

CHAPTER 15

WATER AND SEWER

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ARTICLE A

SECTION 15.1 – 15.3 WATER DEPARTMENT

SECTION 15.1 CREATION: PURPOSE.

A water department is created and established for the municipality. The department is responsible for the management, maintenance, care and operation of the water supply and distribution system of the municipality.

SECTION 15.2 ADMINISTRATION.

Subject to the general control and direction of the mayor and board, the department shall be administered by the commissioner, who shall manage the municipal water works and shall perform all acts necessary for the prudent, efficient and economical management of the municipal water supply and distribution system.

Section 15.3 Definitions

For the purpose of this article the following terms, phrases, words, and their derivations shall have the meaning given herein. When not consistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and note merely directory.

“Extreme Drought” means, but not limited to, Caddo Lake’s depth dropping below 167” and/or the water plant exceeds its normal production for more than seven (7) days.

“Mayor” is the Mayor of the Town of Blanchard.

“Person” is any person, firm, partnership, association, corporation, company, or organization of any kind.

“Sewer Commissioner” means the appointed alderperson over the sewer department.

“Town” is the Town of Blanchard.

“Town Council/Board of Alderpersons” are the five (5) elected officials of the Town of Blanchard.

“Water” is water supplied by Blanchard Utilities of the Town of Blanchard either directly or indirectly by the Council through another entity.

“Water Commissioner” means the appointed alderperson over the water department.

Section 15.4 Effective upon declaration of emergency by the Mayor.

Whenever, the Mayor of the Town of Blanchard has consulted with the Water Commissioner for his/her recommendation and met with both the Water Commissioner and the Sewer Commissioner, the Mayor of the Town determines that a water service emergency exists in the Town of Blanchard, and that such emergency requires that certain uses of water not essential to the health, welfare, and safety of the citizens of the Town be restricted and the Mayor issues and publishes a declaration of such findings in a newspaper of general circulation within the Town for a period of three (3) consecutive days, the provisions of this article shall become immediately effective and applicable to all persons living within the Town, its police jurisdiction, and its water district.

Section 15.5 Prohibited uses.

The use and withdrawal of water by any person shall be restricted to the following uses upon the declaration of the Mayor of a water emergency as set forth in Section 15.4.

WATER EMERGENCY STAGES: Stage 1. Water Alert:

The Water Alert Stage will be implemented when water shortages are predicted as reported by the Water Commissioner. Public notices and press releases will be provided to notify citizens and businesses on Blanchard Utilities water system of the water shortage situation. The public will be given notice that the Town of Blanchard Water Conservation and Water Emergency Stages have been initiated and that the following **voluntary** conservation measures, which apply to both residential and commercial properties, be enacted:

1. The watering of established lawns and landscaping should be limited to the hours of 10 p.m. and 2 a.m. on each allowable watering day:
 - a. Addresses ending in an even number should water established lawns and landscaping on Tuesday, Thursday, and Saturday.
 - b. Addresses ending in an odd number should water on Monday, Wednesday, and Friday.
 - c. **NO** Watering is permitted on Sundays.
2. New lawns and landscaping are exempt from the day of the week restrictions for the first thirty (30) days of installation. However, such watering shall be limited to the minimum necessary. Watering should be conducted between the hours of 10 p.m. and 2 a.m. Documentation to verify the date of planting shall be made available upon request. Hand watering, using hoses with shut-off valves or nozzles, is not restricted but should be limited to the minimum amount necessary.
3. Watering for the purpose of applying insecticides, fungicides, and herbicides where such watering is required by the manufacturer, lawn care service companies or by federal, state, or local law shall not be restricted by days of the week. However, such watering shall be limited to the minimum necessary. Documentation to verify the data of application shall be made available upon request.
4. The washing of personal/commercial motor vehicles or equipment shall be permitted by means of a “bucket” and “sponge” and a hose with a shut off nozzle. Commercial car washes using recycled water may continue normal operation.
5. The use of fire hydrants for any purpose except firefighting or flushing sewers for health protection shall be suspended.

6. Hosing down of porches, sidewalks, driveways, and other hard surfaces, except for health and safety reasons should be suspended unless performed by a commercial pressure washer.
7. Golf courses should water the first nine holes on Mondays and Thursdays, and the bottom nine holes should be watered on Tuesdays and Fridays.
8. Newly constructed or existing public and private swimming pools, which include outdoor hot tubs, spas, and Jacuzzis, may be filled once upon completion. One-time draining and subsequent re-filling of swimming pools is allowed *only for repairs* if conditions threaten the integrity of the pool and/or its supporting infrastructure.
9. Commercial nurseries are exempt from day of the week watering but shall restrict water use to the minimum.

WATER RESTRICTIONS: Stage 2. Water Warning:

The Water Warning Stage shall be implemented when “severe” water shortage conditions are reported by the Water Commissioner and the voluntary conservation measures described in **Stage 1: Water Alert** have not sufficiently reduced system demands. At this stage, the **Town Ordinance for a Water Warning** will be implemented with a declaration by the Mayor.

1. The watering of established lawns and landscaping is limited to the hours of 10 p.m. and 2 a.m. on the allowable watering day:
 - a. Addresses ending in an *even* number should water established lawns and landscaping on Tuesday and Saturday.
 - b. Addresses ending in an *odd* number should water on Monday and Friday.
 - c. **NO** Watering is permitted on Sundays.
2. New lawns and landscaping are exempt from the day of the week restrictions for the first thirty (30) days of installation. Water shall be limited to the minimum necessary and can be conducted between the hours of 10 p.m. and 2 a.m. After the first thirty days (30), watering is restricted to three days per week on the even/odd address days and times listed in # 1 above.
3. The washing of personal/commercial motor vehicles or equipment shall be suspended. Commercial car washing shall be suspended unless recycled water is used.
4. The use of fire hydrants for any purpose except firefighting or flushing sewers for health protection shall be suspended.
5. The watering of any portion of Golf courses, except for tees and greens, shall be suspended. The watering of tees and greens is allowed on Mondays, Wednesdays, and Fridays between the hours of 1 a.m. and 5 a.m. Hand misting is permitted on other days of the week.
6. Commercial nurseries shall restrict watering to the minimum amount necessary to maintain plants.
7. Newly constructed or existing public and private swimming pools, which include outdoor hot tubs, spas, and Jacuzzis, may be filled once upon completion. One-time draining and subsequent re-filling of swimming pools is allowed *only for repairs* if conditions threaten the integrity of the pool or its supporting infrastructure.
8. Watering from private lakes, streams, wells, or ponds must post visible signs if deviating from the schedule set for the above.

WATER RESTRICTIONS: Stage 3. Water Emergency:

The Water Emergency Stage will be implemented when “*extreme drought*” conditions exist. The Mayor shall have the authority to declare a “Water Emergency” when public health, safety, and sanitary standards are at risk. This “Water Emergency” Stage *shall ban all non-essential outdoor water usage*.

The use and withdrawal of water by any person for the following purposes shall be prohibited unless expressly permitted by the Ordinance.

