

ORDINANCE NO. 24-01

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DUNCAN, GREENLEE COUNTY, ARIZONA ADOPTING THE “TOWN OF DUNCAN BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL POLICY” BY REFERENCE TO AMEND ARTICLE 16-13 OF THE TOWN OF DUNCAN CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, the Town of Duncan owns and operates its public water supply system and has established a policy to prevent backflow contamination and pollutants into the public water system to protect the public water supply of the Town; and

WHEREAS, the Mayor and Council of the Town of Duncan believe, after consultation with its staff, that amending Article 16-13 of the Town Code to update the backflow prevention and cross-connection control policy would be in the best interest of the Town of Duncan; and

WHEREAS, A.R.S. §9-802 allows a Town to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DUNCAN, ARIZONA, AS FOLLOWS:

SECTION 1. That certain document filed with the Town Clerk and entitled “Town of Duncan Backflow Prevention and Cross-Connection Control Policy” as set forth in Exhibit A, attached hereto and incorporated herein by reference, is hereby declared a public record. One paper copy and one electronic copy of Exhibit A shall be maintained in compliance with A.R.S. § 44-7041 and available for public inspection during normal business hours in the Office of the Town Clerk and shall be available on the Town’s website at: www.duncanaz.us.

SECTION 2. Article 16-13: Cross-Connection Control Program of the Duncan Town Code is hereby repealed in its entirety and replaced with the provisions as set forth in Exhibit A, and that the amendments depicted therein are hereby approved and adopted.

SECTION 3. The following penalty provisions are included in Section 16-13-13 of that certain document known as “Town of Duncan Backflow Prevention and Cross-Connection Control Policy”:

- A. Any person, firm, corporation, partnership, enterprise, or association, whether as principle, owner, agent, tenant, or otherwise who violates, disobeys, omits, or refuses to comply with, or who resists the enforcement of the provisions of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$2500.00 or by imprisonment for a period not to exceed 6 months, or by both such fine and imprisonment.

B. Each Day any violation of any provision of this Article occurs shall constitute a separate offense.

SECTION 4. To the extent of any conflict between other Town Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing Town Ordinance, Resolution or regulation except as expressly set forth herein.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6. This Ordinance shall become effective thirty (30) days from the date of adoption by the Town Council for the Town of Duncan.

PASSED AND ADOPTED by the Town of Duncan, Arizona Mayor and Council, this 11th day of January, 2024.

Attested to:

Alex Blake, Mayor

Terry Hinton, Town Clerk

Reviewed by:

Approved as to form:

Terry Hinton, Town Manager

Tina Vannucci, Town Attorney

STATE OF ARIZONA)
) ss
County of Greenlee)

CERTIFICATION

I HEREBY CERTIFY, that the foregoing Ordinance Number 24-01 was duly passed and adopted by the Mayor and Town Council of the Town of Duncan, Greenlee County, Arizona, at a Council Meeting held January 11, 2024 and that a quorum was present at the meeting.

Terry Hinton
Town Clerk

Date:

EXHIBIT A

Town of Duncan Backflow Prevention and Cross-Connection Control Policy

The Town of Duncan is responsible for protecting the quality of the public water supply. To prevent contamination of the public water supply by backflow and cross-connections, The Town of Duncan has identified premises requiring backflow prevention and approved types of devices to prevent backflow.

ARTICLE 16-1 BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL

16-13-1	Definitions
16-13-2	Backflow Prevention Required
16-13-3	Hazard Potential
16-13-4	Approved Backflow Prevention Assemblies; Methods
16-13-5	Backflow Preventer installation Requirements
16-13-6	Plan Review Requirements
16-13-7	Premises Requiring a Backflow Preventer
16-13-8	Fire Sprinkler Systems
16-13-9	Facility Inspections” Assembly Maintenance; Record Keeping
16-13-10	Retroactive Application
16-13-11	Discontinuance of Water Service
16-13-12	Fees
16-13-13	Penalty

Section 16-1-1 (Definitions)

The Following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AIR GAP: The unobstructed vertical distance through free atmosphere between the lowest point of a water supply outlet, pipe, or faucet supplying potable water to a tank, Plumbing fixture or other device. An approved air gap shall be at least twice the diameter of the supply pipe of faucet and in no case less than one inch.

