

CERTIFIED a true copy of
Bylaw No. 5726, as adopted.

 Manager of Corporate
 Administration Services (Secretary)