1. **Outdoor Watering.** The watering or irrigation of lawns and landscaping shall only be allowed on weekends.
 - a. Addresses ending on an even number shall water on Tuesdays *ONLY* between 10 p.m. and 2 a.m.
 - b. Addresses ending in an odd number shall water on Fridays *ONLY* between 10 p.m. and 2 a.m.
 - c. Commercial nurseries shall restrict watering to the *minimum* amount necessary to maintain plants.
2. **Washing Mobile Equipment.** The washing of automobiles, trucks, trailers, trailer houses, railroad cars, or any other type of mobile equipment is *prohibited*.
3. **Cleaning Outdoor Surfaces.** The washing of sidewalks, driveways, gas stations aprons, porches, and other outdoor surfaces is *prohibited*.
4. **Cleaning Buildings, Equipment, and Machinery.** The washing of the outside dwellings and commercial buildings, and the cleaning of equipment and machinery is *prohibited*.
5. **Ornamental Fountains.** The operations of any ornamental fountains or other structures making similar use of water is *prohibited*.
6. **Golf Courses and Athletic Fields.** Except for the hand watering of greens on golf courses, the watering of golf courses, and athletic fields is *prohibited*.
7. Watering from private lakes, streams, wells, or ponds **MUST** post visible signs if deviating from the restrictions set forth.

The Mayor or Parish Health Department Officer shall have the authority to permit reasonable use of water to maintain public health, safety, and sanitary standards. However, this reasonable use shall not include any of the restrictions in this section.

Stage 4. Water System Failure:

This stage could result from extreme drought intensity or other unrelated causes for the potable water supply system failure. In this stage, a significant or total failure of a water distribution system will have a disastrous effect on the Town and Blanchard Utilities customers. At this juncture, notification of the Federal and State agencies for assistance would be required. Emergency Operation Center (EOC) would be opened for the duration of the event. Priority will be placed on public safety and public health.

Section 15.6 Enforcement and Penalties

None of the following offenses will be waived by any person without the unanimous written prior approval of the Town Council. Upon implementation of the provisions of this article as provided in Section 15.5, any person who shall violate any provisions of this article shall, upon conviction thereof, be punished as follows:

- First offense:** Written warning will be issued.
Second offense: Two Hundred Fifty (\$250) dollars fine.

Third offense: Three hundred Fifty (\$350) dollars fine and publication of name in the Town's official journal.

Fourth offense: Four hundred Fifty (\$450) dollars fine and publication of name in the Town's official journal.

Fifth offense: One Thousand (\$1000) dollars fine and publication of name in the Town's official journal.

Fines will be cumulative, added to the offender's water bill, and stay on record for three (3) years. Enforcement will be by Blanchard Utilities water operations personnel. Each day on which a violation occurs shall be deemed to be a separate offense.

Section 2. BE IT FURTHER ORDAINED if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance that can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

Section 3. BE IT FURTHER ORDAINED all ordinances or resolutions or parts hereof in conflict herewith are hereby repealed.

(Ordinance 10 of 2011 - adopted October 11, 2011 Sections 15.3-15.6)

SECTION 15.7 THROUGH SECTION 15.10 RESERVED.

ARTICLE B

SECTION 15.11 – 15.14 WATER REGULATIONS, POLICIES AND RATES

SECTION 15.11 TURNING ON WATER.

(a) No water from the municipal water supply shall be turned on for service into any premises by any person but the superintendent or some person authorized by him to perform this service.

(b) Where water has been cut off or disconnected for nonpayment of a bill, temporarily disconnected at the request of a customer or for other reasons, there shall be a charge for reconnection of \$35.00 during normal working hours.

(Amended 9/10/02 – Ordinance 5 of 2002)

SECTION 15.12 APPLICATION

Application to have water turned on shall be made in writing to the Clerk.

SECTION 15.13 DEPOSIT.

A deposit of a sum to be determined by the board shall be made with each application, this sum to be retained to insure payment of all bills. When service to the applicant is discontinued permanently, this deposit, less any amount still due for water service, shall be refunded without interest.

SECTION 15.14 PLUMBING

No water shall be turned on for service in premises in which the plumbing does not

comply with the code, provided that water may be turned on for construction work in unfinished buildings, subject to the code.

SECTION 15.15 SERVICE INSTALLATION: FEE: RESALE: TAMPERING

(a) All service installation policies and fees charged for such services shall be set by the mayor and board of aldermen by resolution.

(b) No water shall be resold or distributed by the recipient thereof from the municipality to any premises other than that for which application has been made, except in case of emergency.

(c) It shall be unlawful for any unauthorized person to tamper with or alter any part of the municipal waterworks or supply system, or any meter.

SECTION 15.16 SERVICE PIPES.

Reserved

SECTION 15.17 METERS.

(a) All premises using the municipal water supply shall be equipped with an adequate water meter furnished by the municipality. Before any premises are occupied a meter shall be installed as required, or no water shall be furnished to the premises.

(b) Meters shall be installed in a location that will be easy to access.

(c) The water commissioner shall read or cause to be read every water meter used in the municipality at such time as are necessary that the bills may be sent out at the proper time.

(d) Any municipal water meter shall be tested upon complaint of the consumer.

(e) A meter deposit to be set by resolution of the mayor and board of aldermen shall be paid prior to service installation for all customers.

(f) There shall be only one (1) meter per residence unless the residence is considered a “multi customer residence” including but not limited to an apartment complex, a motel, mobile home park or recreational vehicle park. (Amended 2/14/2023 – Ordinance 2 of 2023 - Effective 1/10/2023)

(1) Two (2) or more single-family dwelling structures (residences) shall NOT be connected to a common meter, even if the residences are on the same or adjacent property. If it is discovered that two or more dwellings are on one water meter, the customer will be notified that each dwelling MUST have its own meter. (Amended 2/14/2023 – Ordinance 2 of 2023 - Effective 1/10/2023)

(2) If arrangements for the additional meter are not made within thirty (30) days of notification, then the service to the residence will be locked and/or the meter will be pulled. (Amended 2/14/2023 – Ord. 2 of 2023 - Effective

1/10/2023)

SECTION 15.18 RATES

- (a) Bills for water used shall be dated and sent out at the times directed by the mayor.
 - (b) During the construction of any building and before any water is installed the contractor constructing the building may be permitted to use the water supply by making application and paying the flat fee prescribed by the mayor and board.
 - (c) The water supply may be shut off from any premises for which the water bill remains unpaid after the 24th of the month. When shut off, water shall not be turned on except upon the payment of the fee specified in Section 15.11 (b).
- (Amended 9/10/02 – Ordinance 5 of 2002)**

Section 1. All rates, policies, and procedures for the operation of the System, the imposition of rates and charges and policies and procedures for collection for the System shall be established by resolution of the Board of Aldermen of the Town. **(Adopted - February 14, 2017 – Ordinance 8 of 2016)**

Section 2. All rates, policies and procedures previously set by the Board of Aldermen of the Town are hereby confirmed and ratified, subject to modification or alteration by any future resolution duly adopted by the Board of Aldermen of the Town. **(Adopted - February 14, 2017 – Ordinance 8 of 2016)**

Section 3. If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance that can be given effect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable. **(Adopted - February 14, 2017 – Ordinance 8 of 2016)**

SECTION 15.19 TURNING OFF WATER.

It is unlawful for any unauthorized person to turn off any water flowing in any main or pipe line owned or operated by the municipality unless the person shall have first obtained the permission of the mayor and board or its designee.

SECTION 15.20 CONDITIONS FOR COMMERCIAL WATER CONNECTIONS OUTSIDE OF THE LIMITS OF THE TOWN OF BLANCHARD

Section 1. As a condition precedent to an initial connection to the Town's water system by any potential commercial water customer seeking a connection for a facility on property located outside of the Town limits, the potential commercial water customer's application for water system connection must be accompanied by a written request for annexation to the Town, in such a form as may be required by the Town from time to time. The request for annexation shall be approved by the Board of Aldermen except where prohibited by law.

Section 2. At any time an initial request for connection is made and the written request for annexation is submitted, the property upon which said facility is located is not contiguous with the Town limits or otherwise not legally available for annexation, the owner of the property shall enter into a contract with the Town, to be approved by the board of Aldermen, which contract shall provide that

- (i) the property owner shall not withdraw the written request for annexation,
- (ii) (ii) the written request for annexation shall be kept in full force and effect until such time as said area becomes legally available for annexation, and
- (iii) (iii) if the annexation request is withdrawn, the Town reserves the right to disconnect the facility from the Town's water service. This contract may not be assigned without approval of the Board of Aldermen, and shall be recorded in the conveyance records of Caddo Parish, Louisiana.

Section 3. If such non-contiguous property not then available for annexation is acquired by a new owner, the new owner shall, without 90 days of acquiring the property, submit a written request for annexation of the property to the Town and execute a contract as specified in this section to be approved by the Board of Aldermen. If no such request or contract is received within the time specified, the Town reserves the right to disconnect the facility from Town water service.

Section 4. No Town water service shall be furnished to a commercial water customer located outside of the Town limits unless the customer, the facility, and the property, are in full and complete compliance with all Town ordinances, regulations, policies and requirements, including without limitation utility street, drainage, and subdivision regulations and all permitting regulations.

Ordinance 9 of 2016 adopted December 13, 2016.

SECTION 15.21 CONDITIONS FOR RESIDENTIAL WATER CONNECTIONS OUTSIDE OF THE LIMITS OF THE TOWN OF BLANCHARD

Section 1. The Board of Alderpersons of the Town of Blanchard, in due session convened, that, as a condition precedent to an initial connection to the Town's water system by any potential residential water customer seeking a connection for a facility on property located outside of the Town limits, the potential residential water customer's application for water system connection must be accompanied by a written request for annexation to the Town, in such a form as may be required by the Town from time to time. The request for annexation shall be approved by the Board of Aldermen except where prohibited by law.

Section 2. That if, at any time an initial request for connection is made and the written request for annexation is submitted, the property upon which said facility is located is not contiguous with the Town limits or otherwise not legally available for annexation, the owner of the property shall enter into a contract with the Town, to be approved by the Board of Aldermen, which contract shall provide that

- (i) the property owner shall not withdraw the written request for annexation,
- (ii) (ii) the written request for annexation shall be kept in full force and effect until such time as said area becomes legally available for annexation, and
- (iii) (iii) if the annexation request is withdrawn, the Town reserves the right to disconnect the facility from the Town's water service. This contract may not be assigned without approval of the Board of Aldermen, and shall be recorded in the conveyance records of Caddo Parish, Louisiana.

Section 3. That if such non-contiguous property not then available for annexation is acquired by a new owner, the new owner shall, within 90 days of acquiring the property, submit a written request for annexation of the property to the Town and execute a contract as specified in

this section to be approved by the Board of Aldermen. If no such request or contract is received within the time specified, the Town reserves the right to disconnect the facility from Town water service.

Section 4. That no Town water service shall be furnished to a residential water customer located outside of the Town limits unless the customer, the facility, and the property, are in full and complete compliance with all Town ordinances, regulations, policies, and requirements, including without limitation utility, street, drainage, and subdivision regulations and all permitting regulations.

(Ordinance 9 of 2019 adopted March 19, 2019)

THROUGH SECTION 15.22 - 15.30 RESERVED.

ARTICLE C

SEWERAGE DISTRICT

SECTION 15.31 SEWERAGE DISTRICT.

All of the provisions of Ordinance No. 5 of 1978 shall be in full force and effect. Stating the Sewerage District will include all the corporate limits of the Town of Blanchard.
(Amended 9/10/02 – Ordinance 5 of 2002)

ARTICLE D

SEWERAGE REGULATIONS

SECTION 15.41 DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used in this article shall be as follows:

BOARD shall mean the board of aldermen.

BOD (denoting biochemical oxygen demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

BUILDING DRAIN shall mean that part of the lowest horizontal piping of a drainage

system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

BUILDING SEWER shall mean the extension from the building drain to the public sewer or other place of disposal.

CITY shall mean this legally constituted municipality.

CLERK shall mean the municipal clerk.

COD (denoting chemical oxygen demand) shall mean the amount of oxygen utilized during the oxidation of a waste subjected to a strong chemical oxidane under laboratory conditions.

COMMERCIAL ESTABLISHMENT shall mean any location or place of business whose primary function is the selling of goods or services.

COUNCIL shall mean the governing authority of this municipality.

GARBAGE shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

INDUSTRIAL WASTES shall mean the liquid wastes from industrial manufacturing or technical process, trade, or business as distinct from sanitary sewage.

INDUSTRY shall mean any location of place or business whose primary function is the creation or manufacture of products or materials, either for direct consumption or for further processing.

MAXIMUM LIMITS FOR DISCHARGE OF HEAVY METALS shall include but not be limited to:

Cadmium	0.02 m/l
Mercury	0.005 mg/i
Selenium	0.02 mg/l
Silver	0.1 mg/i

MAYOR shall mean the mayor of this municipality.

NATURAL OUTLET shall mean any outlet into a watercourse, bayou, ditch, lake, bay or other body of surface or ground water.

OBJECTIONABLE ITEMS (DELETED 9/10/2002 – Ordinance 5 of 2002)

PERSON shall mean any individual, firm, company, association, society, corporation or group.

PH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROHIBITED HEAVY METAL AND TOXIC MATERIALS shall include, but not be limited to the following materials:

Antimony Cobalt Molydenum Strontium

Beryllium	Fungicides	Pesticides	Tellurium
Bismuth	Herbicides	Phenium	Uranylion

PROPERLY SHREDDED GARBAGE shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one—half (1) inch in any dimension.

PUBLIC SEWER shall mean a sewer in which all owners of abutting properties have equal rights, and is owned or controlled by the municipality.

RESIDENCE shall mean any building whose primary function is as a dwelling place for humans.

SANITARY SEWER shall mean a sewer which carries sewage or industrial wastes or a combination of both to which storm, surface and ground waters are not intentionally admitted.

SEWAGE shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

SEWAGE TREATMENT PLANT shall mean any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SEWER shall mean a pipe or conduit for carrying sewage.

SEWERAGE normal (DELETED 9/10/2002 – Ordinance 5 of 2002)

SHALL is mandatory; MAY is permissive

SLUG shall mean any discharge of water, industrial waste or sewage which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes nor than five (5) times the average 24 hour concentration or flows during normal operation of that particular customer. The number of slugs permitted over a given period of time will be determined by the council. If it is considered a result of negligence or if it is harmful to the system the number permitted may be no more than one.

STANDARD METHODS refers to ‘Standard Methods for the Examination of Water and Waste’ published by the American Public Health Association, latest edition. All sampling and testing procedures required under provisions of this Ordinance shall be in accordance with ‘Standard Methods’.

STORM DRAIN (sometime termed ‘storm sewer’) shall mean any sewer or natural or man-made channel which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

SUPERINTENDENT shall mean the street and garbage super of the municipality or his authorized deputy, agent or representative.

SUSPENDED SOLIDS shall mean solids that either float on surface or, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

WATER COURSE shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 15.42 USE OF PUBLIC SEWERS REQUIRED.

(a) **DELETED 9/10/02 – Ordinance 5 of 2002**

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the treatment or disposal of sewage unless authorized by the Council.

(d) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, education or other purposes situated within the municipality or any area under the jurisdiction of the municipality in which there is now located or may in the future be located a public sanitary sewer of the municipality, is hereby required, at his expense, to install suitable facilities herein, and, if within 300 feet of the gravity main of the sewer system, to connect the facilities directly with the proper public sewer in accordance with the provisions that the public sewer is accessible to the house, building or properties.

