

**A Bylaw to require adequate Cross Connection Control at all properties in the Town of Oxford.**

**WHEREAS** pursuant to the provisions of Part V of the Nova Scotia *Environment Act*, the Town of Oxford is approved to operate a water treatment facility.

**AND WHEREAS** one of the terms of the said approval requires the Town to establish regulations to ensure provisions for the elimination and prevention of cross connections between potable water and any non-potable sources.

**NOW THEREFORE** the Council of the Town of Oxford enacts as follows:

**1. Name of Bylaw**

1.1 This Bylaw may be cited as the Cross Connection Control Bylaw for the Town of Oxford.

**2. Definitions**

2.1 In this Bylaw, the following terms have the following meanings:

**BACKFLOW** means the reversal of flow of water from private property back into the Town's Water System.

**BACKFLOW ASSEMBLY TEST REPORT** refers to the electronic submission of testing data through an approved third-party app or website or submission of test data on the Town's approved test report form.

**BACKFLOW PREVENTER** means a device or assembly that is a physical attachment to the potable water supply that prevents Backflow as recognized by CSA B64.10-11: Selection and installation of backflow preventers.

**BACKFLOW PREVENTION DEVICE TESTER** means a person holding a valid certificate from the American Water Works Association (AWWA) for testing Backflow Preventers.

**CONSUMER** means any person who owns or is an agent of the Owner for any property with a water service from the Town Water System, or any person who occupies or uses water on such a property.

**CONTAMINANT** mean any physical, chemical, biological or radiological substance or pollutant which may render the water non-potable or otherwise impact the aesthetic of the Town's Water System.

**CROSS CONNECTION** means any actual or potential physical connection whereby the Town's Water System is connected, directly or indirectly, with any non-potable or unapproved Private Water System, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture, or any other device which contains or may contain a Contaminate which may be capable of imparting contamination to the Town's Water System as a result of Backflow.

**CROSS CONNECTION CONTROL PROGRAM** means a program initiated by the Town to administer and regulate the selection, installation, testing, and maintenance of Backflow Preventers.

**CSA B64.10-11** means the Canadian Standards Agency guideline on the selection and installation of backflow preventers.

**DEGREE OF HAZARD** means the hazard level for any premises determined by the Town or certified Cross Connection Control professional based on the use of the premises and cross connection on site, based on CSA B64.10-11.

**OWNER** means any person, firm, or corporation having control over any premises to which this Bylaw applies.

**POTABLE WATER** means water that is fit for human consumption.

**PRIVATE WATER SYSTEM** means a Water System on private property for domestic use, irrigation system, greenhouse and hydroponics system, and any other use of water supplied by the Town to privately-owned premises.

**TOWN** means the Town of Oxford acting as a water authority supplying water for the purposes of domestic, irrigation, or other uses by Owners and Consumers; and any action or decision which may be made by the Town pursuant to this Bylaw may be taken or determined by the Town's Supervisor of Public Works, his or her designate, or such other person or persons as may be authorized by Town Council from time to time.

**TOWN'S WATER SYSTEM** means the Water System owned and operated by the Town to supply water to Private Water Systems, and including, without limitation, well field lands, wells, water lines and appurtenances, treatment plants and pumping stations.

### **3. Owner and Consumer Responsibilities to Control Cross Connections**

3.1 Subject to the provisions of Section 4 and 5 of this Bylaw, no person shall create a Cross Connection by connecting or causing to be connected, or allowing to remain connected to the Town's Water System any device, piping, fixture, fitting, container, appliance or any other chattel or thing which may under any circumstances allow Contaminants to enter the Town's Water System.