APPROVED: Accepted by The Town of Duncan (TDWU) as either meeting or applicable specification stated or cited in the Article, or suitable for the proposed use.

AUXILIARY WATER SUPPLY: Any water supply on, or available to, a premise other than the potable water supplied by TDWU. These auxiliary waters may include water from another purveyor’s public potable water supply system or any natural sources such as a well, spring, river, stream, harbor, or treated effluent, waste waters or industrial fluids or any other water source over which the Department does not have sanitary control.

BACKFLOW PREVENTER: An approved assembly or means that prohibits the

backflow of water into the public potable water supply system.

BACKFLOW PREVENTION ASSEMBLY: An approved mechanical device located between two tightly closing resilient seated shut-off valves with properly located resilient seated test cocks designed to prevent backflow.

BACKFLOW: The undesirable reversal of the normal flow of water caused by either backpressure or backsiphonage.

BACKPRESSURE: Any elevation of pressure in a user's water supply system, above the pressure of the public potable water supply system, which could cause water or other liquids, mixtures, or substances to flow from a user's water supply system into the public potable water supply system.

BACKSIPHONAGE: A reversal of the normal flow of water caused by a reduction of pressure in the public potable water supply system which causes the flow of water or other liquids, mixtures, or substances to flow from a user's water supply system into the public potable water supply system.

CERTIFIED TESTER: An individual certified by an agency approved by TDWU to perform testing on backflow prevention assemblies.

CONTAMINATION: An impairment in the quality of the potable water caused by sewage, industrial fluids, waste liquids, compounds, or other material or fluids, to a degree which creates an actual hazard to public health by poisoning or the spread of disease.

CROSS-CONNECTION: Any unprotected actual or potential connection or other arrangement of piping or fixtures between a piping system containing potable water and a piping system containing non-potable water, waste fluids, industrial fluids, or any other fluids or substances of questionable safety for human consumption, through which, or because of which, backflow can or may occur into the public potable water supply system. Cross-connections include swing connections, removable sections, four-way plug valves, spools, dummy sections or pipe, swivel or change-over devices, sliding multiport tubes and hose connections.

DETECTOR CHECK ASSEMBLY: A specially designed assembly composed of a service connection size approved backflow prevention assembly with a specific bypass water meter and a meter sized approved backflow prevention assembly. The water meter on the bypass shall be approved, owned, maintained and read by _____.

DOUBLE CHECK VALVE ASSEMBLY: An assembly composed of two independently acting, approved check valves. The assembly shall include properly located test cocks and tightly closing resilient seated shut-off valves at each end of the assembly.

HAZARD, DEGREE OF: The potential risk to the public health or adverse effects of the hazard upon the public potable water distribution system.

NON-POTABLE WATER: Water which is not safe for human consumption or which is of questionable quality for human consumption.

POLLUTION: The presence of any organic, inorganic, or biological foreign substance in water which tends to degrade its quality or impair its usefulness to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect the aesthetic quality of such water for domestic use.

POTABLE WATER: Any water which is safe for human consumption pursuant to the standards set forth by the Federal Safe Drinking Water Act and its Amendments.

PUBLIC POTABLE WATER SUPPLY SYSTEM: The network of conduit, pipes, pumps, tanks, or other equipment under the control of TDWU used to deliver potable water from its source facilities to the user's water supply system.

PRESSURE VACUUM BREAKER: An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly shall include properly located test cocks and tightly closing resilient seated shut-off valves attached at each end of the assembly.

PRIMARY BACKFLOW PROTECTION: Any approved assembly or means designed to prevent backflow installed within a user's water supply system.

