

RESOLUTION NO. 2023-2335

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED "AMENDING ARTICLE 14-11 (BACKFLOW CONTROL AND CROSS-CONNECTION PROGRAM) OF THE GOODYEAR CITY CODE."

Be it resolved by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Amendment to the Goodyear City Code Article 14-11 Backflow Control and Cross-Connection Program," a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of Ordinance 2023-1582.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT "A"

AMENDMENT TO THE GOODYEAR CITY CODE ARTICLE 14-11 BACKFLOW CONTROL AND CROSS-CONNECTION PROGRAM

Upon Council Approval of Ordinance No. 2023-1582, Article 14-11 of Chapter 14 of the Goodyear City Code is hereby amended by deleting and replacing, in its entirety, all sections and subsections of Article 14-11, Backflow Control and Cross-Connection Program, to read as follows:

Article 14-11 BACKFLOW CONTROL AND CROSS-CONNECTION PROGRAM

Sections:

- 14-11-1 Cross connection: Backflow prevention.**
- 14-11-2 Installation of and responsibilities for approved backflow prevention assemblies.**
- 14-11-3 Testing and inspections.**
- 14-11-4 Backflow prevention assembly installation.**
- 14-11-5 Fees.**
- 14-11-6 Exceptions.**
- 14-11-7 Compliance with fire code.**

§ 14-11-1 Cross connection: Backflow prevention.

(A) Cross-connection shall be prevented and eliminated from plumbing systems, wherever found, and adequate backflow prevention devices shall be used to prevent contamination of the water supply.

(B) No person shall do any of the following:

- (1) Allow cross-connection to the public water system;
- (2) Fail to install an approved backflow prevention assembly as required by City Code, design standards, and standard details;

- (3) Fail to properly use, maintain, test, and certify a backflow prevention assembly; or
- (4) Alter, remove, or bypass a backflow prevention assembly.

(C) Violation of this section may result in the disconnection from the City water system and the imposition of all criminal and civil penalties available by law and restitution. Restitution would include but is not limited to the costs and fees associated with flushing the line(s), laboratory testing and bringing the public water system back in compliance with all Federal, State and county law and guidelines.

§ 14-11-2 Installation of and responsibilities for approved backflow prevention assemblies.

(A) All existing, new or replacement service connections to a public water system shall be fitted with backflow prevention assemblies, hereinafter referred to as assemblies. Assemblies shall be installed and continuously maintained at the customer's expense to prevent the entry of any substance whatsoever into the public water system, whether by backpressure (overpressure) on the customer side of the meter or by back-siphonage (vacuum) on the public side. These assemblies shall be maintained, tested, and certified as provided in this chapter.

(B) Maintenance, testing, and certification of assemblies or other devices on the customer's side of the meter box, be it for containment (water system protection), or for isolation (irrigation systems, fire systems, and the like) is the responsibility of the property owner and/or the person occupying or using the property. The presence of an assembly in a service connection shall not modify or reduce any other requirement of the Plumbing Code adopted by the City and Arizona Administrative Code.

(C) Temporary or construction service connections shall meet the same backflow prevention requirements as permanent connections.

§ 14-11-3 Testing and inspections.

All connections to a public water system and assemblies which are required by applicable Federal, State, county, local or other regulations to be tested annually shall be the responsibility of the property owner and/or the person occupying or using the property each calendar year. In instances where such connections or assemblies could pose a hazard to the public water system, the Environmental Programs Division may require more frequent testing Programs.

(A) Testing shall be performed by a person who is currently certified as a "general" tester as defined in Arizona Administrative Code §R18-4-215. Testers working in Goodyear must register with the Environmental Programs Division.

(B) City staff will conduct inspections required under this section to determine whether cross-connection or other sanitary hazards or violations of this article or other provisions of this chapter exist.

(C) The City shall maintain records on the certification status of containment assemblies and shall notify the customer or responsible party in writing if an assembly is due for a recertification test.

(D) If the inspection or testing reveals the assembly or the method of backflow protection to be defective or in unsatisfactory operating condition or otherwise in a non-permitted condition under this chapter, the tester/inspector shall notify the customer or responsible party and the Environmental Programs Division in writing. Any necessary repairs, including replacement or overhaul of the assembly, which will return the assembly to satisfactory operating condition shall be performed by the customer or responsible party within 30 days, at the customer's expense. After completion of repairs, the property owner shall have the assembly retested and provide the test and repair results to the Environmental Programs Division within a reasonable time period, not to exceed 10 days.

(1) It shall be the duty of the person doing the repair, replacement, or overhaul to notify the Environmental Programs Division in writing that said work is completed. Such notification shall be given not less than 24 hours before the work is to be inspected and shall be given only if there is reason to believe that all work shall comply with current University of Southern California Standards as referenced in the Manual of Cross-Connection Control.

(2) The customer shall maintain records of the results of all tests, repairs, overhauls or replacements of assemblies or permitted methods of backflow prevention. Within 10 days of test completion, a copy of the test results, tester certification, and verification that the tester's instrument was properly calibrated shall be provided to and recorded by the Environmental Programs Division. Recordkeeping will comply with the City's policy on record retention.

§ 14-11-4 Backflow prevention assembly installation.

(A) A backflow prevention assembly shall be installed on the customer side and adjacent to the meter. Where construction or equipment location presents siting problems for the assembly, a

location variance may be granted by the City through its Developmental Services Department. Requests will be in writing and must be approved prior to the installation of the assembly. In all cases, the assembly must be installed before the first branch line leading off the service line. The type of assembly required regardless of the degree of hazard shall be an approved reduced pressure principle backflow prevention assembly, unless otherwise provided in City guidelines.

(1) Auxiliary Water Supply. In the case of any premises where there is an auxiliary water supply, whether or not directly connected with a municipal water distribution system, the municipal water distribution system shall be protected by an approved air-gap method or an approved reduced pressure principle backflow prevention assembly.

(B) Assemblies and methods shall be installed by the consumer, at the consumer's expense.

(1) Prior to installation of any assembly, customers must obtain an installation permit from the Development Services Department. A separate permit shall be obtained for each assembly to be installed, including replacement.

(2) It shall be the duty of the person doing the work authorized by the permit to notify the DSD Department in writing that work is ready for inspection. Such notification shall be given not less than 24 hours before the work is to be inspected and shall be given only if there is reason to believe that the work done will meet current Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California University Standards, as referred to in the Manual of Cross-Connection Control.

(C) The City shall maintain a list of backflow prevention assemblies by type and manufacturer. The list shall be available to any customer required to install a backflow prevention assembly, together with instructions for proper installation.

§ 14-11-5 Fees.

To defray the City's costs in administering the Cross Connection Program, a monthly fee shall be charged to each customer connected into a public water system. All fees pursuant to this section shall be established by resolution of Council.

§ 14-11-6 Exceptions.

No bypassing of required assemblies or methods of backflow prevention shall be allowed under any circumstances excepting fire emergency.

§ 14-11-7 Compliance with fire code.

The Goodyear Municipal Code, the City of Goodyear's Fire Code, Federal, State, and local law may contain requirements that must be met in addition to the provisions of this chapter.