



## Legislation Text

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**File #:** 20-625, **Version:** 2

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Ordinance No. 20-94 Amending Section 1209 (Testing) and Section 1210 (Installation, Repair and Replacement of Backflow Prevention Assemblies and Methods) of Part 12 (Cross Connection Control) of Article 4 (Water Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Cross Connection Control

### **Presenter:**

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities  
Michael J. Gustafson, Senior Attorney, City Attorney's Office - Utilities Division

### **Summary:**

Colorado Springs Utilities is requesting that City Council approve an ordinance amending the City Code provisions pertaining to cross connection control ("Backflow Code") to align City Code with recent revisions to the Colorado Department of Public Health and Environment's Regulation 11.39, the Backflow Prevention and Cross-Connection Rule on the consent calendar at the December 8, 2020 City Council meeting.

### **Background:**

Colorado Springs 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 Public Health and Environment's Backflow Prevention/Cross Connection control regulations ("State Regulations"). The State Regulations were revised in 2016 and the City Code provisions related to cross connection control were updated in 2017 to align with the State Regulations. The State Regulations were revised again in 2020 to address compliance timelines and notification requirements. To make the City Code consistent with the revised State Regulations and to allow Colorado Springs Utilities to ensure timely customer compliance with annual testing requirements, Colorado Springs Utilities is recommending that City Council approve the attached ordinance making the following revisions to the City Code on first reading on the consent calendar at the December 8, 2020 City Council meeting:

- 12.4.1209: TESTING: Revisions to require irrigation customers to test backflow assemblies no later than July 1st of each year and non-irrigation customers to test backflow assemblies or methods no later than October 1st of each year.
- 12.4.1210: INSTALLATION, REPAIR AND REPLACEMENT OF BACKFLOW PREVENTION ASSEMBLIES AND METHODS: Revisions to extend timeline for backflow assembly or method repairs to 60 days.

### **Previous Council Action:**

The City Code was updated in March of 2017 to align Colorado Springs Utilities' Backflow Prevention Program with the Colorado Department of Public Health and Environment's 2016 revisions to

Regulation 11.39.

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

The Utilities Board recommended that the ordinance revising the City Code be approved by City Council on first reading on the consent calendar at the December 8, 2020 City Council meeting.

**Stakeholder Process:**

The Backflow Prevention Program staff is conducting a comprehensive outreach effort about the proposed updates to City Code with stakeholders including customers, backflow testing and installation professionals, as well as many industry and community groups.

**Alternatives:**

City Council could: 1) approve the proposed ordinance on first reading on the consent calendar at the December 8, 2020 meeting; 2) modify the proposed ordinance; or 3) not approve the proposed ordinance.

**Proposed Motion:**

Approval of the proposed ordinance on first reading on the consent calendar at the December 8, 2020 City Council meeting.

An ordinance revising City Code to set specific annual deadlines for customers to test their backflow prevention assemblies and to extend the deadline for customers to repair or replace a backflow assembly or method after a failed test.