

ORDINANCE NO. 2719*Repealed by 3946*

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON DECLARING CROSS CONNECTIONS WHICH ENDANGER WATER QUALITY, UNLAWFUL AND REQUIRING THE INSTALLATION OF BACKFLOW PREVENTION DEVICES, REQUIRING PRIVATE WATER SUPPLY SYSTEMS TO CONFORM WITH THE APPLICABLE ORDINANCES OF THE CITY OF KIRKLAND, ADOPTING STATE STANDARDS FOR WATER SUPPLIES AND CROSS CONNECTION CONTROL REGULATION, DECLARING EXISTING UNLAWFUL CROSS CONNECTIONS TO BE PUBLIC NUISANCES AND PRESCRIBING A PROCEDURE FOR ABATEMENT OF SAID NUISANCES.

Whereas, the City Council of the City of Kirkland has determined that certain cross connections in the public water supply, pose a potential hazard to water quality within the City; and

Whereas, the installation of backflow prevention devices to counteract back pressure or to prevent back siphonage into the public water system are necessary for the public health, welfare and safety, now, therefore,

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Chapter 21.20 of the Kirkland Municipal Code is hereby amended by adding to said chapter, the following sections:

Section 21.20.200--Definitions:

1. Backflow: A flow, other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.
2. Backflow Prevention Device: A device approved by the State of Washington, Department of Social and Health Services or such other state department as shall have jurisdiction over the subject matter, and by the American Water Works Association, used to counteract back pressure or prevent back siphonage into the distribution system of a public water supply.
3. Cross Connection: Any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage, or other wastes or liquids of unknown or unsafe quality, which may be capable of imparting contamination to a public water supply as a result of backflow.

Section 21.20.210 Cross Connections Declared Unlawful: The installation or maintenance of a cross connection, which in the opinion of the Director of Public Works, or Building Official or any staff member that he or she shall designate who is qualified in protection of municipal water quality, will endanger the water quality of the potable water supply of the City of Kirkland, is hereby declared to be unlawful.

Section 21.20.220 Backflow Prevention Devices to be Installed: Backflow prevention devices, when required to be installed in the opinion of the Director of Public Works, or Building Official or his designated representative shall be installed and maintained by the service customer on any service connection to the City of Kirkland water supply system where said backflow prevention devices are necessary for the protection of the City of Kirkland water supply.

Section 21.20.230 Regulation of Private Water Supplies: Use or operation of a private water supply system, contrary to the provisions of the ordinances of the City of Kirkland, or the laws of the State of Washington or the rules and regulations of the State Board of Health regarding public water supplies where said private system is served by the City public water supply, are hereby declared to unlawful.

Section 21.20.240 Adoption of State Regulations: Rules and regulations of the State Board of Health regarding public water supplies, entitled "Cross Connection Control Regulation in Washington State" WAC 248-54-250 through WAC 248-54-500, and the American Water Works Association, Pacific Northwest Section's Second Edition of "Accepted Procedure and Practice in Cross-Connection Manual" as they presently exist and as they may, from time to time, be amended in the future, are hereby adopted by this reference as if set forth in full.

Section 21.20.250 Abatement of Unlawful Cross Connections and Installation of Backflow Prevention Devices--Procedures: Cross connections declared in this chapter to be unlawful whether presently existing or hereinafter installed and/or services requiring backflow prevention devices and/or unlawful use of operation of a private water supply system served by the City public water supply system are hereby declared to be public nuisances,

and in addition to any other provisions of the Kirkland City code or the ordinances of the City of Kirkland where abatement of public nuisances, shall be subject to abatement in accordance with the following procedure:

1. In the event that the Director of Public Works, or Building Official or his designee determines that a nuisance as herein provided does exist, written notice shall be sent to the person in whose name the water service is established under the records of the City of Kirkland Water Department, or alternatively, a copy of such written notice shall be posted on the premises served.

2. The notice shall provide that the nuisance described herein shall be corrected within thirty days (30) of the date said notice is mailed or posted on the premises.

3. In the event said nuisance is not abated within the prescribed time, water service to said premises shall be discontinued.

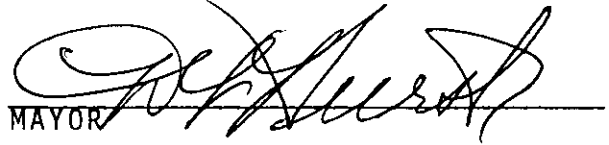
4. In the event that the nuisance, in the opinion of the Director of Public Works, or Building Official or his designated representative, presents an immediate danger of contamination to the public water supply, service from the City water supply system to the premises may be terminated without prior notice, provided, however, notice will be posted on the premises in the manner heretofore provided at the time said service is terminated.

Section 21.20.260 Penalties: In addition to the remedies set forth herein, any person found guilty of violating any of the provisions of this chapter shall be subject to the penalties as set forth in Section 21.20.034 of the Kirkland City code.

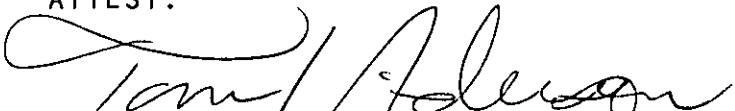
Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council in posting or publication as required by law.

Passed by the Kirkland City Council in regular meeting on the 20th day of December, 1982.

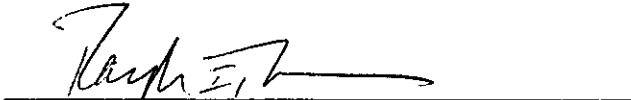
Signed in authentication thereof on the 20th day of
December, 1982.


MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 22nd day of December, 1982 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.


Clerk