

ORDINANCE NO. D-6-88-1

AN ORDINANCE TO PROVIDE AN EFFECTIVE MEANS FOR PROTECTING THE PUBLIC WATER SYSTEM FROM CONTAMINATION DUE TO BACKFLOW OF CONTAMINANTS THROUGH THE WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM AND DECLARING AN EMERGENCY.

WHEREAS, Section 6109.13 of the Ohio Revised Code requires protection of the public water system from contamination through any connection whereby water from a private, auxiliary or emergency water system may enter the public water system; and

WHEREAS, Section 3745-95 of the Ohio Administrative Code requires protection of the public water system from contamination due to backflow of contaminants through the water service connection; and

WHEREAS, the Ohio Environmental Protection Agency requires the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems; and

WHEREAS, in order to accomplish these goals it is necessary to introduce certain restrictions; and

WHEREAS, this Ordinance constitutes an emergency measure for the immediate preservation of health and safety by reason of the emergency which exists in the Village of New Concord in that connections to the public water system regulated to prevent any connection whereby water from a private auxiliary or emergency water system enters the public water system without authorization; now, therefore,

BE IT ORDAINED by the Council of the Village of New Concord, State of Ohio:

SECTION 1. That if, in the judgment of the Superintendent of Water, an approved backflow prevention device is necessary for the safety of the public water system, the Superintendent of Water will give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his own expense, install such an approved device at a location and in a manner approved by the Superintendent of Water and shall have inspections and tests made of such approved devices as required by the Superintendent of Water.

SECTION 2. That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Village of New Concord may enter the supply or distributing system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent of Water of the Village of New Concord and by the Ohio Environmental Protection Agency.

SECTION 3. The Superintendent of Water shall have the authority to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Any such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Superintendent of Water shall deem necessary.

SECTION 4. That the Superintendent of Water of the Village of New Concord or his or its duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village of New Concord for the purpose of inspecting the piping system or systems thereof. On demand the owner, lessees or occupants of any property so served shall furnish to the Superintendent of Water any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Superintendent of Water, be deemed evidence of the presence of improper connections as provided in this Ordinance.

SECTION 5. That the Superintendent of Water of the Village of New Concord is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this ordinance.

SECTION 6. The Village of New Concord Council declares this to be an emergency Ordinance necessary for the preservation of public health and safety, such emergency arising out of the necessity to regulate the public water system to prevent any connection whereby water from a private auxiliary or emergency water system enters the public water system without authorization without undue delay, in order to correct a situation now deemed undesirable.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

Passed: June 27, 1988

W. Michael Kuyam
President of Council

Approved: June 27, 1988

R. Gregory Cedo
Mayor

Attest:

Beryl L. Hammer
Village Clerk - Treasurer

I hereby certify that the above Ordinance No. D-6-88-1 was posted per Ordinance No. L-1-84-1 from August 25, 1988 to November 7, 1988.

Beryl L. Hammer, Clerk