(Amended 9/10/2002 – Ordinance 5 of 2002)

SECTION 15.43 PRIVATE SEWAGE DISPOSAL.

(a) Where a public sanitary sewer gravity main is not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

(Amended 9/10/2002 – Ordinance 5 of 2002)

(b) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Clerk. The application for the permit shall be made on a form furnished by the municipality. A permit and inspection fee of \$200.00 shall be paid at the time the application is filed.

(Amended 9/10/2002 – Ordinance 5 of 2002)

(c) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent and the parish health officer. They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Clerk and the health officer when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made by the superintendent, or its representative within 48 hours of the receipt of notice by the Clerk, Saturdays, Sundays, and holidays excepted.

(Amended 9/10/2002 – Ordinance 5 of 2002)

(d) The type, capacities, location and layout of a private sewage disposal system shall comply with all regulations of the Louisiana State Dept. of Health.

(e) At such time as a public sewer becomes available to the property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with this article within ninety (90) days at the expense of the resident, and any septic tanks, cesspools and similar private sewage disposal facilities shall be cleaned of sludge, abandoned and filled with suitable material within ninety (90) days.

(f) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all time, at no expense to the municipality.

(g) No statement contained in this article shall be construed to interfere with any requirements that may be imposed by the municipality or the Louisiana State Dept. of Health.

SECTION 15.44 BUILDING SEWERS AND CONNECTIONS.

a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Clerk.

b) There shall be two (2) classes of building sewer permits; (1) for residential and (2) for commercial service establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the municipality. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Clerk. A permit and inspection fee of \$400.00 for a residential sewer permit and \$600.00 for a commercial building sewer permit shall be paid to the municipality at the time the application is filed.

(Amended 3/11/08, Effective 4/1/08 – Ordinance 2 of 2008)

(c) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the municipality from any loss or damage that may directly or indirectly be caused by the installation of the building sewer.

(d) A separate and independent building sewer shall be provided for every building, except where a building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway; the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(e) Old building sewers may be used in connection with new buildings only when they are found on examination and tested by the superintendent to meet all requirements of this article.

(f) The building sewer shall be cast iron soil pipe, meeting the appropriate ASTM specification or equal, or vitrified clay sewer pipe meeting the appropriate ASTM specification or equal. Joints shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipe with leaded joints may be required by the superintendent where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the superintendent.

(g) The building sewer shall be at least the same size as the building drain, but in no event less than four (4) inches in diameter. The slope of the building sewer shall be approved by the superintendent or his representative.

(Amended 9/10/2002 – Ordinance 5 of 2002)

(h) In all buildings in which any building drain is too low to prevent gravity flow to the public sewer, sewage carried by the building drain shall be lifted by an approved means and discharged to the public sewer.

(Amended 9/10/2002 – Ordinance 5 of 2002)

(i) DELETED 9/10/2002 – Ordinance 5 of 2002

(j) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the superintendent. Pipe laying and backfill shall be performed in accordance with the appropriate latest specifications of ASTM, except that no backfill shall be placed until the work has been inspected by the superintendent or his representative.

(k) All joints and connections shall be made gastight and watertight. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead (Federal specification QQ—L—156), not less than one (1) inch in depth. Lead shall be run in a single pouring and caulked tight. No paint, varnish or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. All joints in VCP or between VCP and CI pipe shall be made with an approved bituminous jointing material or a compression joint meeting appropriate ASTM specifications. Where a hot poured joint is used, the joint shall first be caulked with jute, hemp or similar approved material. The bituminous material for hot poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160 degrees F, nor be soluble in any of the wastes carried by the sanitary sewer.

(l) The building sewer shall be connected into the public sewer, if a service branch is available at a suitable location. Where no properly located service branch is available, a neat hole may be cut into the public sewer and a suitable wye saddle installed to receive the building sewer. The invert of the building sewer at the point of connection with a wye saddle shall be in the upper quadrant of the main line of the public sewer.

(m) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(n) The applicant for the building sewer permit shall notify the Clerk when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

(o) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the municipality.

SECTION 15.45 USE OF PUBLIC SEWERS.

(a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

(b) Storm water and all other unpolluted drainage shall be discharged to sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Clerk. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Clerk, to a storm sewer or natural outlet.

(c) Each residence, commercial or industrial establishment which is connected to and utilizing the municipal sewer system shall be charged such fees as may be established by resolution of the Mayor and Board of Aldermen. A schedule of such fees shall be on file in the office of the Clerk.

(d) The sewer charge set forth in (c) of this section shall be in addition to any water users charge levied by the municipality.

(e) The sewer charge provided for in (c) of this section shall be included on the customer's monthly water bill.

(f) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel, oil or other flammable or explosive liquid, solid or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity which, either singly or by interaction with other wastes, is likely to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving water of the sewage treatment plant.

(3) Solid or viscous substances in quantities or of a size capable of causing obstruction of the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, shell, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair, fleshings, entrails, paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.

(g) **(DELETED IN ITS ENTIRETY 9/10/02 Ordinance 5 of 2002)**

(h) Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable wastes, sand or other harmful ingredients; except that the interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. The interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, properly vented, watertight and equipped with easily removable covers which when bolted in place shall be gastight and watertight. The interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

(i) Any water or waste admitted to the public sewer has to meet state requirements.

(j) The Board shall upon their decision, or with the advice of those parties noted in subsection 15.45(h):

- (1) Reflect the water or waste,
- (2) Require pretreatment to an acceptable condition before discharge to the public sewer,
- (3) Require control over the quantities and rates of discharge and/or,
- (4) Accept the water or waste but require payment to cover the handling and treatment of the material so discharged.

(k) Rejection of any water or waste means that it shall never enter the public sewers.

(l) Acceptable pretreatment shall mean reducing the daily average BOD, COD and/or

suspended solids below the concentration in subsection 15.45 (j)(1), and reducing the characteristics of substances and volumes of other constituents to the values set by the Mayor and Board after consultation with those mentioned in subsection 15.45(h).

(m) Where pretreatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(n) When required by the Mayor and Board, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. The manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Clerk. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(o) If any water or waste is accepted which exceeds the limits set forth in this article, the Board shall impose a monthly surcharge (in addition to the set monthly sewer charge) on that which exceeds the established limits according to the following:

- (1) \$.01 for every pound of BOD, plus
- (2) \$.01 for every pound of COD, plus
- (3) \$.01 for every pound of suspended solids,
- (4) \$.50 for every 1,000 gallons per day in excess of 2% of the sewage treatment plant's average daily flow, plus
- (5) Whatever charges the Mayor and Board agrees upon for other constituents and slugs of volume or concentration, where pounds is determined from the formula, (concentration in mg/i) (actual flow in million gallons per day) (250) = pounds.

(p) All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of Standard Methods for the examination of Water and Wastewater, published by The American Public Health Association, and shall be determined at the manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analysis involved will determine whether a 24 hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD, COD and suspended solids analysis are obtained from 24 hour composite samples of all outfalls whereas pHs are determined from periodic grab samples.)

(q) All users of the sewage system who discharge industrial wastes to the public sewers, shall complete and file with the Clerk an Industrial Waste Questionnaire which shall furnish pertinent data, inclusive of quantity of flow and an analysis of the water discharged to the sewage works. Similarly, any person desiring to make a new connection to the sewer works for the purpose of discharging industrial wastes to the public sewers, shall complete and file with the Clerk an Industrial Waste Questionnaire which shall furnish pertinent or predicted data inclusive of quantity flow and analysis of the industrial waste to be discharged into the sewerage system. The required form will be available at the office of the Clerk.

SECTION 15.46 DAMAGE AND REMEDIES.

