



City of Castlegar Cross-Connection Control Bylaw

Bylaw 1404

Effective June 2023

CASTLEGAR

Cross-Connection Control

Bylaw 1404

A bylaw to require adequate cross-connection control at all properties in the City of Castlegar.

WHEREAS, provincial Drinking Water Protection Legislation requires water purveyors to establish regulations to ensure provisions for the elimination and prevention of cross-connections between potable water and any non-potable sources,

NOW THEREFORE the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

1. Name of Bylaw

- 1.1. This Bylaw may be cited as "Bylaw 1404, City of Castlegar Cross-Connection Control Bylaw".

2. Definitions

- 2.1. In this Bylaw, the following terms have the following meanings:

BACKFLOW PREVENTER means a device that is a physical attachment to the potable water supply that prevents Backflow as recognized by CSA B64.10-11: Selection and installation of backflow preventers.

BACKFLOW means the reversal of flow of water from private property back into the City's Water System.

BACKFLOW ASSEMBLY TEST REPORT refers to the electronic submission of testing data through an approved third-party app or website or submission of test data on the City's approved test report form.

BACKFLOW PREVENTION DEVICE TESTER means a person holding a valid certificate from the BC Water and Waste Association for testing Backflow Preventers.

CITY means the City of Castlegar acting as the Water Authority supplying water for the purposes of domestic, irrigation, or other uses by Owners and Consumers.

CONSUMER means any person who owns or is an agent of the Owner for any property with a water service from the City Water System, or any person who occupies or uses water on such a property.

CONTAMINANT means any physical, chemical, biological or radiological substance or pollutant which may render the water non-potable or otherwise impact the aesthetics of the Water System, according to the regulations of the Province of British Columbia.

CROSS-CONNECTION means any actual or potential physical connection whereby the City's Water System is connected, directly or indirectly, with any non-potable or unapproved Private Water System, sewer, drain, conduit, well, pool, storage reservoir, plumbing fixture, or any other device which contains or may contain a Contaminant which may be capable of imparting contamination to the City's Water System as a result of Backflow.

CROSS-CONNECTION CONTROL PROGRAM means a program initiated by the City to administer and regulate the selection, installation, testing, and maintenance of backflow preventers.

CSA B64.10-11 means the Canadian Standards Agency guideline on the selection and installation of backflow preventers.

DEGREE OF HAZARD means the hazard level for the Premises selected by the City or certified Cross-Connection Control professional based on the use of the premises and cross-connections on site, based on CSA B64.10-11.

OWNER means any person, firm, or corporation having control over Premises to which this Bylaw applies.

POTABLE WATER means water that is fit for human consumption as defined in the British Columbia Drinking Water Protection Act and Regulation,

PRIVATE WATER SYSTEM means a Water System on private property for domestic use, irrigation system, greenhouse and hydroponics system, and any other use of water supplied by the City to privately-owned Premises.

CITY'S WATER SYSTEM means the Water System owned and operated by the City to supply water to Private Water Systems via a Water Service.

3. Owner and Consumer Responsibilities to Control Cross-Connections

- 3.1. Subject to the provisions of Section 4 and 5 of this Bylaw, No person shall create a Cross-Connection by connecting or causing to be connected, or allowing to remain connected to the City's Water System any device, piping, fixture, fitting, container, appliance or any other chattel or thing which may under any circumstances allow Contaminants enter the City's Water System.
- 3.2. No Owner or Consumer of a Private Water System connected to the City's Water System shall permit the creation of a Cross-Connection or the introduction of any Contaminant into the Private Water System except upon strict compliance with the following:
 - i) The Owner of a Private Water System shall install a type of Backflow Preventer Assembly approved by the City on the Water Service prior to any other connections, or as otherwise approved by the City.
 - ii) Where the City determines that there exists a connection or cross-connection prohibited by this Bylaw, the City may give notice to the Owner to correct the connection or Cross-Connection at the expense of the Owner within the time specified in the notice.
 - iii) An Owner to whom notice has been given under this section shall correct the Cross-Connection by installing a Backflow Preventer suitable to protect the City's Water System from the cross-connection, as determined by CSA B64.10-11.
 - iv) The Owner will provide to the City, within 30 days of the initial installation of the Backflow Preventer, a complete Backflow Assembly Test Report completed by a Backflow Prevention Device Tester.
 - v) The Owner of a Private Water System shall have the Backflow Preventer inspected and tested by a Backflow Prevention Device Tester at least once in every 12-month

period or more often if required by the City. The inspection and test is to confirm that it is an approved assembly, that it is installed correctly, and is in proper operating condition. Regardless of a pass or fail, a Backflow Assembly Test Report must be completed and provided to the City within 30 days of completion of the test. If the assembly fails testing, it must be repaired and re-tested.

vi) Prior to granting occupancy, the City may inspect any newly renovated or constructed or reconstructed premises for Cross-Connections and require Backflow Prevention Assemblies to be installed.

