

7-12-16: CROSS CONNECTION CONTROL:

(A) Purpose: The purpose of establishing these rules and regulations is:

1. to protect the public water supply from contamination or pollution by isolating within the customer's water system contaminants or pollutants, which could backflow through the service connection into the public water supply system.
2. to promote the elimination or control of existing cross connections, actual or potential, between the public or customer's potable water system and nonpotable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety.
3. to provide for the maintenance of a continuing program of cross connection control which will prevent the contamination or pollution of the public and customer's potable water system.

(B) Owner Responsibility: The owner of property shall be responsible for protection of the public water supply system from contamination due to backflow or back siphonage of contaminants through the customer's water service connection. If, in the judgment of the City Manager or his/her designee, an approved cross connection control device is necessary for the safety of the public water supply system, the City Manager or his/her designee shall give notice to the owner to install such approved cross connection control device at each service connection where such device is required. The owner shall immediately install such approved device at each service connection where such device is needed. The owner shall immediately install such approved device or devices at his own expense. Failure, refusal or inability on the part of the owner to install such device or devices immediately shall constitute grounds for turn off of the water service to the premises until such device or devices have been installed.

7-12-16-1: DEFINITIONS:

Unless otherwise expressly stated, whenever used in this Section the following words shall have the following meanings:

BACKFLOW: Water, wastes or other contaminants entering a public water system due to a reversal of flow.

CONNECTION: Any arrangement of piping or appurtenances attached to a public water supply system.

CROSS CONNECTION: A connection or arrangement of piping or appurtenances through which a backflow could occur.

CROSS CONNECTION CONTROL CONTRACTOR (C3 Contractor): Any person, individual, company, or corporation engaged in the business of installing, repairing,

altering, removing, certifying, and/or testing cross connection control devices by furnishing of labor, material, and methods necessary to accomplish a given result, and who retains the control of the means, method, and manner of accomplishing this desired result.

CROSS CONNECTION CONTROL DEVICE INSPECTOR (CCCDI): Any person certified by the State of Illinois Environmental Protection Agency to perform cross connection device inspections.

7-12-16-2: CROSS CONNECTIONS PROHIBITED:

- (A) Connections between the public water supply system and other systems or equipment containing water or other substances are prohibited except when and where approved cross connection control devices or methods are installed, tested and maintained to ensure proper operation on a continuing basis. Specifically, fire protection systems and irrigation systems which contain installed piping and are connected to the public water supply system are prohibited except when and where approved backflow prevention is installed, tested and maintained to ensure proper operation on a continuing basis.
- (B) No physical connection shall be permitted between the potable portion of a supply and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis.
- (C) There shall be no arrangement or connection by which an unsafe substance may enter a water supply.
- (D) It shall be unlawful for any owner to have on their property any connection in violation of this Section.

7-12-16-3: CROSS CONNECTION CONTROL CONTRACTOR:

- (A) License Required: As of May 1, 2012, no company or person shall engage in the business of a C3 Contractor within the City without first having secured a license in the manner provided herein.
- (B) Application for License: Application for license shall be made annually to the Utilities Department, free of charge. All licenses shall be subject to the provisions of this Code, other ordinances of the City and the statutes of the State of Illinois.
- (C) Approval Required: No company or person shall receive such a license unless all persons listed on the cross connection control contractor application form have been approved by the State of Illinois Environmental Protection Agency as a CCCDI.
- (D) Suspension or Revocation of License:

