

MILL BAY WATERWORKS DISTRICT BYLAW NO. 205

A bylaw to regulate the installation of valves or other works to prevent the contamination of the District's water system as a result of backflow.

The Trustees of the Mill Bay Waterworks District ENACT AS FOLLOWS:

1. In this bylaw:
 - a) "*Trustee*" means the Board of Trustees for the District or any person authorized by the Board to act on their behalf.
 - b) "*Private Water System*" means any water distribution or storage works located on private property connected to the District's waterworks system and without limiting the generality of the foregoing, includes any domestic well, water source, irrigation system, greenhouse and hydroponic system.
 - c) "*Certified Technician*" means a person holding a valid certificate from the British Columbia Water and Waste Association for the purposes of testing and servicing all types of backflow prevention devices.
 - d) "*Person*" includes a corporate, partnership or party and the personal or other legal representative of a person to whom the context can apply according to law and the singular includes the plural and masculine includes the feminine.
 - e) "*Cross Connection*" means any physical arrangement whereby the District's waterworks 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, contaminated water, liquid, gases, sewage or other waste, of unknown or unsafe quality which may be capable of imparting contamination to the District's waterworks system as a result of backflow.
 - f) "*District*" means the Mill Bay Waterworks District or its successors or assigns.
 - g) "*Backflow*" means the reversal of flow from the private water system to the District's waterworks system.
 - h) "*Potable Water*" means water that is fit for human consumption as defined in the British Columbia Safe Drinking Water Regulation.

2. No person or owner or operator of a private water system connected to the District's waterworks system shall permit the creation of a cross connection or the introduction of any chemicals or foreign matter whatsoever in to a private water system except upon strict compliance with the following:
 - a) No cross connection shall be made or created without the submission of an application for cross connection in a form required by the District and without approval of that application by the District.
 - b) The owner or operator of any private water system wishing to inject or introduce chemicals or foreign material into the private water system must notify the District in writing of their intentions to do so.
 - c) The owner or operator of any private water system shall install a type of backflow prevention device approved by the District on the private water system at the location of the service connection from the District or another location approved by the Trustees.
 - d) The backflow prevention device shall be installed in accordance with the current edition of *"Accepted Procedure and Practice in Cross Connection Control"* prepared by the Cross connection Control Committee, Pacific Northwest Section, American Waterworks Association or as otherwise directed by the District.
 - e) The backflow prevention device shall be a device approved by the University of Southern California Foundation for Cross Connection Control and Hydraulic Research of the Canadian Standards Association.
 - f) The owner or operator of a private water system shall have the backflow prevention device inspected once in each twelve (12) month period by a certified technician to ensure that it is an approved device, installed correctly and in proper operating condition. If the device is found to be faulty, it must be fixed and retested. A copy of the test report shall be provided to the District within thirty (30) days of completion of the test.
 - g) The owner or operator will provide to the District within 30 days of initial installation of the backflow prevention device a certificate from a certified technician confirming:
 - i) the date of installation of the backflow prevention device;
 - ii) the type, model and size of the backflow prevention device installed;
 - iii) that it is an approved device installed correctly and in proper operating condition.
3. The operator of a private water system for agricultural purposes where a cross connection exists between the District's waterworks system and the private water

system shall be in addition to the general provisions of Section 2 also comply with the following;

- a) An approved reduced pressure backflow prevention device (RPBD) shall be used whenever fertilizers, chemicals or any other substance deleterious to health are introduced to a private water system.
 - b) Prior to commencement of operation of a private water system in each irrigation season, the owner or operator of the private water system shall have the backflow prevention device inspected by a certified technician to ensure that it is an approved device, installed correctly and in proper operating condition. A copy of the test report shall be provided to the District within thirty (30) days of completion of the test and prior to operation of the chemical injection system.
 - c) It is the responsibility of the owner or operator to ensure that chemicals are registered for the application method being employed and to operate the irrigation and chemical injection system in accordance with the procedures outlined in "*Chemigation Guidelines for British Columbia*" prepared by the B.C. Ministry of Agriculture, Fisheries and Food.
 - d) The owner or operator assumes responsibility for the operation of the irrigation and injection system and shall ensure that proper backflow prevention procedures are used at the connection to the District's water system.
 - e) The owner or operator of any sprayer tank filling station shall maintain a minimum air gap of 30 cm 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 Trustees, the sprayer filling station is constructed or operated in a manner that constitutes a cross connection, with the District's waterworks systems, the provisions of paragraph 5 shall apply.
4. The District shall be entitled, in its discretion to:
- a) inspect the private water system located on private property;
 - b) impose minimum standards which must be met and satisfied relating to the type of backflow preventer and the installation and maintenance of the same;
 - c) inspect the type of backflow preventer and the installation and state of maintenance and repair of the same;
 - d) establish fees for applications and inspections contemplated by this bylaw;
 - e) establish forms for applications and approvals contemplated by this bylaw.

5. Where any condition is found to exist, which, in the opinion of the Trustees constitutes a cross connection with the District's waterworks system, the District may shut off the water supply to the property (for a fee of \$50.00) and notify the property owner that an approved backflow prevention device(s) shall be properly installed and tested prior to the water being turned on. If, in the sole opinion of the District, a health hazard does not presently exist, the District may give notice to the property owner to correct the cross connection within a specified period.
6. Any person whose water has been turned off pursuant to this Bylaw shall not have the water from the District turned on until such time as all of the provisions of this bylaw have been complied with, and the said person pays to the District both the turn off and the turn on fee of \$50.00 each.
7. Any person who disobeys or fails to comply with any provision of this bylaw shall be guilty of an offence and liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00) or to imprisonment not exceeding six (6) months, or both, and if the offence is of a continuing nature, to a fine not exceeding Five Hundred Dollars (\$500.00) for each day the offence is continued.
8. The owner of a property upon which a cross connection is installed or maintained that is in contravention of this bylaw shall indemnify and hold the District harmless from and against all claims, damages, costs and expenses incurred at the District as a consequence of the breach of this bylaw.
9. This bylaw may be cited as the "**Cross Connection Regulation Bylaw**" INTRODUCED and given first reading by the Trustees on the 14th day of June, 2011.
10. RECONSIDERED and finally adopted by the Trustees on the 14th day of July, 2011.

Chair of the Trustees
Alf Carter

District Administrator
Donna Michiel

I hereby certify under the seal of the Mill Bay Waterworks District that this is a true copy of Bylaw No. 205 passed by the Trustees on the 14th day of July, 2011.

District Administrator
Donna Michiel