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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
DEC 17 2001

~~County~~
~~City~~ of.....CORNING.....
~~Town~~
~~Village~~

MISCELLANEOUS
& STATE RECORDS

Local Law No.4..... of the year 2001..

A local lawto..control..and..regulate..cross..connections.....
(Insert Title)
.....
.....
.....

Be it enacted by theTown Board..... of the
(Name of Legislative Body)

~~County~~
~~City~~ of.....CORNING..... as follows:
~~Town~~
~~Village~~

SECTION 1 - PURPOSE: The purpose of this law is to protect the public potable water supplies of the Town of Corning from contamination or pollution because of cross connections.

SECTION 2 - METHODS:

- A. The Town shall promote the elimination of existing cross connections and discontinued cross connection between the potable water system and a non-potable water system.
- B. The supplier of water shall protect the public water system by complying with requirements of the New York State Sanitary Code, Part 5, Sec. 5.1.31.

SECTION 3 - RESPONSIBILITY: The Superintendent of Highways shall be responsible for protection of the public potable water system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection.

SECTION 4 - DEFINITIONS:

WATER COMMISSION OR HEALTH OFFICIAL The Superintendent of Highways in charge of the Water Department of the Town of
(If additional space is needed, attach pages the same size as this sheet, and number each.)

Corning is invested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this Local Law.

APPROVED Accepted by the authority responsible as meeting an applicable specification stated or cited in this Local Law or as suitable for the proposed use.

AUXILIARY WATER SUPPLY Any water supply on or available to the premises other than the purveyor's approved public water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s), such as a well, spring, river, stream, harbor, and so forth; used waters; or industrial fluids. These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

BACKFLOW The undesirable reversal of flow in a potable water distribution system as a result of a cross connection.

BACKPRESSURE A pressure, higher than the supply pressure, caused by a pump, elevated tank, boiler or any other means that may cause backflow.

BACKSIPHONAGE Backflow caused by negative or reduced pressure in the supply piping.

BACKFLOW PREVENTER An assembly or means designed to prevent backflow.

AIR GAPS. The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water or waste to a tank, plumbing fixture, receptor, or other assembly and the flood level rim of the receptacle. These vertical, physical separations must be at least twice the diameter of the water supply outlet, never less than 1 in. (25mm).

REDUCED PRESSURE BACKFLOW PREVENTION ASSEMBLY. The approved reduced-pressure principle backflow prevention assembly consists of two independently acting approved check valves, together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and below the first check valve. These units are located between two tightly closing resilient-seated shutoff valves as an assembly and equipped with properly located resilient-seated test cocks.

DOUBLE CHECK VALVE ASSEMBLY. The approved double

check valve assembly consists of two internally loaded check valves, either spring loaded or internally weighted, installed as a unit between two tightly closing resilient-seated shutoff valves and fitting with properly located resilient-seated test cocks. This assembly shall only be used to protect against a nonhealth hazard (that is, a pollutant).

CONTAMINATION An impairment of a potable water supply by the introduction or admission of any foreign substance that degrades the quality and creates a health hazard.

CROSS CONNECTION A connection or potential connection between any part of a potable water system and any other environment containing other substances in a manner that, under any circumstances would allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids, such as chemicals, waste products, steam, water from other sources (potable or nonpotable), or any matter that may change the color or add odor to the water.

CROSS CONNECTIONS CONTROLLED A connection between a potable water system and a nonpotable assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

CROSS CONNECTION CONTROL BY CONTAINMENT The installation of an approved backflow-prevention assembly at the water service connection to any customer's premises, where it is physically and economically unfeasible to find and permanently eliminate or control all actual or potential cross connections within the customer's water system; or it shall mean the installation of an approved backflow-prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross connections that cannot be effectively eliminated or controlled at the point of the cross connection.

HAZARD, DEGREE OF The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

HAZARD - HEALTH. A cross connection or potential cross connection involving any substance that could, if introduced in the potable water supply, cause death, illness, spread disease, or have a high probability of causing such effects.

HAZARD - PLUMBING. A plumbing-type cross connection in a consumer's potable water system that has not been properly protected by an approved air gap or an approved backflow-prevention assembly.

HAZARD - NONHEALTH. A cross connection or potential cross connection involving any substance that generally would not be a health hazard, but would constitute a nuisance or be aesthetically objectionable, if introduced into the potable water supply.

HAZARD - SYSTEM. An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination that would have a protracted effect on the quality of the potable water in the system.

INDUSTRIAL FLUIDS SYSTEM Any system containing a fluid or solution that may be chemically, biologically or otherwise contaminated or polluted in a form or concentration, such as would constitute a health, system, pollution or plumbing hazard, if introduced into an approved water supply. This may include, but not be limited to: Polluted or contaminated waters; all types of process waters and used waters originating from the public potable water system that may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulating cooling waters connected to an open cooling tower; and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters, such as wells, springs, streams, rivers, bays harbors, seas, irrigation canals or systems, and so forth; oils, gases, glycerine, paraffins, caustic and acid solutions, and other liquid and gaseous fluids used in industrial or other purposes for fire fighting purposes.