1. If any person shall violate any of the provisions of this Section and/or the Code adopted hereby, he/she shall be liable to be prosecuted against for any fine or penalty imposed thereto and his license may be suspended or revoked by the City Manager.
 2. No such license shall be so revoked or suspended except after a hearing by the City Manager with a three (3) business day notice to the licensee affording the licensee an opportunity to appear and defend. The notice shall specify the reason for the contemplated suspension or revocation and shall give the date, time, and location of the hearing. Notice shall be sufficient if sent to the address stated on the licensee's application.
 3. If the City Plumbing Inspector certifies to the City Manager that he/she has reason to believe that immediate suspension of the license is necessary to prevent the threat of immediate harm to the public, the City Manager may, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing, order the license suspended for not more than seven (7) days. The City Manager may extend the suspension during the pendency of a hearing upon a written determination that doing so is necessary to prevent the aforesaid harm to the public.
 4. Hearings shall be conducted in accordance with procedures drafted by the Corporation Counsel.
 5. The City Manager shall issue his or her decision within ten (10) business days after the close of the hearing. In reaching a decision, the City Manager may consider any of the following:
 - a. The nature of the violation.
 - b. The nature and extent of the harm caused by the licensee's action or failure to act.
 - c. The factual situation and circumstances surrounding the violation.
 - d. Whether or not the action or failure to act was willful.
 - e. The record of the licensee with respect to violations.
 6. The City Manager may suspend a license for a period of up to ninety (90) days. A licensee whose license has been revoked shall not be eligible to reapply for a license.
- (E)** Any person found to have violated any provision of the Building Code as adopted by the City (see Title 4, Chapter 2 of this Code), or who shall fail to comply with any of the requirements of the State of Illinois Plumbing Code; Illinois Environmental Protection Agency rules and regulations, Title 35: Environmental Protection, Subtitle F: Public Water Supply, Chapter I: Pollution Control Board,

Part 607: Operation and Record Keeping, Section 607.104: Cross Connections; and all applicable local regulations, shall be guilty of an offense, punishable as follows:

1. The fine for a first violation shall be one hundred fifty dollars (\$150.00).
 2. The fine for a second violation shall be four hundred dollars (\$400.00).
 3. The fine for a third or subsequent violation shall be seven hundred fifty dollars (\$750.00).
- (F) Each day a provision of this Section is found to have been violated constitutes a separate violation subject to the fine schedule set forth herein.
- (G) The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.
- (H) It is the intention of the City Council that the provisions of this Section are severable and the invalidity of any section or part of any section of this Section shall not affect any other portion of said Section or this Code.

7-12-16-4: PERMIT REQUIRED; PERMIT FEES:

- (A) Permit Required: No cross connection control device shall hereafter be installed or replaced in the City except under a permit issued therefore by the Community and Economic Development Department to a licensed C3 Contractor.
- (B) Permit Fees: The fee for a permit to install a cross connection control device shall be as listed in Section 17 of this Chapter.

7-12-16-5: ADDITIONAL MAINTENANCE REQUIREMENTS:

- (A) On request by the City Manager or his/her designee, the owner shall furnish information regarding the piping systems, system or water use within the owner's premises. The premises shall be open at all reasonable times to the City Manager or his/her designee for the verification of information submitted regarding cross connection inspection results.
- (B) It is the responsibility of the owner to prevent backflow into the public water system by ensuring that:
1. All cross connections are removed; or approved cross connection control devices are installed for control of backflow and back siphonage.
 2. Cross connection control devices shall be installed in accordance with the City Code and manufacturer's instructions.

3. Cross connection control devices shall be inspected, tested and certified at the time of installation by a person licensed by the City as a C3 Contractor and all such inspections and testing shall be witnessed by a City Plumbing Inspector. The inspection of mechanical devices shall include physical testing. Testing and certification shall be documented on City of Evanston Cross Connection Control Device Testing and Certification Report form and submitted to the Utilities Department.
4. Cross connection control devices shall be tested and certified annually by a person licensed by the City as a C3 Contractor. Testing and certification shall be documented on City of Evanston Cross Connection Control Device Testing and Certification Report form and submitted to the Utilities Department.
5. Cross connection control devices on lawn irrigation systems must be tested /certified at the time of reinstallation prior to placing the system back into service and in accordance with the schedule established by the Utilities Department.
6. Testing and Records:
 - a. Each device shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer.
 - b. Test records shall be submitted by the C3 Contractor to the Utilities Department no later than ten (10) days after the completion of testing/certification.
 - c. Each device shall have a tag attached listing the date of most recent test, name of CCCDI, and type and date of repairs.
 - d. Every owner shall maintain for a period of five (5) years, a maintenance log for each cross connection device which shall include:
 - (1) Date of each test;
 - (2) Name and CCCDI License number of person performing the test;
 - (3) Test results;
 - (4) Repairs required and date completed; and
 - (5) Servicing performed and date completed.

