



Legislation Details (With Text)

File #: 17-787 **Version:** 4 **Name:**
Type: Ordinance **Status:** Mayor's Office
File created: 1/9/2017 **In control:** City Council
On agenda: 5/9/2017 **Final action:** 5/9/2017

Title: Ordinance No. 17-42 amending Article 1 (General Provisions) and Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs, as amended, pertaining to Backflow Prevention

Presenter:
Tara McGowan, Program Supervisor
Michael Gustafson, Senior Attorney

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance CSU-BackflowWater Code-2017-04-06 Final.pdf, 2. Signed Ordinance 17-42

Date	Ver.	Action By	Action	Result
5/9/2017	4	City Council	finally passed	Pass
4/25/2017	2	City Council	approved on first reading	Pass

Ordinance No. 17-42 amending Article 1 (General Provisions) and Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs, as amended, pertaining to Backflow Prevention

Presenter:

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Summary:

Colorado Springs Utilities (“Utilities”) is committed to protecting the safety of our community’s drinking water. One way Utilities does this is by ensuring that our water customers comply with the Colorado Department of Health and Environment’s Backflow Prevention/Cross Connection control regulations (“State Regulations”). The State Regulations were revised in 2016 and now require water providers, such as Utilities, to ensure that their customers install the backflow prevention assemblies or methods that are necessary to protect its water system from backflow. These assemblies prevent chemicals and other contaminants within commercial facilities from flowing into the community’s water distribution system. City Code Sections 12.4.401, et seq. (“Backflow Code”) govern Colorado Springs’ current backflow prevention program. The City Code requires updates to comply with the revised State Regulations. Utilities requests that City Council approve an ordinance revising the Backflow Code on first reading at the April 25, 2017 City Council meeting.

Previous Council Action:

N/A

Background:

Prior to 2016, the State Regulations required Utilities to ensure that commercial businesses and multifamily dwellings that were discovered after 2001 have backflow prevention assemblies in operation. The revised State Regulations expand the number and types of customers the program applies to, make water providers responsible for ensuring that compliance with the State Regulations is achieved, and require Utilities to survey all commercial customers to ensure compliance with the State Regulations by the end of 2020.

To make the Backflow Code consistent with the revised State Regulations, staff has prepared the attached proposed ordinance, which contains the following key revisions:

- Sections 12.1.101, 12.4.1201, and 12.4.1202 - Revisions to the definitions of Approved Backflow Prevention Assembly, Backflow, Backflow Prevention Assembly, Certified Backflow Prevention Assembly Tester, Cross Connection, Premises, and User. Revisions also include the addition of definitions for Approved Backflow Prevention Method, Backflow Prevention Method, and Degree of Hazard.
- Section 12.1.1201-Revisions to reflect that one purpose of the Backflow Code is to meet requirements of the State Regulations and to confirm that the Backflow Code takes precedent over Utilities' Line Extension and Service Standards.
- Section 12.4.1203 - Revisions to reflect that an Approved Backflow Prevention Method can be used to protect against cross connections.
- Section 12.4.1204 - Revisions to clarify when a customer needs to submit design plans and other information to Utilities and the type of information required.
- Section 12.4.1205 - Removal of this section because it is redundant.
- New Section 12.4.1205 -Revisions to clarify the extent of Utilities' liability after inspection.
- New 12.4.1207 -Substantial revisions to reflect new requirements for when a customer must install a backflow prevention method or assembly.
- 12.4.1209 - Revisions to clarify testing requirements and schedule.
- 12.4.1210 - Revisions to clarify that backflow prevention assemblies and methods must be installed, maintained, repaired, and replaced in accordance with the service standards and specifications.
- 12.4.1212 -Revisions to clarify Utilities' authority to survey customers to identify cross connections.
- 12.4.1213 - Revisions to remove requirement that a customer receive first Imminent Hazard Order before administrative fines are assessed.
- 12.4.1208, 12.4.1211, and 12.4.1213 - Housekeeping revisions to the Management Plan, Recordkeeping, Cross Connection Survey, and Enforcement sections of the Backflow Code.

Financial Implications:

N/A

Board/Commission Recommendation:

N/A

Stakeholder Process:

The Backflow Prevention Program staff is conducting a comprehensive outreach effort about the

proposed updates to City Code with stakeholders including plumbing contractors, backflow testing professionals, and fire suppression system professionals, as well as many industry and community groups. Examples include the Colorado Springs Chamber/EDC, Downtown Partnership, the Housing and Building Association, the Colorado Springs Apartment Association, the International Facility Managers Association, the Building Owner and Manager Association and many others. Upcoming are meetings with commercial real estate brokers and the Pikes Peak Chapter of the Colorado Restaurant Association. Since the Utilities Board meeting February 22, 2017 the staff has met with City Economic Development and other entities and is proceeding with them in a collaborative manner.

Alternatives:

City Council could: 1) approve the proposed ordinance on the consent calendar at the April 25, 2017 meeting; or 2) not approve the proposed ordinance.

Proposed Motion:

Approval of the proposed ordinance revising the Backflow Code.

The proposed Ordinance amends the Backflow Code to ensure that Utilities backflow prevention program is in compliance with the Colorado Primary Drinking Water Regulations.