POLLUTION The presence of any foreign substance in water that tends to degrade its quality so as to constitute a nonhealth hazard or impair the usefulness of the water.

WATER - POTABLE Water that is safe for human consumption as described by the public health authority having jurisdiction.

WATER - NONPOTABLE Water that is not safe for human consumption or that is of questionable quality.

SERVICE CONNECTION The terminal end of a service connection from the public potable water system, that is, where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter of backflow prevention assembly located at the point of delivery to the customer's water system. Service connection

shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

WATER - USED Any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

SECTION 5 - REQUIREMENTS:

A. The water system shall be considered as made up of two parts: the utility system and the customer system.

1) Utility system shall consist of the source facilities and the distribution system, and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.

2) The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.

3) The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

4) The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system that are utilized in conveying utility delivered domestic water to points of use.

B. No water service connection to any premises shall be installed or maintained by the water purveyor unless the water supply is protected as required by state laws and regulations and this ordinance. Service of water to any premises shall be discontinued by the water purveyor if a backflow prevention assembly required by this Local Law is not installed, tested, and maintained, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

The customer's system should be open for inspection at all reasonable times to authorized representatives of the Superintendent of Highways to determine whether cross connections or other structural or sanitary hazards, including violations

of these regulations exist. When such a condition becomes known, the Superintendent of Highways shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with state and town statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.

An approved backflow prevention assembly shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but in all cases, before the first branch line leading off the service line wherever the following conditions exist:

1. In the case of premises having an auxiliary water supply that is not or may not be of safe bacteriological or chemical quality and that is not acceptable as an additional source by the Superintendent of Highways, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line, appropriate to the degree of hazard.
2. In the case of premises on which any industrial fluids or any other objectionable substances are handled so as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line, appropriate to the degree of hazard.
3. In the case of premises having (1) internal cross connections that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements making it impracticable or impossible to ascertain where or not dangerous cross connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line at the terminal end of the service connection.

C. The type of protection assembly required under

subsections B. 1, 2 and 3 shall depend upon the degree of hazard that exists as follows:

1. In the case of any premises where there is an auxiliary water supply as stated in subsection B. 1. of this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention assembly.
2. In the case of any premises where there is water or substance that would be objectionable, but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.
3. In the case of any premises where there is any material dangerous to health that is handled so as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention assembly. Examples of such premises include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.
4. In the case of any premises where there are "uncontrolled" cross connections, either actual or potential, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow prevention assembly at the service connection.
5. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross connection survey, the public water system shall be protected against backflow from the premises by either an approved air gap separation or an approved reduced pressure principle backflow prevention assembly on each service to the premises.

6. In the case of any premises where, in the opinion of the Superintendent of Highways, an undue health threat is posed because of the presence of extremely toxic substances, the Superintendent of Highways may require an air gap at the service connection to protect the public water system. This requirement will be at the discretion of the Superintendent of Highways and is dependent on the degree of hazard.

SECTION 6 - INSPECTIONS

- A. It shall be the duty of the customer-user at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made at least once per year. In those instances where the Superintendent of Highways deems the hazard to be great enough, certified inspections may be required at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by the assembly manufacturer's representative, water Department personnel, or by a tester certified by the New York State Department of Health. It shall be the duty of the Superintendent of Highways to see that these tests are made in a timely manner. The customer-user shall notify the Superintendent of Highways in advance when the tests are to be undertaken so that the customer-user may witness the tests if so desired. These assemblies shall be repaired, overhauled, or replaced at the expense of the customer-user whenever said assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept and made available to the Superintendent of Highways.
- B. All presently installed backflow prevention assemblies that do not meet the requirements of this section, but were approved assemblies for the purpose described herein at the time of installation and that have been properly maintained shall, except for the inspection and maintenance requirements under subsection 6 be excluded from the requirements of these rules so long as the Superintendent of Highways is assured that they will satisfactorily protect the utility system. Whenever the existing assembly is moved from the present location, requires more than minimum maintenance, or when the Superintendent of Highways finds the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2001 of the ~~(County)(City)(Town)(Village)~~ of Corning was duly passed by the Town Board on Dec. 11, 2001, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the and was deemed duly adopted on 20, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the on 20. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the on 20. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph.....1....., above.

Clarice Ross

Clerk of the ~~County~~ ~~City~~ Town of ~~_____~~

CLARICE ROSS

(Seal)

Date: December 11, 2001

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF STEUBEN

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Carmen A. Miller
CARMEN A. MILLER

Signature

TOWN ATTORNEY

Title

County
City of CORNING
Town
Village

Date: December 11, 2001