(a) Any person, whether acting singly or in concert with others, who causes damage

to the person or property of others or to any public property by reason of any violation of this article shall be liable for the damage so caused.

(b) Any person found to be violating any provision of this article, shall be served by the municipality with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations.

(c) The Mayor shall have the authority to post a notice at the principal entrances of any premises where a violation of this article is found, which notice shall set forth the nature of the violation and the sanitary facilities affected thereby and provide a reasonable time limit for the satisfactory correction thereof. It shall be unlawful for any person to use the facilities beyond the period mentioned in the notice unless the notice has been removed with the Town's permission, or unless an extension of time has been obtained from the Mayor.

(d) The Mayor shall have authority to disconnect or order disconnection of water or sewage service to any premises found to contain plumbing which is unsanitary or unsafe, or which is in violation of this article or of the sanitary code of the State. No person shall knowingly reconnect or use the facilities unless permission to reconnect has been given by the Mayor.

(e) **(DELETED 9/10/2002 – Ordinance 5 of 2002)**

SECTION 15.47 POWERS AND AUTHORITY OF INSPECTORS.

DELETED 9/10/2002 – Ordinance 5 of 2002

SECTION 15.48 PENALTIES

(a) Any person who shall continue any violation beyond the time limit provided for in Section 15.46(b), or any extensions thereof duly authorized by the Mayor, or who shall violate Section 15.46(c) and (d), shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in Section 27.7 for each violation. Each day in which the violation shall continue shall be deemed a separate offense.

(b) Any unauthorized person who shall maliciously or willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewerage works, or who shall unlawfully remove a notice posted under Section 15.46(c) hereof, shall be deemed to have committed a breach of the peace and shall be subject to immediate arrest.

(c) Whoever shall knowingly make a false statement that is:

(1) calculated to obtain from the municipality any approval or permit required under this article, or

(2) submitted in any information return, application, or other paper filed pursuant to this article, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided in Section 27.7. Any person who has made a statement to be true, but who subsequently learns of a material error therein, shall be deemed to have violated this subsection if he fails to notify the Clerk within 10 days of the discovery.

(d) It shall be a misdemeanor for any person to knowingly allow sewerage facilities

to be used, or to place sewerage facilities in operation by connecting them, directly or indirectly, to liquid carrying conduits, before a required permit has been issued. Each day in which a person allows facilities to be used in violation shall be deemed a separate offense.

(e) Any person failing to pay the established monthly sewerage fee shall be officially notified by the clerk within 60 days of such failure. If, 30 days after such notification, all back and current fees are not paid, the user's water supply shall be cut off.

(f) For nonpayment of sewerage fees where the water supply is not a source of The Town of Blanchard, LA, the user's sewerage shall be plugged, capped, blocked, line removed or parts thereof, or otherwise cut off until user has complied with paragraph (E) section 15.48 and paid in full to the Town of Blanchard all past and current fees and charges for reconnections of service.

Amended Sept. 10, 2002

SECTION 15.49 DECLARING CERTAIN WATER METERS AND METER LIDS SURPLUS

WHEREAS, the Town of Blanchard recently replaced all of its old water meters with newer and more efficient meters;

WHEREAS, the Town also has replaced certain water meter lids with new water meter lids;

WHEREAS, the Town wishes to declare that the old meters and old lids are no longer needed for public purposes and wishes to sell the old meters and the old lids and establish a means of sale of such property pursuant to LA. R.S. 33:4712 and other applicable law;

1. The old meters and the old lids are hereby declared no longer needed for public purposes.
2. Each of the old meters may be sold to any private or public person or entity or more than one public or private entity on a first come, first served basis, for a minimum price of \$15.00, whether sold in bulk or each. This price shall remain in effect until December 31, 2002.
3. Each of the old lids may be sold to any private or public person or entity or more than one public or private entity on a first come, first served basis, for a minimum price of \$2.00, whether sold in bulk or each. This price shall remain in effect until December 31, 2002

Effective date of August 13, 2002.

ARTICLE E

STANDARDS AND PROCEDURES TO ENSURE ADEQUATE PROTECTIONS FROM THE BACKFLOW OF WASTEWATER INTO THE POTABLE WATER SYSTEM AS MANDATED BY THE STATE OF LOUISIANA, DEPARTMENT OF HEALTH AND HOSPITALS (DHH).

SEC. 15.50 CROSS-CONNECTION CONTROL DEVICE OR METHOD REQUIRED.

Each existing or new structure is required to implement and maintain an adequate cross-connection control device or method for backflow prevention as mandated under state law and state regulations.

SEC. 15.51 DEFINITIONS.

The following definitions shall apply only to Article E of Chapter 15, and each appearance of any such defined term set forth below shall have the meaning attributed to it in the definitions of Section 15.51, regardless of whether or not such term is capitalized in the text of this Article E. For those terms not defined in this Article E, the definitions contained in the Louisiana State Plumbing Code 2000 edition (LSPC, 2000 Edition), and as amended, shall apply.

- 1) “Administrative authority” means the Town, or any agent, employee, officer, department, or board of the Town designated to enforce this ordinance.
- 2) “Approved” means accepted or acceptable under an applicable specification or standard stated or cited in the code, or accepted as suitable for the proposed use under procedures and authority of the administrative authority.
- 3) “Approved backflow prevention assembly for containment” means an air gap meeting ASME Standard A 112.1.2 - 1991 (R 1998) “Air Gaps in Plumbing Systems” or a backflow prevention assembly which is listed by the University of Southern California-Foundation for Cross Connection Control and Hydraulic Research (USCFCCCHR) as having met the requirements of ANSI/AWWA Standard C510-97 or ASSE Standard 1015-1993, “Double Check Valve Backflow-Prevention Assemblies”, or ANSI/AWWA Standard C511-97 or ASSE Standard 1013-1993, “Reduced-Pressure Principle Backflow Assemblies” for containment. The listing shall include the limitations of use based on the degree of hazard. The backflow prevention assembly must also be listed by the ASSE in Table 606 of the LSPC, 2000 Edition or other testing agency approved by the administrative authority. This term shall additionally include those backflow prevention assemblies meeting ANSI/ASSE Standard 1047-1995, “Backflow Preventer, Reduced Pressure Detector Assembly”, or ANSI/ASSE Standard 1048-1995, “Backflow Preventer, Double Check Detector Assembly”. (These detector assembly devices are often times used on fire protection/fire sprinkler systems to detect and monitor unauthorized water usage.)
- 4) “Approved backflow prevention assembly for containment in fire protection system” means a backflow prevention assembly listed in Table 606 of the LSPC, 2000 Edition to be used in a fire protection system which also meets the requirements of Factory Mutual Research Corporation (FM) and Underwriters Laboratory (UL) and the requirement of the standard Codes adopted by the Town. Devices sized smaller than 2½ inches which have not been listed by Underwriters Laboratory (UL) and tested by Factory Mutual Research Corporation (FM) may be allowed if approved by the State Fire Marshal, and such device is listed in Table 606 of the LSPC, 2000 Edition. Any such device under this definition shall minimally meet the definition of an “approved backflow prevention assembly for containment.” In addition, the particular type of device to be used for a particular application/degree of hazard shall be selected and installed in accord with the requirements of Table D104 of the LSPC, 2000 Edition.
- 5) “Approved testing agency” means an organization primarily established for purposes of testing to approved standards and approved by the administrative authority (e.g., American Society of Mechanical Engineers (ASME), American Society of Sanitary Engineers (ASSE), American Water Works Association (AWWA), American National Standards Institute (ANSI), Factory Mutual Research Corporation (FM), Underwriters Laboratory (UL), University of Southern California-Foundation for Cross Connection Control and Hydraulic Research (USCFCCCHR), etc.).
- 6) “Auxiliary water supply” means any water supply on or available to the premises other than the Town's approved public water supply such as, but not limited to, a private well, pond or river.
- 7) “Backflow” means the flow of water or other liquids, mixtures, or substance into the distribution pipes of a potable supply of water from any sources other than its intended source.
- 8) “Backflow connection” means any arrangement whereby backflow can occur.

9) “Back-pressure backflow” means backflow due to an increased pressure above the supply pressure. This may be due to pumps, boilers, gravity or other sources of pressure.

10) “Backflow preventer” means a device or method to prevent backflow into the potable water system.

11) “Backflow prevention assembly general tester” means those individuals holding a testing certificate from a nationally recognized backflow certification organization approved by the State Health Officer. Such individuals are not required to be a licensed plumber and are authorized to perform tests of backflow prevention devices and methods. When such devices or methods are located on private property, a backflow prevention assembly general tester is not authorized to install, repair, or maintain such devices or methods. A general tester may perform installation, maintenance or repairs, if the backflow prevention device is on public property, after having obtained approval from the Town.

12) “Backflow prevention assembly technician” means a water supply protection specialist licensed by the State Plumbing Board of Louisiana pursuant to LA. R.S. 37:1361, et seq., and its implementing regulations (LAC 46:LV.101, et seq.). All water supply protection specialists are Louisiana licensed plumbers who hold such a special endorsement on their plumbing license. Such individuals are authorized to test, install, repair, and maintain backflow prevention devices and methods.

13) “Back-siphonage” means the flowing back of used, contaminated, or polluted water from a plumbing fixture or vessel into a water supply pipe due to a negative pressure in such pipe. (See “backflow”)

14) “Code” shall mean, when used alone, these regulations, subsequent amendments thereto or any emergency rule or regulation which the administrative authority having jurisdiction may lawfully adopt.

15) “Containment” means a method of backflow prevention which requires the installation of an air gap or a backflow prevention assembly immediately following the water meter or as close to that location as deemed practical by the administrative authority.

16) “Contamination” means an impairment of the quality of the potable water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids or waste. Also defined as “high hazard.”

17) “Cross-connection” means any connection or arrangement, physical or otherwise, between a potable water supply system and any plumbing fixture or any tank, receptacle, equipment or device, through which it may be possible for non-potable, used, unclean, polluted or contaminated water, or other substances, to enter into any part of such potable water system under any condition.

18) “Customer” means the owner, operator, or occupant of a building or property which has a water service from a public water system, or the owner or operator of a private water system which has a water service from a public water system. “Customer” shall not include any residential connection used for dwelling purposes, unless the residence is also used as a business premises and the home-based business or occupation involves operation of a home-based business or occupation which the Town or Town Inspector deems a potentially significant and high hazard to the Town water supply.

19) “Degree of hazard” means the rating of a cross-connection or water service which indicates if it has the potential to cause contamination or pollution.

20) “Domestic sewage” means the liquid and water-borne wastes derived from the ordinary living processes, free from industrial wastes, and of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private sewage disposal system.

21) “Double check valve backflow prevention assembly” means a backflow prevention device consisting of two independently acting internally loaded check valves, four properly located test cocks, and two isolation valves.

22) “Existing work” means a plumbing system, or any part thereof which has been installed prior to the effective date of this Code.

23) "Fire protection system" means any system used for fire protection or suppression with a direct connection to the public water supply, including but not limited to sprinklers, stand-pipes, and siamese connections.

24) "High hazard" see contamination.

25) "High hazard cross connection" means a cross-connection which may cause an impairment of the quality of the potable water by creating an actual hazard to the public health, through poisoning or through the spread of disease by sewage, industrial fluids, or waste.

26) "Industrial waste" means any and all liquid or water-borne waste from industrial or commercial processes, except domestic sewage.

27) "Isolation" means a method of backflow prevention in which a backflow prevention assembly is located at the cross-connection rather than at the water service entrance.

28) "Labeled" means equipment or materials bearing a label or listing agency.

29) "Liquid water" means the discharge from any fixture, appliance or appurtenance in connection with a plumbing system which does not receive fecal matter.

30) "Listed" means equipment or materials included in a list published by a listing agency that maintains periodic inspection or current production of listed equipment or materials and whose listing states either that the equipment or material complies with approved standards or has been tested and found suitable for use in a specified manner.

31) "Listing agency" means an agency accepted by the administrative authority which is in the business of listing or labeling and which maintains a periodic inspection program on current production of listed models, and which makes available a published report of such listing in which specific information is included that the product has been tested to approved standards and found safe for use in a specific manner. (e.g., USC-FCCCHR, ASSE, etc.)

32) "Low hazard" see pollution.

33) "Low hazard cross-connection" means a cross-connection which may cause an impairment of the quality of potable water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use.

34) "Main" means the principal artery of any system of continuous piping to which branches may be connected.

35) "May" is a permissive term.

36) "Pharmaceutical-grade antifreeze" means a food-grade antifreeze such as an inhibited propylene glyco-based fluid.

37) "Point of entry" means the point of connection to the potable water system.

38) "Point of introduction" means the point at which any additive is introduced to the water supply system.

39) "Pollution" means an impairment of the quality of the potable water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use. Also defined as "low hazard."

40) "Potable water" means water which is satisfactory for drinking, culinary, and domestic purposes and meets state and local requirements.

41) "Reduced pressure principle backflow prevention assembly" means a backflow prevention device consisting of two independently acting internally loaded check valves, a differential pressure relief valve, four properly located test cocks, and two isolation valves.

42) "Sewage" means any liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.

43) "Shall" The word "shall" is a mandatory term.

44) "Table D 104" refers to the table marked D 104 in appendix D of the Louisiana State Plumbing Code, 2000 Edition. (Known as the containment device table)

45) "Table D 105" refers to the table marked D 105 in appendix D of the Louisiana State Plumbing Code, 2000 Edition. (Known as the fixture isolation table)

46) "Section D 106" refers to the Section marked D 106 in appendix D of the

Louisiana State Plumbing Code, 2000 Edition.

47) "Water service" Depending on the context, "water service" means the physical connection between a public water system and a customer's building, property, or private water system, or the act of providing potable water to a customer.

48) "Water supply system" means the water supply system of a building or premises consisting of the building supply pipe, the water distributing pipes and the necessary connecting pipes, fittings, control valves, and all appurtenances carrying or supplying potable water in or adjacent to the building or premises.

49) "Town" means the Town.

SEC. 15.52 ADMINISTRATIVE AUTHORITY.

A. The Town shall have the right to enter, with the consent of the customer, or upon the basis of a suitable warrant issued by a court of appropriate jurisdiction, any property to inspect for cross-connections.

B. The State of Louisiana will approve training programs for "backflow prevention assembly technicians" and register "backflow prevention assembly technicians" who successfully complete a training program approved by the State Plumbing Board of Louisiana as per LA. R.S. 37:1367(G) and LAC 46:LV.310, all of which applies to licensed plumbers. In addition, the State Health Officer, through the LSPC, 2000 Edition, does accept certain persons as "general testers" per Section D108.1.1 thereof. Such individuals are known and defined herein as "backflow prevention assembly general testers." The limitations of jurisdiction/authority of "backflow prevention assembly general testers" are described within said definition.

C. The Town shall collect a fee of \$25.00 for each inspection done by the Town . The inspection will only be for the Town to make sure that the air gap or backflow prevention device is in place and is the proper cross-connection control device or method used in accord with Table D104 and Section D106.

D. The Town shall maintain records of cross-connection hazard surveys, and the installation, testing, and repair of all backflow prevention assemblies installed for containment purposes.

E. Notwithstanding anything herein to the contrary, the Town are authorized to take additional actions which may not be specifically covered herein that are deemed necessary to protect the Town's water supply from potential or actual cross connections in accord with the requirements of the Louisiana State Plumbing Code, 2000 Edition.

SEC. 15.53 WATER SERVICES.

A. New water services.

1) Plans shall be submitted to the Town for review on all new water services in order to determine the degree of hazard.

2) The Town shall approve the type of backflow prevention assembly or method required for containment based on the requirement of Table D104 and degree of hazard. If a cross-connection is not listed in Table D104, the Town shall use Table B1 of the "Manual for the Selection, Installation, Maintenance, and Field Testing of Backflow Prevention Devices" (CAN/CSA Standard B64.10-1994) as a guide to determine the type of device to require. (This document is referred to in Table 606 of the LSPC, 2000 Edition.)

3) The Town shall require the installation of the appropriate backflow prevention assembly or method for containment before the initiation of water service.

B. Existing water service.

1) Any changes of, or additions to, existing water services shall be treated as new water services for the purpose of this ordinance.

2) Within six (6) months after adoption of this ordinance, the Town shall

publish and make available to each customer a copy of the standards used to determine the degree of hazard.

3) Each customer shall survey the activities and processes which receives water service and shall report to the Town if cross-connections exist and the degree of hazard. Upon a finding of hazard, the customer shall cause the appropriate backflow prevention assembly or method to be installed in a timely fashion.

4) For existing water services, the Town may inspect the premises to determine the degree of hazard. When high hazard cross-connections are found the Town shall:

- i. Develop a schedule of compliance which the customer shall follow, or
- ii. Terminate the water service until a backflow prevention assembly or method for containment required by the Town has been installed.

5) Failure of the Town to notify a customer that the customer has a high hazard cross-connection and should install backflow prevention assemblies or methods for containment in no way relieves the customer of the responsibility to comply with all requirements of this section.

SEC. 15.54 CUSTOMER DUTIES.

A. The customer shall be responsible for ensuring that no cross-connections exist without approved backflow protection within the customer's premises starting at the point of service from the public potable water system.

B. The customer shall, at the customer's own expense, cause installation, operation, testing and maintenance of the backflow prevention assemblies required by the Town. The customer shall advise the Town in advance of when a device is to be tested to allow the Town the opportunity to witness the test.

C. Within fifteen (15) days after testing and/or repairs are completed, the customer shall provide the administrative authority with copies of records of the installation and of all tests and repairs made to the backflow prevention assembly on a form provided by the Town.

D. In the event of a backflow incident, the customer shall immediately notify the Town of the incident and take steps to confine the contamination or pollution. Water service will not be restored until corrective action is taken and approved after inspection by the Town.

E. In accordance with Section D108.3.4 of the LSPC, 2000 Edition, the customer shall maintain records of installations, tests, repairs, overhauls, or replacements of backflow prevention devices or methods for at least 5 years and, upon request, such records shall be made available to the Town.

SEC. 15.55 REQUIREMENTS.

A. Town requirements:

1) For premises existing prior to the start of this program, the Town will perform evaluations and inspections of plans and/or premises and inform the customer by letter of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, ninety (90) days will be allowed, however, this time period may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.

2) The Town will not allow any cross-connection to remain unless it is protected by an approved backflow preventer or an air gap for which a permit has been issued and which will be regularly tested to insure satisfactory operation.

3) The Town shall notify the Customer by letter of any failure to comply at

the time of the first re-inspection or immediately following the first re-inspection. The Town will allow an additional fifteen (15) days for the correction. In the event the Customer fails to comply with the necessary correction by the time of the second re-inspection, the Town will notify the Customer by letter that the water service to the Customer's premises will be terminated within five (5) days from the customer's receipt of such letter. In the event that the Customer informs the Town of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the Town but in no case will exceed an additional thirty (30) days.

4) Notwithstanding anything to the contrary, if the Town determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.

5) The Town shall have on file a list of Private Contractors who are certified backflow device testers and/or repairers. All charges for these tests, repairs, etc., will be paid by the Customer of the building or property.

6) The Town will begin initial premise inspections to determine the nature of existing or potential hazards, following the approval of this program by the Town's Board of Alderpersons and Mayor, during the calendar year 2014. Initial focus will be on high hazard industries and commercial premises.

B. Customer requirements:

1) The Customer shall be responsible for the elimination or protection of all cross-connections on his premises.

2) The Customer, after having been informed by a letter from the Town, shall at his expense, install, maintain, and test or have tested, any and all backflow prevention devices or methods on his premises.

3) The Customer shall correct any malfunction of the backflow prevention device or method which is revealed by periodic testing.

4) The Customer shall inform the Town of any proposed or modified cross-connection and also any existing cross-connection of which the Customer is aware but has not been found by the Town.

5) The Customer shall not install a bypass around any backflow prevention device or method unless there is a backflow prevention device or method of the same type on the bypass. Customers who cannot shut down operation for testing of the device(s) or method(s) must supply additional devices or methods necessary to allow testing to take place.

6) The Customer shall install backflow prevention devices or methods in a manner approved by the Town and in conformance with the installation requirements of Section 606 of the LSPC, 2000 Edition. In addition, devices having an atmospheric port or discharge shall be installed such that the port or discharge point is located at least 24 inches above the highest flood level which may have occurred in the previous 10 year period.

7) The Customer shall install only backflow prevention devices or methods approved by the Town.

8) Any Customer having a private well, auxiliary water supply or other private water source, must have a permit if the well, auxiliary water supply or source is cross-connected to the Town's system. Permission to crossconnect may be denied by the Town. The customer may be required to install a backflow prevention device or method at the service entrance if a private water source is maintained, even if it is not cross-connected to the Town's system.

9) In the event the Customer installs plumbing to provide potable water for domestic purposes which is on the Town's side of the backflow prevention device or method, such plumbing must have its own backflow preventer installed.

10) The Customer shall be responsible for the payment of all fees for permits, annual or semi-annual device or method testing, re-testing in the case that the device or method fails to operate correctly, and second re-inspections for noncompliance with the Town's requirements.

SEC. 15.56 REQUIRED BACKFLOW PREVENTION ASSEMBLIES OR METHODS FOR CONTAINMENT.

A. Water Service Assemblies: An air gap or an approved reduced pressure principle backflow prevention assembly is required for water services having one or more potential cross-connections which the administrative authority classifies as high hazard as defined by tables D104 and D105.

B. Fire Protection System Assemblies:

1) All proposed installations of fire suppression systems shall be reviewed by the Town to determine the appropriate type of backflow prevention devices or methods required.

2) For all proposed fire suppression systems using antifreeze, a reduced pressure principle (#10 on Table D104) backflow prevention device shall be installed at the point of entry. The customer shall provide the Town with the design and chemical usage of the fire suppression system.

3) All existing fire suppression systems shall meet the requirements hereof. An inspection by a fire suppression specialist shall be done to determine whether antifreeze has been utilized in the suppression system. The inspection shall be done at the expense of the customer. If it cannot be certified that antifreeze has been used, then a backflow prevention device shall be installed as prescribed by Table D104 and as approved by the Town. Installation shall be at the expense of the customer. The required backflow prevention devices or methods shall be installed at the time the system is repaired or changed, or within twelve (12) months after adoption of this ordinance, whichever occurs first.

4) In the event cross-connections, such as those found in using auxiliary water supply systems or in providing other water additives such as foaming agents, are necessary for the proper operation of the fire suppression system, then an air gap or a reduced pressure principle backflow prevention device shall be installed in an approved manner.

SEC. 15.57 REGISTRATION.

A. Technician Registration:

1) Any backflow prevention assembly technician licensed by the State of Louisiana must register with the Town before performing work within the Town.

2) Any licensed backflow prevention assembly technician shall include his or her state registration number on all correspondence and forms required by or associated with this ordinance.

B. General Tester Registration: Any backflow prevention assembly general tester shall present a copy of his/her testing certificate from a nationally recognized backflow certification organization and shall register with the administrative authority before performing work within the Town.

SEC. 15.58 NON-COMPLIANCE BY REGISTERED TECHNICIANS OR GENERAL TESTERS.

A. The local registration of a technician or general tester may be revoked or suspended for a period of up to two (2) years for non-compliance with this ordinance.

B. Any of the following conditions constitute non-compliance:

1) Improper testing or repair of backflow prevention assemblies or methods;

2) Improper reporting of the results of testing or of repairs made to backflow

prevention assemblies or methods;

- 3) Failure to meet registration requirements;
- 4) Related unethical practices.

SEC. 15.59 INSTALLATION OF BACKFLOW PREVENTION ASSEMBLIES OR METHODS.

A. The required backflow prevention assemblies or methods for containment shall be installed in the manner recommended by the manufacturer and in accord with the requirements of Section 606 of the LSPC, 2000 Edition, immediately following the meter or as close to that location as deemed practical by the Town. In any case, it shall be located upstream from any branch piping. Installation at this point does not eliminate the responsibility of the customer to protect the water supply system from contamination or pollution between the backflow prevention assembly or methods and the water main.

B. Reduced pressure principle backflow prevention assemblies shall be installed so as to be protected from flooding. The port or discharge point shall be installed such that it is located at least 24 inches above the highest flood level which may have occurred in the previous 10 year period.

C. Reduced pressure principle backflow prevention assemblies or methods shall not be installed in underground vaults or pits, unless a gravity drainage system (designed by a Louisiana registered engineer) for the particular site has been approved by the state health officer. (The intent of the exception to this section is to possibly allow below grade installations on particular sites or lots having sufficiently hilly ground at the proposed location of the device such that when the vault or pit is constructed it may be equipped with positive gravity drainage openings as to prevent any part of the device from being submerged. A recommended design standard for such an installation may be found in Sections 606.4.1 and 606.4.2 of the 1994 Standard Plumbing Code.)

D. All backflow prevention assemblies or methods shall be protected from freezing. Those devices used for seasonal services may be removed in lieu of being protected from freezing; however, the devices must be reinstalled and tested by a registered backflow prevention assembly technician prior to service being reactivated.

E. If hot water is used within the water supply system, thermal expansion shall be provided for when installing a backflow prevention assembly or method for containment in accordance with Section 613.2 of the LSPC, 2000 Edition.

F. Provisions shall be made to convey the discharge of water from reduced pressure principle backflow prevention assemblies or methods to a suitable drain through an air gap.

G. No backflow prevention assemblies or methods shall be installed in a place where they would create a safety hazard, such as, but not limited to, over an electrical panel, or above ceiling level.

H. If interruption of water service during testing and repair of backflow prevention assemblies or methods for containment is unacceptable to the customer, another backflow prevention assembly or method of equivalent or higher protection, sized to handle the temporary water flow needed during the time of testing or repair, shall be installed in parallel piping.

I. All backflow prevention assemblies or methods shall be installed so that they are accessible for testing.

J. All shut-off valves shall conform with the current edition of the 2000 Edition Louisiana State Plumbing Code requirements for either ball or resilient seat gate valves. Full port ball valves shall be used on assemblies installed in piping two inches or smaller, and full port resilient wedge-type shut off valves on assemblies installed in piping larger than two inches.

SEC. 15.60 TESTING OF BACKFLOW PREVENTION ASSEMBLIES OR METHODS.

A. Testing of backflow prevention assemblies or methods shall be performed by a

backflow prevention assembly technician or by a backflow prevention assembly general tester registered with the administrative authority. The costs of tests required in the following paragraphs shall be borne by the customer.

B. Backflow prevention assemblies or methods shall be tested upon installation; when cleaned, repaired, or overhauled; when relocated; and, shall be tested and inspected at least once annually. Backflow prevention devices shall be tested in accordance with CAN/CSA Standard B64.10-1994 or ASSE Standard 5010-1998.

C. Backflow prevention assemblies or methods which are in place, but have been out of operation for more than three (3) months, shall be tested before being put back into operation. Backflow prevention assemblies or methods used in seasonal applications shall be tested before being put into operation each season.

D. Any backflow prevention assembly or method which fails a periodic test shall be repaired or replaced by a backflow prevention assembly technician when such assembly is located on private property. When such a device is located on public property, a backflow prevention assembly general tester may repair or replace the device if authorized by the Town. When water service has been terminated for non-compliance, the backflow prevention assembly or method shall be repaired or replaced prior to the resumption of water service. Backflow prevention assemblies or methods shall be re-tested by a registered backflow prevention assembly technician or by a backflow prevention assembly general tester immediately after repair or replacement.

E. The Town may require backflow prevention assemblies or methods to be tested at any time in addition to the annual testing requirement.

F. The registered backflow prevention assembly technician or backflow prevention assembly general tester shall report the testing of backflow prevention assembly or method to the customer and to the administrative authority within fifteen (15) days of the test.

G. The Town may require, at its own cost, additional tests of individual backflow prevention assemblies or methods as it shall deem necessary to verify test procedures and results.

SEC. 15.61 REPAIR OF BACKFLOW PREVENTION ASSEMBLIES OR METHODS.

A. All repairs to backflow prevention assemblies or methods on private property shall be performed by a licensed plumber holding a special “water supply protection specialist” endorsement on his plumbing license, herein defined as “backflow prevention assembly technician”.

B. After obtaining approval from the Town, a “backflow prevention assembly general tester” may perform repairs to backflow prevention assemblies or methods located on public property.

C. The registered backflow prevention assembly technician or backflow prevention assembly general tester shall not change the design, material, or operational characteristics of a backflow prevention assembly or method during repair or maintenance, and shall use only original manufacturer replacement parts, if available; if not available, shall use replacement parts approved by the Town.

D. The registered backflow prevention assembly technician or backflow prevention assembly general tester shall report the repair, overhaul, or replacement of any backflow prevention assembly or method to the customer and to the Town on the form provided by the Town within fifteen (15) days of the repair.

SEC. 15.62 CUSTOMER NON-COMPLIANCE.

A. The water service may be discontinued in the case of non-compliance with this ordinance. Non-compliance includes, but is not limited to, the following:

1) Refusal to allow the Town access to the property to inspect for cross-connection;

- 2) Removal of a backflow prevention assembly or method which has been required by the Town;
- 3) Bypassing of a backflow prevention assembly or method which has been required by the Town;
- 4) Providing inadequate backflow prevention when potential or actual cross-connections exist;
- 5) Failure to install a backflow prevention assembly or method which has been required by the Town;
- 6) Failure to test and/or properly repair a backflow prevention assembly or method as required by the administrative authority; and
- 7) Failure to comply with the requirements of this ordinance.

SEC. 15.63 PENALTY FOR VIOLATION.

Apart from any other penalties or sanctions imposed by local or state laws, any person found guilty of violating any provision of this Section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished in accordance with Section of the Town Code. Each day that a violation is allowed to continue shall constitute a separate and distinct violation.

(Adopted April 8, 2014 – Ordinance 2 of 2014 – 15.50 to 15.63)