

ORDINANCE NO. 5-4-2023-8

AN ORDINANCE OF THE TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA AMENDING CHAPTER 51: WATERWORKS OF THE
TOWN OF BRISTOL, INDIANA CODE OF ORDINANCES

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, Chapter 51 of the Code of Ordinances for the Town (the “Code”) sets forth certain regulations governing waterworks within the geographical boundaries of the Town; and

WHEREAS, 675 Indiana Administrative Code, Article 16, Rule 1.4, 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; and

WHEREAS, the Council is desirous of adopting this Ordinance so as to amend Chapter 51 of the Code to establish new regulations and obligations regarding a continuing program of cross-connection control systems within the Town.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, as follows:

- Section 1. The foregoing Recitals are fully incorporated herein by this reference.
- Section 2. As of the effective date of this Ordinance, Chapter 51 of the Code shall be amended to include the new Section 51.13 in accordance with Exhibit A attached hereto and incorporated herein.
- Section 3. The remaining portions of Chapter 51 of the Code are not affected by this Ordinance and shall remain in full force and effect.
- Section 4. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance, such repeal to have prospective effect only.
- Section 5. If any portion on this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity

of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.

Section 6.

This Ordinance shall be in full force and effect in accordance with Indiana Law, upon passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All acts pursuant to the adoption of this Ordinance are hereby ratified.

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ADOPTED THIS ____ DAY OF _____, 2023.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

51.13 CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION.

- (A) The regulations located at 327 IAC 8-10 et seq. entitled “Cross Connections; Control; Operation,” as amended or replaced from time to time as promulgated by the Indiana Department of Environmental Management and 675 IAC 16-1.3 et seq. entitled “Indiana Plumbing Code, 2012 Edition,” as amended or replaced from time to time as promulgated by the Indiana Fire Prevention and Building Safety Commission are hereby incorporated and adopted by reference as part of this Ordinance. One copy of these regulations shall be on file with the Town of Bristol Water Works.
- (B) 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 the Town of Bristol may enter the supply or distribution system of the Town, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by Town of Bristol Water Works and by the Indiana Department of Environmental Management in accordance with 327 IAC 8-10. 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 Town of Bristol 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.
- (C) It shall be the duty of Town of Bristol Water Works 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 Town of Bristol Water Works.
- (D) Upon presentation of credentials, a representative of the Town of Bristol Water Works 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 the Town of Bristol 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.
- (E) The Town of Bristol Water Works 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 precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after ten (10) days’ written 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 under the violation(s) have been eliminated in compliance with the provisions of this Ordinance.

- (F) If it is deemed by the Town of Bristol Water Works 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-treasurer of the Town of Bristol and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for hearing before the Town Council of the Town of Bristol, or its designated hearing officer, of such emergency discontinuance.
- (G) 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.
- (H) As a condition of new or continued water service, an approved reduced-pressure-principle backflow preventer shall be installed and maintained by the consumer, at the consumer's own expense, in the principal water line servicing each connection to the Town of Bristol water system. In the discretion of the Director, a double-check valve backflow preventer installed previous to the adoption of this Ordinance may be used in lieu of a reduced-pressure-principle backflow preventer. In the event the Director determines that increased risk or hazard exists to the Town of Bristol water system at a connection where a double-check valve backflow preventer was originally allowed to be utilized pursuant to this section, the Director may require the replacement of the double-check valve backflow preventer with a reduced-pressure-principle backflow preventer.
- (I) The backflow preventer used must be an approved assembly as found on the List of Approved Backflow Prevention Assemblies published by the University of Southern California Foundation for Cross Connection Control and Hydraulic Research, which list is available for inspection at the Town of Bristol Water Works. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing.
- (J) As a condition of continued service, all consumers shall arrange for the inspection of all cross connection and backflow preventer control assemblies by an inspector registered by the Indiana Department of Environmental Management. These inspections shall occur at time intervals specified in 327 IAC 8-10-8(b), as amended, or as otherwise required by any applicable statute, regulation, or ordinance. Completed test reports shall be submitted to the Town of Bristol Water Works by the consumer within thirty (30) days after the consumer's receipt of the test reports. Tests and inspections may be required on a more frequent basis at the discretion of the Director.

- (K) This Ordinance does not supersede the Indiana Plumbing Code as amended or replaced from time to time, the IDEM Rule 327 IAC 8-10 as amended or replaced from time to time, or any plumbing ordinances, sewer use ordinances, or other ordinances currently in force and effect in the Town of Bristol, but rather is supplementary to such. In the event of any conflict with this Ordinance, the requirements which are stricter and more protective of the public health and safety shall control.

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