3.3. The Owner or Consumer of a Private Water System with agricultural uses, where a Cross-Connection exists between the City system and the Private Water System shall, in addition to the general provisions listed above, comply with the following:

- i) A Reduced Pressure Backflow Preventer shall be used whenever fertilizers, chemicals, or any other Contaminants deleterious to health are introduced to the Private Water System.
- ii) Prior to commencement of operation of the Private Water System in each irrigation season, the Owner of the Private Water System shall have the Backflow Preventer inspected and tested by a Backflow Prevention Device Tester to ensure that it is an approved assembly, installed correctly and in proper operating condition. A copy of the Backflow Assembly Test Report shall be provided to the City within 30 days of completion of the test and prior to operation of the chemical injection system.
- iii) It is the responsibility of the Consumer to ensure that chemicals are registered for the application method being applied and to operate the irrigation and chemical injection system in accordance with the procedures outlined in "Chemigation Guidelines for British Columbia", prepared by the Ministry of Agriculture, Fisheries, and Food.
- iv) The Owner or Consumer assumes responsibility for the operation of the irrigation and injection system and shall ensure that proper backflow preventers are installed, and annual testing is completed.
- v) The Owner of any sprayer tank filling station shall maintain a minimum air gap of 30 centimeters between the end of the filler hose and the top of the sprayer tank. If this air gap cannot be maintained, or if in the opinion of the City, the sprayer filling station is constructed or operated in a manner that constitutes a cross-connection with the City's Water System, the provisions of paragraph 8 shall apply.

4. City Responsibilities to Control Cross-Connections

4.1. The City shall be entitled, at its determination to:

- i) Inspect the Private Water System located on private Premises at all reasonable hours,
- ii) Impose minimum standards which must be met and satisfied relating to the type of Backflow Preventer and the installation and maintenance of the same,
- iii) Inspect the type of Backflow Preventer and the installation and state of maintenance of the same.

4.2. Where there is a visible or other indication that a Backflow Preventer is malfunctioning, it is the responsibility of the Owner or Consumer of the Private Water System to immediately notify the City, and further, to stop using the Private Water System until the Backflow Preventer is inspected and repaired. This includes but is not limited to damage

by freezing, hot water, fire or otherwise due to neglect is the sole responsibility of the Owner.

- 4.3. Where any condition is found to exist which, in the opinion of the City, exposes the City's Water System to risk of Contamination, the City or any person acting on behalf of the City may make one of the following actions:
- i) If the risk of Contamination appears to be imminent, shut off the Water Service(s) to the property immediately, providing notice to the Owner and Consumers as soon as possible thereafter, and provide requirements to the Owner minimum standards under Sentence 6(b) that are required for the Water Service to be restored,
 - ii) In other circumstances, notify the Customer to correct the condition or Cross Connection(s) within 30 days or a time period that the CCCP Coordinator considers reasonable in relation to the Degree of Hazard that is identified, or
 - iii) Shut off the Water Service, after providing notice under paragraph (b), until satisfied that the condition has been fully remedied.
- 4.4. Any Water Service turned off pursuant to this Bylaw shall not be turned on until such time as all of the provisions of this Bylaw have been complied with and the Owner pays a turn on fee as stated in City of Castlegar Water Regulations & Rates Bylaw No. 1357.

5. Penalties

- 5.1. Every person who violates a provision of this Bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this Bylaw, or who neglects or refrains from doing anything required to be done by this Bylaw, breaches a condition of prevention of Cross-Connection or any approval issued under this Bylaw, or who fails to comply with an order made under this Bylaw commits an offence and is liable on summary conviction to a fine of not more than \$2,000 and the costs of prosecution under the *Offence Act*. Each day a violation continues or is permitted to continue may constitute a separate offence.

6. Enforcement

- 6.1. This Bylaw is designated under section 264 of the Community Charter as a bylaw that may be enforced by means of City of Castlegar Municipal Ticket Information Bylaw No. 1179, 2013.
- 6.2. Without limiting the enforcement options under section 10, a person who commits an offence under this Bylaw will be liable to a penalty established under the City's Municipal Ticket Information Bylaw No. 1179, 2013 Table B-14.
- 6.3. Bylaw Enforcement Officers are designated to enforce this Bylaw by means of the City's Municipal Ticket Information Bylaw under section 264 of the Community Charter.
- 6.4. No person may obstruct a Bylaw Enforcement Officer in the fulfillment of his or her duties under this Bylaw.

7. General Provisions

- 7.1. City of Castlegar Cross Connection Control Bylaw No. 1014, 2004 and all amendments to is hereby repealed.
- 7.2. This Bylaw shall come into full force and effect upon final adoption.

READ A FIRST TIME this 15th day of May, 2023.

READ A SECOND TIME this 15th day of May, 2023.

READ A THIRD TIME this 15th day of May, 2023.

ADOPTED this 5th day of June, 2023.



Mayor



Director of Corporate Services