

Ordinance No. _____

Passed _____, 20____

2/23/06-gmk
(Water, Sewer & Rubbish)

Ordinance No. 35-06

Ordinance No. 35-06 amending Section 935.10 BACKFLOW PREVENTION DEVICE, of the Water Lines and Hydrants, Chapter 935, of the Codified Ordinances of the City of North Canton, Ordinance No. 40-05, specifically Subsection 935.10(b), and repealing any and all legislation passed previously and inconsistent with this ordinance.

WHEREAS, Section 6109.13 of the Ohio Revised 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 contaminants through the water service connection; and

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

WHEREAS, these restrictions require the installation of a preventive device immediately behind the water meters; and

WHEREAS, in order to accomplish these goals it is necessary to introduce restrictions that go beyond usual plumbing code requirements; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That Section 935.10 BACKFLOW PREVENTION DEVICE, of the Water Lines and Hydrants, Chapter 935, of the Codified Ordinances of the City of North Canton, Ordinance No. 40-05, specifically Subsection 935.10(b), be, and the same is hereby amended to read as follows:

“935.10 BACKFLOW PREVENTION DEVICE

- a. That the Superintendent of the North Canton Water Treatment Plant is hereby authorized to cause the installation of an approved backflow prevention device, if necessary for the safety of the public water system, and to give notice to the property owner to install such an approved device.
- b. That the property owner, shall, at his own expense, install maintain, and test an approved device at a location and in a manner

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of the North Canton Water Treatment Plant. The definition of "maintain" includes but is not limited to: repair; overhaul; and replacement. "Test" includes but is not limited to: inspections; operational testing; and/or recertification of such devices at the time of installation or repair, but at least once every twelve (12) months or more often as required by the Superintendent of the North Canton Water Treatment Plant. Any inspection, testing and recertification must be performed by a person so qualified and approved by the Superintendent of the North Canton Water Treatment Plant. The property owner shall maintain records of such inspections, tests, repairs and/or overhauls of the devices and make them available to the Superintendent of the North Canton Water Treatment Plant.

- c. It shall be the duty of the Superintendent of the North Canton Water Treatment Plant to have inspections, surveys and investigations to be made of industrial, commercial, and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated annually or as required by the Superintendent of the North Canton Water Treatment Plant.
- d. The use of the approved backflow preventer at the water service connection does not in any way affect or eliminate the need for individual fixture devices or air gaps as required by the Ohio Building Code.
- e. The Superintendent of the North Canton Water Treatment Plant, or his 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 Water Department 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 the Superintendent of the North Canton Water Treatment Plant any information that he may request regarding the piping systems of water use on such property. The refusal of such information, when demanded, shall be deemed evidence of the presence of improper connections as provided by this ordinance.

Section 2. That any and all legislation inconsistent herewith is hereby repealed.

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed: 4/24/06

Earle E. Wynn Jr

 MAYOR
 DIRECTOR OF ADMINISTRATION*
 SIGNED: APRIL 25, 2006

ATTEST:
G. M. Karpac

 CLERK OF COUNCIL

*Pursuant to Section 3.01 of the North Canton Charter
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| <i>Russell Cousins</i> |
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