3.2 No Owner or Consumer of a Private Water System connected to the Town's Water System shall permit the creation of a Cross Connection or the introduction of any Contaminant into the Private Water System except upon strict compliance with the following:

i) The Owner of a Private Water System shall install a type of Backflow Preventer approved by the Town prior to any other connections, or as otherwise approved by the Town.

ii) Where the Town determines that there exists a connection or cross connection prohibited by the Bylaw, the Town may give notice to the Owner to correct the connection or Cross Connection at the expense of the Owner within the time specified in the notice.

iii) An Owner to whom notice has been given under this section shall correct the Cross Connection by installing a Backflow Preventer suitable, in the determination of the Town, to protect the Town's Water System from the Cross Connection at the expense of the Owner within the time specified in the notice.

iv) The Owner will provide the Town, within 30 days of the initial installation of the Backflow Preventer, a complete Backflow Assembly Test Report completed by a Backflow Prevention Device Tester.

v) The Owner of a Private Water System shall have the Backflow Preventer inspected and tested by a Backflow Prevention Device Tester at least once in every 12-month period or more often if required by the Town. The inspection and test is to confirm that it is an approved assembly, that it is installed correctly, and is in proper operating condition. Regardless of a pass or fail, a Backflow Assembly Test Report must be completed and provided to the Town within 30 days of completion of the test. If the assembly fails testing, it must be repaired or replaced and re-tested.

vi) Prior to granting occupancy, the Town may inspect any newly renovated or constructed or reconstructed premises for Cross Connections and require Backflow Preventer(s) to be installed.

#### **4. Town Responsibilities to Control Cross Connections.**

4.1 The Town shall be entitled, at its determination to:

- i) Inspect the Private Water System located on private premises at all reasonable hours,
- ii) Impose minimum standards which must be met and satisfied relating to the type of Backflow Preventer and the installation and maintenance of the same,
- iii) Inspect the type of Backflow Preventer and the installation and state of maintenance of the same.

4.2 Where there is a visible or other indication that a Backflow Preventer is malfunctioning, it is the responsibility of the Owner or Consumer of the Private Water System to immediately notify the Town, and further, to stop using the Private Water System until the Backflow Preventer is inspected and repaired or replaced. This includes but is not limited to damage by freezing, hot water, fire or otherwise due to neglect and is the sole responsibility of the Owner to rectify.

4.3 Where any condition is found to exist which, in the opinion of the Town, exposes the Town's Water System to risk of Contamination, the Town may take one of the following actions:

- i) If the risk of Contamination appears to be imminent, shut off the Water Service(s) to the property immediately, providing notice to the Owner and Consumer as soon as possible thereafter, and provide to the Owner the minimum standards that are required for the Water System to be restored;
- ii) In other circumstances, notify the Owner and Consumer to correct the condition or Cross Connection(s) within 30 days or within a time period that the Town considers reasonable in relation to the Degree of Hazard that is identified; or

iii) Shut off the Water Services, after providing notice, as per paragraph 4.3ii, until satisfied that the condition has been fully remedied.

4.4 Any Water Service turned off pursuant to this Bylaw shall not be turned on until such time as all of the provisions of this Bylaw have been complied with and the Owner pays a turn on fee as may be established by the Town from time to time.

4.5 The Town shall maintain a list of certified Backflow Prevention Device Testers, which list shall be made available to any resident of the Town upon request.

## 5. Enforcement

5.1 No person may obstruct any duty authorized officer or employee of the Town in the fulfilment of his or her duties under this Bylaw.

## 6. Penalties

6.1 Every person who violates a provision of this Bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of the Bylaw, or who neglects or refrains from doing anything required to be done by this Bylaw, breaches a condition of prevention of Cross Connection or any approval issued under this Bylaw, or who fails to comply with an order made under the Bylaw commits an offence and it liable on summary conviction to a fine of not more the \$2,000. Each day a violation continues or is permitted to continue may constitute a separate offence.

Date of First Reading \_\_\_\_\_

Date of Advertisement of Notice of Intent to Consider \_\_\_\_\_

Date of Second Reading \_\_\_\_\_

Date of Advertisement of By-law Passage and Approval \_\_\_\_\_

Date of Mailing Certified Copy to Dept. of Municipal Affairs: \_\_\_\_\_

I certify that this Cross Connection Control By-law was adopted by council and published as indicated above.

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Linda Cloney, CAO, Town of Oxford

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Date: