

**TOWN OF WESTPORT
ORDINANCE 2023-2**

**TO PROVIDE A PROGRAM FOR PROTECTING THE PUBLIC WATER SYSTEM FROM
CONTAMINATION DUE TO BACKFLOW OF CONTAMINANTS THROUGH THE WATER SERVICE
CONNECTION INTO THE PUBLIC WATER SYSTEM**

WHEREAS 675 IAC, Article 16, Rule 1.4, of the Indiana Plumbing Code, as adopted by the Indiana Fire Prevention and Building Safety Commission, requires protection of the public water supply from contaminants due to backflow through connections to fire protection and standpipe systems; and,

WHEREAS the Indiana Department of Environmental Management authorizes the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems.

NOW, THEREFORE, BE IT ORDAINED by the council of the Town of Westport of the State of Indiana:

SECTION 1. That a cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Town of Westport water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

SECTION 2. That no person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply other than the regular public water supply of the Town of Westport may enter the supply or distribution system of said municipality, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Westport Municipal Water Company and by the Indiana Department of Environmental Management in accordance with 327 IAC 8-10.

SECTION 3. That it shall be the duty of the Westport Municipal Water Company to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the Westport Municipal Water Company.

SECTION 4. That upon presentation of credentials, the representative of the Westport Municipal Water Company shall have the right to request entry at any reasonable time to examine the property served by a connection to the public water system of the Town of

Westport for cross connections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross connections.

SECTION 5. That the Westport Municipal Water Company is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice is served on the owner, lessee, or occupants of the property or premises where a violation is found or suspected to exist. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

SECTION 6. That, if it is deemed by the Westport Municipal Water Company that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the clerk of the Town of Westport and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for hearing within 10 days of such emergency discontinuance.

SECTION 7. That all consumers using toxic or hazardous liquids, all hospitals, mortuaries, wastewater treatment plants, laboratories, and all other hazardous users install and maintain a reduced pressure principal backflow preventer in the main water line serving each building on the premises. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing.

SECTION 8. The reduced pressure principle backflow preventers shall not be installed below ground level.

SECTION 9. That this ordinance does not supersede the Indiana Plumbing Code, the IDEM Rule 327 IAC 8-10, but is supplementary to the code.

SECTION 10. In addition to IDEM Rule 327 IAX 8-10-4 (c), the following customer facilities need a backflow prevention device:

N/A

SECTION 11. That if, in the judgement of the Superintendent of Water, an approved backflow prevention device is necessary for the safety of the public water system, the Superintendent of Water will give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his own expenses, install such an approved device at a location and in a manner approved by the Superintendent of Water and shall have inspections and tests made of such approved devices as required by the Superintendent of Water and in accordance with the IDEM Rule 327 IAC 8-10.

SECTION 12. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the Town of Westport requiring it.

ADOPTED AND PASSED by the Town Council of the Town of Westport, Indiana, this 13th day of February, 2023.

Ayes

Nays

Harry Probst III
James Brindley
John [unclear]

Presented to me by the Town Council of Westport, Indiana on this 13th day of February, 2023.

Gloria Alumbaugh

Gloria Alumbaugh
Clerk-Treasurer