(C) Whenever cross connection control devices required by these regulations are found to be defective, they shall immediately be repaired or replaced at the

expense of the owner.

- (D) Cross connection control devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the City Manager or his/her designee.
- (E) Chemical Dispensing Units: Chemical dispensing units supplied with water from the City waterworks system shall be protected from cross connection by either an approved air gap or a reduced pressure principle backflow prevention zone assembly installed in the water service line preceding the unit. Exempt from this requirement are those units which have been certified as meeting ASSE standards for backflow protection by an approved testing laboratory provided they meet Illinois department of public health plumbing code, Illinois Environmental Protection agency and City installation requirements.
- (G) Boilers: Commercial, industrial and residential boilers (other than detached single family boilers) supplied with water from the City waterworks system shall be protected from cross connection by a reduced pressure principle backflow prevention zone assembly installed in the water service line preceding the boiler make-up serving such boiler. Detached single family homes equipped with a boiler not using chemicals, toxic or hazardous substances for operation or maintenance and having less than 250,000 BTU input shall be protected from cross connection by a dual check with atmospheric vent backflow prevention device or a reduced pressure principle backflow prevention zone assembly installed preceding the boiler make-up assembly serving such boiler.
- (H) Fire Suppression Systems: All fire suppression water systems supplied with water from the City waterworks system shall be protected from cross connection with a cross connection control device approved by the Utilities Department. A reduced pressure principle backflow prevention device shall be required when:
 - 1. The fire suppression water system is located within one thousand seven hundred feet (1,700') of a non-potable water source.
 - 2. The fire service is two inch (2") or greater in diameter and equipped with one or more fire department connections.
 - 3. The fire safety system contains any additives.
- (I) Detector Assembly Required: All reduced pressure principle backflow prevention devices installed on fire suppression systems shall be equipped with a detector assembly.

7-12-16-6: FEES:

- (A) There shall be an annual fee as listed in Section 17 of this Chapter assessed for each cross connection control device in the water system. This fee shall be assessed to the owner of the property.

7-12-16-7: VIOLATIONS:

- (A) The City Manager or his/her designee shall turn off the water service to any premises wherein any cross connection control device required by these regulations is not installed, tested, maintained and repaired as directed. Water service will be turned off to any property where it is found that the cross connection control device has been removed or bypassed, or if an unprotected cross connection exists on the premises.
- (B) Water service to such premises shall not be turned on until the owner has corrected or eliminated such conditions or defects in conformance with these regulations and the satisfaction of the City Manager or his/her designee and the required water turn on fee as specified in Section 17 of this Chapter has been paid.
- (C) The City of Evanston and any of its agents shall not be liable for any injury, damages or lost revenues which may result from termination of said water supply in accordance with the terms of this Chapter, whether or not said termination of the water supply was with or without notice.
- (D) The owner is responsible for back siphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross connection or an improperly installed, maintained or repaired device, or a device which has been bypassed. The owner must bear the cost of cleanup of the potable water supply system.
- (E) Any person found to be violating any provision of this Section may be served with written notice of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.
- (F) Any person violating any of the provisions of this Chapter shall become liable to the City of Evanston for any expense, loss or damage occasioned by the City by reason of such violation, whether the same was caused before or after notice.

7-12-17: CHARGES, RATES, FEES AND PENALTIES:

The fees and penalties for the waterworks system shall be paid according to the following table. Fees and penalties not covered by this table shall be as described in Section 1-4-1 of this Code.