



ORDINANCE

Modification to Town Code Section 14-56 (Cross Connection Control)

The Town of Hillsborough Board of Commissioners ordains the following redline amendments while the remainder of the section remains unchanged:

Sec. 14-56. Cross-connection control.

(a) *General policy.*

(3) *Designation of responsibility.*

- c. *Plumbing inspector's responsibility.* The plumbing inspection departments of the town and Orange County have the responsibility to not only review building plans and inspect plumbing as it is installed but, they have the explicit responsibility of preventing cross-connections from being designed and built into the plumbing system within its jurisdiction. Where the review of building plans suggests or detects the potential for cross-connections being made an integral part of the plumbing system, the plumbing inspector has the Responsibility, under the North Carolina Building Code, for requiring that such cross-connections be either eliminated or provided with backflow prevention equipment approved by the North Carolina State Building Code.

The plumbing inspector's responsibility begins at the point of delivery downstream of the first installed backflow prevention assembly and continues throughout the entire length of the consumer's water system. The inspector should inquire about the intended use of water at any point where it is suspected that a cross-connection might be made or where one is actually called for by the plans. When such is discovered, it shall be mandatory that a suitable, approved backflow prevention assembly approved by the North Carolina Building Code. North Carolina Department of Environmental Quality and the town be required by the plans and be properly installed.

- d. *Consumer responsibility.* The consumer has the primary responsibility of preventing pollutants and contaminants from entering his/her potable water system or the public potable water system. The consumer's responsibility starts at the point of delivery from the public potable water system and includes all of his/her water system. It is the consumer's responsibility to install and maintain a continuous operable assembly where required by this Section 14-56 in accordance with subsections (e) through (g). The consumer, at his/her expense shall install, operate, test, and maintain approved backflow prevention assemblies as directed by the town. The consumer shall maintain accurate records of tests and repairs made to backflow prevention assemblies and shall maintain such records for a minimum period of three years. The records shall be on forms approved by the town and shall include the list of materials or replacement parts used. Following any repair, overhaul, repiping, or relocation of an assembly, the consumer shall have it tested to ensure that it is in good operating condition and will prevent backflow. Tests, maintenance, and repairs of backflow prevention assemblies shall be made by a town-approved certified backflow prevention assembly tester. Consumer shall follow the specifications of the town regarding

configuration and placement of backflow prevention assemblies. Where required, bypass detection meters shall be purchased from the town.

(b) *Definitions.*

Potable water. The term "potable water" shall mean water from any source which has been approved for human consumption by the North Carolina Department of Environmental Quality.

Public potable water system. The term "public potable water system" shall mean any publicly or privately owned water system operated as a public utility, under a current North Carolina Department of Environmental Quality permit, to supply water for public consumption or use. This system will include all sources, facilities, and appurtenances between the source and the point of delivery such as valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment, and appurtenances used to produce, convey, treat, or store potable water for public consumption or use.

Unapproved water supply. The term "unapproved water supply" shall mean a water supply which has not been approved for human consumption by the North Carolina Department of Environmental Quality.

(c) *Right of entry.*

- (1) Upon presentation of proper credentials and identification, authorized representatives from the town shall have the right to enter any building, structure, residence, or premises during normal business hours, or at any time during the event of an emergency to perform any duty imposed by this section. The town shall schedule inspections in advance with the owner or authorized representative if no emergency is imminent. Those duties may include sampling and testing of water, or inspections and observations of all piping systems connected, or suspected of being connected, to the public water supply. Where a consumer has security measures in force which would require proper identification and clearance before entry into their premises, the consumer shall make necessary arrangements with any security service provider so that upon presentation of suitable identification, the town personnel will be permitted to enter without delay for the purpose of performing their specific responsibilities. Refusal to allow entry for these purposes may result in discontinuance of water service until entry for inspection is granted, and may establish a rebuttable presumption that a health hazard exists and that a backflow prevention assembly suitable for a severe or health hazard must be installed.

- (g) *Facilities requiring protection.* Approved backflow prevention assemblies shall be installed on the service line to any facility that the town has identified as having a potential for backflow. All assemblies and installations shall be subject to inspection and approval by the town.

The following types of facilities or services have been identified by the town as having a potential for backflow of non-potable water into the public water supply system. Therefore, an approved backflow prevention assembly shall be required on all such services according to the degree of hazard present. Other types of facilities or services not listed below may also be required to install approved backflow prevention assemblies if determined necessary by the town. As a minimum requirement, all non-residential services shall be required to install a double-check valve assembly. The minimum requirements are listed below. The best protection recommended even if not required is a reduced pressure principle assembly.

(2) Auxiliary water systems:

- a. Approved public/private water supply: DCVA
- b. Unapproved public/private water supply: AG or RP

c. Used water and industrial fluids: RP

(32) Swimming pools, spas, small manmade ponds, and fountains or any body of water above or in-ground greater than 24-inches deep that is connected to or filled by the potable water system:

a. Community or non-residential: RP

b. Residential without direct piping: AG or RP

c. Residential with direct piping from potable supply: RP

(h) *Connections with unapproved sources of supply.*

(1) No person shall connect or cause to be connected any supply of water not approved by all regulating authorities having jurisdiction, to the water system supplied by the town. Any connections allowed by the town shall be in conformance with the backflow prevention requirements of this section.

The foregoing ordinance having been submitted to a vote, received the following vote, and was duly adopted this 12th day of February in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk