

BEFORE THE BOARD OF COMMISSIONERS ACTING AS THE GOVERNING BODY OF
THE BROOKS COMMUNITY SERVICE DISTRICT

An ordinance requiring District water)
customers to install and maintain)
backflow assemblies, and declaring)
an emergency.)

ORDINANCE NO. 1420

THE MARION COUNTY BOARD OF COMMISSIONERS ACTING AS THE
GOVERNING BODY OF THE BROOKS COMMUNITY SERVICE DISTRICT ORDAINS AS
FOLLOWS:

SECTION 1. PURPOSE

The purpose of this ordinance is to protect the health of the people served by the water system provided by the Brooks Community Service District ("District") by preventing contaminants from flowing backwards into the water supply. To accomplish this, these rules are in compliance with Oregon Administrative Rules ("OAR") 333-061-0070 through 333-061-0074.

SECTION 2. DEFINITIONS

- A. "Backflow assembly" means a backflow prevention assembly such as a Pressure Vacuum Breaker Backsiphonage Prevention Assembly, Spill-Resistant Pressure Vacuum Breaker Backsiphonage Prevention Assembly, Double Check Valve Backflow Prevention Assembly, Double Check-Detector Backflow Prevention Assembly, Reduced Pressure Principle Backflow Prevention Assembly, or Reduced Pressure Principle-Detector Backflow Prevention Assembly and the attached shutoff valves on the inlet and outlet ends of the assembly, assembled as a complete unit.
- B. "Cross connection" means any actual or potential unprotected connection or structural arrangement between the public or user's

potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substances other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel, or change-over devices, and other temporary or permanent devices through which, or because of which, backflow can occur are considered to be cross connections.

- C. "Double check valve" means an assembly of two independently acting approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. This assembly is designed to protect against a non-health hazard.
- D. "Direct responsible charge" means an individual designated by the owner or authorized agent to make decisions regarding the daily operational activities of a public water system, water treatment facility or distribution system, that will directly impact the quality or quantity of drinking water.
- E. "High hazard" means the uses described in the "High Hazard Table" set forth in Table 42 of OAR 333-061-0070, as amended from time to time.
- F. "OHA" means the Oregon Health Authority.
- G. "Reduced pressure principal assembly" means an assembly containing two independently acting approved check valves, together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located

resilient seated test cocks and tightly closing resilient seated shutoff valves at each end of the assembly. This assembly is designed to protect against a non-health hazard or a health hazard.

SECTION 3. REQUIREMENTS

Actual or potential cross connections are prohibited. If a potential exists for a cross connection the water system must be protected by an appropriate backflow prevention assembly. Any high hazards, will be given the highest priority, and protected with an approved air gap or reduced pressure backflow assembly.

SECTION 4. ENFORCEMENT

District may refuse or terminate water service to any customer who does not:

- A. Install a backflow assembly or assemblies as follows:
 - 1. All non-residential customers must install a double check valve immediately following the meter or in a location approved by the direct responsible charge.
 - 2. Customers identified as high hazard or determined by the direct responsible charge as requiring a reduced pressure principal assembly instead of the double check valve.
- B. Test any installed backflow assembly or reduced pressure principal assembly:
 - 1. At least annually;
 - 2. At the time of installation, repair, or relocation;
 - 3. More frequently than annually for approved backflow prevention assemblies that fail, or are protecting health hazard cross connections, or as determined by the District; or
 - 4. After an approved air gap is re-plumbed.
- C. Maintain or replace the backflow assembly according to the test report or according to the direct responsible charge.

SECTION 5. SEVERABILITY

Should any section or portion of this ordinance be held unlawful or unenforceable by any court of competent jurisdiction, that decision shall apply only to the specific section, or portion thereof, directly specified in the decision. All other sections or portions of this ordinance shall remain in full force and effect.

SECTION 6. DECLARATION OF EMERGENCY

This ordinance being necessary for the preservation of the health, safety, and welfare of the community, an emergency is declared to exist and this ordinance will take effect immediately.

Adopted this 17 day of August 2020.

MARION COUNTY BOARD OF COMMISSIONERS
ACTING AS THE GOVERNING BODY OF THE
BROOKS COMMUNITY SERVICE DISTRICT



Chair


Recording Secretary