

**MARIN MUNICIPAL WATER DISTRICT
ORDINANCE NO. 471**

AN ORDINANCE AMENDING CHAPTER 11.14 OF TITLE 11 OF THE MARIN MUNICIPAL WATER DISTRICT CODE ENTITLED WATER SERVICE RULES AND REGULATIONS UPDATING DISTRICT CROSS CONNECTION PREVENTION MEASURES

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT AS FOLLOWS:

SECTION 1. Purpose: The purpose of this ordinance is to amend Chapter 11.14 of the District Code entitled Cross Connections to ensure compliance with the State Water Resource Control Board's Cross Connection Control Policy Handbook adopted pursuant to California Health and Safety Code section 116407 and the District's Cross Connection Control Plan approved by the State's Division of Drinking Water in order to protect the public health through the establishment of standards intended to ensure that the District's drinking water distribution system will not be subject to the backflow of liquids, gases, or other substances.

SECTION 2. Chapter 11.14 of the Marin Municipal Water District Code entitled “Cross-Connections” is hereby deleted in its entirety and restated to read as follows:

Section 11.14.010- “Purpose”

This chapter is intended to ensure that all new and existing district water service connections shall comply with the requirements of the State Water Resources Control Board (SWRCB) Cross-Connection Control Policy Handbook Standards and Principles for California's Public Water Systems (CCCPH) adopted pursuant to California Health and Safety Code section 116407 and the District Cross Connection Control Plan (District Plan) approved by the State Division of Drinking Water, as may be amended from time to time, to protect the district drinking water distribution system from the backflow of liquids, gases, or other substances. The requirements of this chapter are in addition to any requirements of federal, state or local law.

Section 11.14.020- “SWRCB CCCHP and District Plan provisions adopted and incorporated herein.”

The requirements of the State Water Resources Control Board (SWRCB) Cross-Connection Control Policy Handbook Standards and Principles for California's Public Water Systems (CCCPH) and the District Cross Connection Control Plan (District Plan), as may be amended from time to time, are hereby incorporated by this reference and made a part of district code subject to implementation and enforcement by the district.

Section 11.14.030- "Inspections."

The consumer's system shall be open for inspection at all reasonable times to authorized representatives of the district to determine whether cross-connections or sanitary hazards, including violations of this chapter exist.

Section 11.14.040- "Consumer responsibility."

It shall be the duty of the consumer, at any premises where backflow protection assemblies are required, to furnish, install, maintain and have tested by a certified tester, the assemblies at their own expense. In accordance with this chapter, a test shall be made as soon as is practical after installation and at least once a year thereafter; however, the district may require more frequent tests if extreme hazards exist or successive inspections disclose repeated failures in the operation of any assembly. The consumer shall notify the district when the assembly has been installed. Assemblies shall be repaired, overhauled, or replaced at the expense of the consumer whenever they are found to be unapproved or defective. Records of such tests, repairs and overhaul shall be maintained by the consumer and shall be promptly forwarded to the district by the consumer.

11.14.050- "Discontinuance of service."

In accordance with Chapter 11.28 of this Code, water service to any premises may be discontinued by the district, pursuant to this chapter if a backflow prevention assembly is not installed, tested or maintained as required hereunder; or if any deficiency is found in the installation or operation of a backflow prevention assembly; or if it is found that a backflow prevention assembly has been removed, or bypassed. Service shall not be restored until such conditions or defects are corrected. Any cost to the district for the investigation and abatement of a deficiency shall be included in the charges due before service is restored.

SECTION 3. Severability: If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional and, to that end, declares the provisions of this ordinance severable from one another.

SECTION 4. Effective Date: This ordinance shall become effective thirty (30) days following its adoption.

PASSED AND ADOPTED this ____ th, of ____ (month), ____ (year), by the following vote of the Board of Directors:

AYES:

NOES:

ABSENT:

Matt Samson
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary