

**ORDINANCE NO. 2011-16**

**AN ORDINANCE OF IVINS CITY, UTAH, AMENDING CHAPTER 4  
OF TITLE 10 OF THE IVINS CITY MUNICIPAL CODE  
REGARDING BACKFLOW & CROSS-CONNECTIONS**

**WHEREAS**, the Ivins City Council previously adopted an ordinance regarding Backflow & Cross-Connections that is codified as Chapter 4 of Title 10 of the Ivins City Code; and

**WHEREAS**, Ivins City has been requested, along with other jurisdictions in Washington County, to require proof of compliance with said chapter by requiring the placement of a sticker on chemical equipment or vehicles following an inspection verifying compliance;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF IVINS CITY, STATE OF UTAH:**

**SECTION 1.** Sections 10.04.103 and 10.04.104 of Chapter 4 of Title 10 of the Ivins City Code, are hereby amended to now read as follows:

**Title 10  
PUBLIC SERVICES**

\* \* \*

**CHAPTER 4**

**BACKFLOW & CROSS-CONNECTIONS**

\* \* \*

**10.04.103 Backflow prevention devices or assemblies; when required.**

- (1) Property Owners: It shall be the responsibility of the owner of property where water is consumed to purchase, install, and maintain backflow prevention devices or assemblies wherever it will be possible for used, unclean, polluted or contaminated water, mixtures or substances to enter any portion of his potable water system, and to otherwise control cross-connections.
- (2) Chemical Equipment and Vehicles:
  - (a) Backflow Device Required: No person shall add water to any chemical equipment via a hose, pump or other equipment unless such hose, pump or other equipment is fitted with an effective and approved permanently affixed backflow prevention device or assembly to prevent backflow of chemicals or liquids containing chemicals into the city's water supply system, streams, lakes, other sources of water or other areas.
  - (b) Exception: Notwithstanding the foregoing, a backflow prevention device or assembly is not required when:
    - (i) it is impossible to permanently affix a backflow prevention device to the hose, pump, or other equipment;

- (ii) the hose, pump or other equipment is not allowed to contact or fall below the flood rim of the handling, storage or application equipment to which water is being added; and
  - (iii) no other possible means of establishing a backsiphon or backflow exists.
- (c) Chemical Vehicles: Every chemical vehicle to which water is or potentially may be added from the city's water supply system, or from the regional water system, shall be equipped with a permanently affixed and operational air-gap backflow device. All water added to such vehicles from the city's water supply system shall pass through the backflow device. (Ord. 2011-16, 2011)

#### **10.04.104 Testing and Inspection.**

- (1) Annual Testing of Backflow Devices or Assemblies: Each property owner or owner of chemical equipment or vehicles on which a backflow prevention device or assembly is required under this chapter shall have certified inspections and operational tests made at least once a year at the owner's own expense. Where the city deems the hazard to be great, the city may require such inspections and tests at a more frequent interval as prescribed by the city. All such tests shall be made according to the standards set forth by the Utah state department of health, bureau of drinking water and sanitation and the International Plumbing Code. The city shall issue and place the approved sticker onto the chemical equipment or vehicle in a visible location. The city may require at any time proof of compliance with this section which shall be fulfilled by presenting the chemical equipment or vehicle with the sticker issued and placed by the issuing authority. It shall be the responsibility of the owner of any such chemical equipment or vehicle to arrange for the inspections required by this section.
- (2) Inspection of Chemical Vehicles: Every chemical vehicle on which a backflow prevention device or assembly is required under this chapter shall be submitted for inspection to the Ivins City before it is put into service and at least once every six months thereafter. The city shall verify that each such vehicle is equipped with an approved backflow device. It shall be the responsibility of the owner of any such vehicle to arrange for the inspections required by this section.
- (3) Condition for Issuance of Business License: The issuance or renewal of a business license for any business employing chemical equipment or vehicles subject to the provisions of this chapter may be conditioned upon compliance with this section, and any failure to comply with this section shall be grounds for the suspension of a business license issued to any such business. (Ord. 2011-16, 2011)

**SECTION 2. Severability.** If any section, clause or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

**Effective Date:** This Ordinance shall become effective immediately upon passage and publication.

**PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THE 17<sup>TH</sup> DAY OF NOVEMBER, 2011, BY A UNANIMOUS VOTE. ALL COUNCIL MEMBERS WERE PRESENT AT THE MEETING AND VOTED IN FAVOR.**