

ORDINANCE NO. 6
(Series 2022)

**AN ORDINANCE AMENDING CHAPTER 13.70 OF THE GEORGETOWN MUNICIPAL
CODE CONCERNING CROSS-CONNECTION CONTROL REGULATIONS**

WHEREAS, the Town of Georgetown is a Colorado municipal corporation operating under a Territorial Charter and governed by its Board of Selectmen; and

WHEREAS, the Georgetown Board of Selectmen (“Board”) is authorized by the Territorial Charter and the Colorado Revised Statutes to enact ordinances for the preservation of the public health, safety, and welfare, including land use and zoning; and

WHEREAS, in the exercise of this authority the Board has previously adopted Chapter 13.70 of the Georgetown Code, entitled “Cross-Connection Control Regulations;” and

WHEREAS, presently there is no requirement to disconnect water service prior to the completion of the annual backflow device testing performed by the Town; and

WHEREAS, there is no enumerated backflow device annual testing deadline nor a set fine amount for noncompliance; and

WHEREAS, the Board wishes to make conforming Code amendments relating thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SELECTMEN OF THE TOWN OF GEORGETOWN, COLORADO:

Section 1. Code Section 13.70.070 subsections (a) and (b) are amended to read as follows:

13.70.070 - Inspections, testing, and repair.

- (a) It is the responsibility of the owner to have certified inspections and operational tests made on backflow preventers upon installation and at least once per year thereafter. The Town Administrator may require certified inspections at more frequent intervals. **THE ANNUAL OPERATIONAL TESTING DEADLINE FOR BACKFLOW PREVENTERS SHALL BE AUGUST 1ST OF EACH SUCCESSIVE CALENDAR YEAR.**
- (b) These inspections and tests shall be made at the expense of the owner and will be performed by a certified inspector or tester approved by the Town Administrator or his or her designee. A backflow preventer will be repaired or replaced at the expense of the owner whenever a backflow preventer is found to be defective. **IT SHALL BE UNLAWFUL FOR THE OWNER TO FAIL TO DISCONNECT WATER SERVICE PRIOR TO THE REQUIRED ANNUAL OPERATIONAL TEST.**
- (c) All equipment used in the testing of backflow preventers shall be calibrated and checked for accuracy at least yearly, and proof of compliance shall be submitted to the Town Superintendent upon request.

- (d) The Town Superintendent retains the right to test or otherwise check the installation and operation of any backflow preventer at any time to assure proper installation and operation.
- (e) Upon presentation of proper credentials, the Town Superintendent and any other person authorized by the Town Administrator shall have the right to enter and inspect all buildings and premises for cross-connections to determine whether hazards exist. This right of entry shall be a condition of water service in order to protect the health, safety and welfare of the people of the Town. Throughout the Town's water distribution system, where building security is required, the backflow prevention assemblies shall be located in an area not subject to security. In the event that entry is denied, the Town Administrator may seek a search warrant, terminate water service or both.
- (f) The town has legal authority to perform annual surveys of a customer's property to determine whether a cross connection is present.
- (g) The process the town will use to select a backflow prevention assembly or backflow prevention method to control a cross connection is governed by Section 13.70.080 (compliance) of this chapter.

Section 2. Code Section 13.70.110(b) is amended to read as follows:

13.70.110 - Violation.

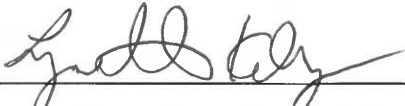
- (a) It shall be unlawful to fail to comply with any provision of this Chapter. Any person who violates any provision of this Chapter shall be subject to the penalties set forth in Chapter 1.24 of this Code. Each day that such violation occurs or continues shall constitute a separate offense.
- (b) Failure of the customer to cooperate in the installation, maintenance, testing or inspection of backflow preventers required by this Chapter, or who violates any provision of this Chapter, shall be subject to A MINIMUM FINE OF FOUR HUNDRED AND FIVE DOLLARS (\$405) AS ~~the penalties~~ set forth in Chapter 1.24 of this Code, and after notice and hearing, may be subject to termination of water service.
- (c) Service of water to any premises may be discontinued if unprotected cross-connections exist on the premises. The water service may be discontinued if the backflow preventer has been removed or bypassed or when any defect is found in an installed backflow preventer. Service shall not be restored until such conditions or defects are corrected.
- (d) Discontinuance of water service may be summary, immediate and without written notice whenever, in the judgment of the Town Administrator, such action is necessary to protect the public potable water supply or the distribution system from an imminent threat to public health.

Section 3. **Effective date.** This ordinance shall take effect upon final adoption as provided by Section 5.26 of the Territorial Charter.

INTRODUCED, READ, APPROVED AND ORDERED POSTED IN FULL ON FIRST READING on the 25th day of October, 2022.

**INTRODUCED ON SECOND READING, FINALLY ADOPTED AND ORDERED
POSTED AFTER PUBLIC HEARING on the 8th day of November, 2022.**


TOWN OF GEORGETOWN

By: 
Lynette Kelsey, Police Judge

ATTEST:


Jennifer Yobski, Town Clerk

Posted up in full on the Town's website and at Town Hall and two (2) other designated posting locations within the limits of the Town after final adoption, in accordance with Section 5.26 of the Territorial Charter.


Jennifer Yobski, Town Clerk

Date: 11-10-22