REDUCED PRESSURE PRINCIPAL ASSEMBLY: An assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves. The assembly shall include properly located test cocks and tightly closing resilient seated shut-off valves at each end of the assembly.

SECONDARY BACKFLOW PROTECTION: Any approved assembly or means designed to prevent backflow installed at the service connection.

SERVICE CONNECTION: The terminal end of a service line from the public potable water supply system at its point of delivery to the user's water supply system where TDWU loses jurisdiction and sanitary control over the water. If a meter is installed between the user's water supply system and the public potable water supply system, the service connection is the discharge end of the water meter. Service connections also include any waster connection from a fire hydrant or any temporary or emergency water connections with the public potable water supply system.

TDWU: Town of Duncan Water Utility.

USER: The owner, tenant, trustee, mortgagee, receiver, or occupier whether person, corporation, firm, or municipality of property which is connected to the public potable water supply system.

USER'S WATER SUPPLY SYSTEM: The network of conduits, pipes, pumps, tanks, or other equipment under the control of the user, used to deliver potable water from the service connection to its final point of use.

SECTION 16-13-2 BACKFLOW PREVENTION REQUIRED:

- A. A backflow preventer shall be required at every service connection to a user's water supply system when TDWU determines that the potable water supplied by the public potable water supply system may be subject to contamination, pollution, or other deterioration of quality by conditions within the user's water supply system.
- B. A backflow preventer shall be required at every service connection to a user's water supply system when access to the facility is restricted such that a cross-connection inspection cannot be performed.
- C. Backflow preventers required by TDWU shall be sufficient to protect against the degree of hazard, actual or potential, to the public potable water supply system from the user's water supply system.
- D. A backflow preventer may be required by TDWU within a user's water supply system if, upon inspection, localized instances of cross-connections are identified that will endanger the health of individuals coming in contact with user's water supply system. This backflow prevention may be in addition to or in lieu of the backflow prevention required at the service connection.
- E. Backflow preventers required by this Article may be installed at internal primary protection points in lieu of the service connection, if in the opinion of TDWU the public potable water supply system shall not be subject to pollution or contamination. Approval for primary backflow protection shall be obtained in writing from TDWU.
- F. Unless a specific cross-connection hazard is identified through a site survey, the requirements of this Article do not apply to single family residences used solely for residential purposes.

SECTION 16-13-3 HAZARD POTENTIAL

- A. The potential degree of hazard to the public potable water supply system from a user's water supply system and shall be determined by TDWU using the following hazard factors:
1. Health: An actual or potential condition, device, or practice which, in the judgment of TDWU, may create a danger to the health and well-being of the potable water supply users.
 2. Plumbing: An actual or potential plumbing cross-connection in a user's water supply system that has not been protected by an approved backflow preventer. A plumbing hazard may be whether a pollution or contamination hazard.
 3. Non-health: An actual or potential condition, device, or practice which, in the judgment of TDWU, may create a threat of pollution to the public potable water supply system. The maximum degree of intensity of pollution to which a public potable water supply system could be degraded under this Subsection would cause a nuisance or be aesthetically objectionable or could cause damage to the public potable water supply system or its appurtenances.
 4. System: An actual or potential condition, device, or practice which, in the judgment of TDWU, either may create a threat of severe damage to the physical properties of the public potable water supply system or would have a protracted effect on the quality of the potable water in the system.

**SECTION 16-13-4 APPROVED BACKFLOW PREVENTION ASSEMBLIES;
METHODS**

- A. The following are the recognized backflow prevention assemblies or methods, which TDWU may require under section 16-1-7:
 - 1. Air Gap: Requests for an air gap separation will be considered on a case-by-case basis and approval or disapproval by TDWU shall be in writing.
 - 2. Reduced Pressure Principal Assembly
 - 3. Double Check Valve Assembly
 - 4. Pressure Vacuum Breaker

- B. A backflow prevention assembly may be approved by TDWU if at a minimum it has been issued a Certificate of Approval by the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California or such other third party or certifying entity, unrelated to the product manufacturer or vendor, which may be designated by TDWU.

SECTION 16-13-5 BACKFLOW PREVENTER INSTALLATION REQUIREMENTS:

- A. The user shall install backflow prevention assemblies at the user's expense and in compliance with the standards and specifications adopted by TDWU.

- B. Backflow preventers shall be installed at the service connection or as close as practicable to the service connection in an accessible location. The backflow prevention assembly shall have a diameter at least equal to the diameter of the service connection.

- C. The Reduced Pressure Principal Assembly and Pressure Vacuum Breaker shall be installed above ground. A user may install a Double Check Valve Assembly below Ground in a vault by obtaining written approval from TDWU.

- D. When a user requires a continuous water supply, the user shall install two or more backflow prevention assemblies parallel to one another at the service connection. When Backflow prevention assemblies are installed parallel to one another, the sum of the cross-section area of the assemblies shall be at least equal to the cross-sectional area of the service connection.

SECTION 16-13-6 PLAN REVIEW REQUIREMENTS

- A. All backflow preventers required by TDWU shall be shown and specified on all required Building Plans.

- B. All backflow preventers required by TDWU shall show the manufacturer, model, and size of the assembly on the approved Building Plans. The approved plans shall also show that the backflow preventer must be tested by a certified tester and shown to be functioning as designed before a Certificate of Completion is issued by TDWU.

SECTION 16-13-7 PREMISES REQUIRING A BACKFLOW PREVENTER

- A. When any of the following items or activities are present or conducted on a premises serviced by the public potable water supply system, a potential hazard to the public water supply system shall be presumed and the user shall insure that a backflow preventer, of the type specified for that item or activity herein, is in place at each service connection for that premises:
 - 1. Aircraft and missile plants: **RPA**
 - 2. Animal veterinary clinics: **RPA**
 - 3. Automotive plants: **RPA**
 - 4. Automotive repair with steam cleaners, acid cleaning equipment, or solvent facilities: **RPA**
 - 5. Auxiliary water systems, public or private that are not approved by the Greenlee County Health Department: **PA**
 - 6. Bottling Plants, beverage or chemical: **RPA**
 - 7. Breweries: **RPA**
 - 8. Buildings greater than three stories in height or greater than 34 feet in height from curb level: **DCVA**
 - 9. Buildings used for commercial mini-warehouses or industrial uses where one service connection supplies more than one tenant or occupant of the building: **RPA**
 - 10. Buildings with house pumps and or potable water storage tanks: **RPA**
 - 11. Buildings with landscape fountains, ponds, or baptismal tanks: **RPA**
 - 12. Buildings with sewage ejectors: **RPA**
 - 13. Canneries, packing houses, and reduction plants: **RPA**
 - 14. Car wash facilities: **RPA**
 - 15. Cooling towers, boilers, chillers, and other heating and cooling systems utilizing potable water: **RPA**
 - 16. Chemical plants: **RPA**
 - 17. Chemically treated potable or nonpotable water systems: **RPA**
 - 18. Commercial Laundries: **RPA**
 - 19. Diaries and cold storage plants: **RPA**
 - 20. Dye works: **RPA**
 - 21. Film processing laboratories, facilities or equipment: **RPA**
 - 22. Fire hydrant meters connected to an irrigation system or any other use not included in Paragraph 51 of this subsection: **RPA**
 - 23. Food processing plants: **RPA**
 - 24. Government owned or operated facilities not open for inspection by TDWU: **RPA**
 - 25. Holding tank disposal stations: **RPA**
 - 26. Hospitals: **RPA**
 - 27. Irrigation systems, except as described in subparagraphs a-e: **PVB**

- a. Premises where nonpotable water is used for irrigation: **RPA**
 - b. Systems utilizing fertilizer or pesticide injection systems: **RPA**
 - c. Systems interconnected by more than one service connection: **RPA**
 - d. Systems using potable water with nonpotable water piping: **RPA**
 - e. Systems designed and constructed capable of inducing backpressure at the service connection: **RPA**
28. Laboratories using toxic or nontoxic materials: **RPA**
 29. Medical and dental buildings, behavioral health centers, and rest and convalescent homes engaged in the diagnosis, care or treatment of human illness: **RPA**
 30. Mortuaries: **RPA**
 31. Manufacturing, processing and fabricating plants: **RPA**
 32. Mobile home parks served by master meters: **RPA**
 33. Motion Picture studios: **RPA**
 34. Multiple service connections interconnected for potable uses: **DVCA**
 35. Oil and gas production or storage facilities: **RPA**
 36. Paper and paper product production facilities: **RPA**
 37. Plating plants: **RPA**
 38. Portable insecticide or herbicide spray tanks: **RPA or Air Gap (AG)**
 39. Power plants: **RPA**
 40. Premises where a cross-connection is maintained or where a cross-connection has previously occurred within a user's premises: **RPA**
 41. Public swimming pools with self-levelers or automatic fillers: **RPA**
 42. Radioactive material processing facilities: **RPA**
 43. Restricted, Classified or other closed facilities: **RPA**
 44. Rubber plants: **RPA**
 45. Sand and gravel plants: **RPA**
 46. Schools, colleges and universities: **RPA**
 47. Shopping centers served by master meters: **RPA**
 48. Sewage collection or treatment facilities: **RPA**
 49. Storm water drainage facilities: **RPA**
 50. Waterfront facilities, piers, docks, dockside facilities or boat marinas: **RPA**
 51. Water trucks, water tanks or hydraulic sewer cleaning equipment: **RPA or AG**
- B.** When two or more of the items or activities listed in subsection A are present or conducted on the same premises and served by the same service connection, the user shall install the most restrictive backflow preventer at the service connection. For purposes of the subsection the order of most restrictive to least restrictive backflow preventers shall be as follows:
1. Air gap (**AG**) (most restrictive)
 2. Reduced Pressure Principal Assembly (**RPA**)
 3. Pressure Vacuum Breaker (**PVB**)
 4. Double Check Valve Assembly (**DCVA**)
- C.** If TDWU determines after inspection of the user's water supply system that a backflow preventer less restrictive than required in the section will provide adequate protection of the public potable water supply system, TDWU may, in its sole discretion, modify the requirements of this section accordingly.

SECTION 16-13-8 FIRE SPRINKLER SYSTEMS

- A. When a backflow prevention assembly is required for a water service connection supplying water only to a fire sprinkler system, the assembly shall be installed at or as close as possible to the service connection in compliance with installation specifications adopted by TDWU.
- B. If the Chief of the Fire Department, or his designee, determines that a fire sprinkler system shall have a continuous water supply which may not be interrupted during testing of the backflow preventer the user shall install, at his expense, two backflow prevention assemblies parallel to the another at the service connection. The diameter of each assembly shall be at least equal to the diameter of the service connection.
- C. Backflow prevention assemblies required on fire sprinkler systems constructed after the adoption of this chapter shall be in accordance with the American Water Works Association Manual 14, Second Edition, 1993 and no future editions.
 - 1. Class 1 or Class 2 fire sprinkler system: **DCVA**
 - a. This requirement may be waived for fire sprinkler systems where the entire fire sprinkler is constructed of approved potable water piping materials as per the Uniform Plumbing code.
 - 2. Class 3 fire sprinkler system: **DCVA**
 - 3. Class 4, Class 5, or Class 6 fire sprinkler system: **RPA**
- D. Any Fire sprinkler system where the possibility of unauthorized water consumption exists shall have an approved detector check valve assembly installed at the service connection.
- E. Existing service connections supplying water solely to a fire sprinkler system shall be exempt from the provisions of Section 16-1-9 unless one of the following conditions occur:
 - 1. The fire sprinkler system is expanded such that it protects a new area of an existing building.
 - 2. The user has a change of occupancy to a more hazardous classification determined by TDWU.
 - 3. The user creates a condition which results in increasing the sprinkler density requirements.
 - 4. The existing system or condition of the system constitutes a hazard to the health, safety, or welfare of the public.
- F. The testing of backflow prevention assemblies on fire sprinkler systems shall be performed by an individual meeting the following qualifications:
 - 1. Possession of a Cross-connection Control General Tester Certificate of Competency Issued by an agency recognized by TDWU; and
 - 2. Employed full-time by a contractor possessing a L-16 contractor's license as issued by the State of Arizona Registrar of Contractors.

- G. Users that employ a full-time on-site certified tester may continue to test their own on-site backflow prevention assemblies with prior approval by TDWU.
- H. The certified tester shall promptly submit a copy of the fire sprinkler system inspection report to the Fire Department after completion of the activity for which the record is made.

SECTION 16-13-9 FACILITY INSPECTIONS; ASSEMBLY MAINTENANCE; RECORD KEEPING:

- A. Inspections shall be conducted by TDWU to determine whether any cross-connections or other potential hazards exist and to determine compliance with this Article. The user's water supply system shall be available at all time during normal business hours for inspection by authorized personnel of TDWU.
- B. Backflow prevention assemblies shall be tested by a certified tester at least once a year. TDWU shall issue a notice to the user when a backflow prevention assembly is due for testing. IF the testing reveals the assembly to be defective or not functioning as designed, repairs shall be per firmed, including replacement of the assembly, if necessary, which will return the assembly to satisfactory operating condition within 30 days after the date of the notice issued by TDWU. The te3tsting and maintenance of each assembly shall be performed at the expense of the user.
- C. If TDWU or user learns or discovers, during the period between tests, that a backflow prevention assembly is defective or not functioning as designed, the user shall perform any necessary repairs, including replacement f the assembly, if necessary, which will return the assembly to satisfactory operating condition within a period of time as determined by TDWU based upon the degree of hazard.
- D. The testing of backflow prevention assemblies shall be performed by an individual certified and approved by an agency recognized by TDWU. TDWU will maintain and make available upon request to all persons required to install or maintain a backflow prevention assembly a list of certified testers. TDWU may suspend or remove from the list a certified tester for improper testing maintenance, reporting or other practices determined by TDWU to be improper.
- E. The user shall maintain records, on forms approved by TDWU, of the results of all tests and all maintenance or replacement of all backflow prevention assemblies required by this Article. The certified tester or user shall promptly submit a copy of the testing record within 14 days to TDWU after completion of the activity for which the record is made.

SECTION 16-13-10 RETROACTIVE APPLICATION:

- A. The provisions of the Article shall apply to all new water users and all water users existing prior to the adoption of this Article. TDWU shall perform site surveys of existing users water supply systems and determine if the degree of hazard requires a backflow prevention assembly to be installed.
- B. Users shall replace backflow prevention assemblies installed prior to the adoption of this Article, which do not comply with the standards set forth in this Article, which do not comply with the standards set forth in this Article with assemblies which comply with all requirements.
- C. All water users existing prior to the adoption of this Article shall comply with the standards set forth in this Article with assemblies which comply with all requirements.

- D. A Change of ownership or name change or type of use change shall require TDWU to conduct a new survey of use. If the survey determines a backflow prevention assembly is required, installation shall be completed by the user before TDWU may grant the change.

SECTION 16-13-11 DISCONTINUANCE OF WATER SERVICE:

- A. If TDWU discovers that a user has not installed a required backflow preventer or that a backflow preventer has been improperly tested, maintained, bypassed, or removed, or that an unprotected cross-connection exists in the user's potable water supply system, TDWU shall discontinue the water service to that service connection if the situation is not remedied within the time specified in the notice sent to the user pursuant to the subsection C of the Section. TDWU shall not restore the service until the condition is remedied.
- B. Water service to a fire sprinkler system shall not be subject to discontinuance under this Section, but shall be subject to the penalties pursuant to Section 16-1-13.
- C. Prior to disconnecting any water service because of a condition set forth in Subsection A of this Section, TDWU shall send a notice, by certified mail, to the last known address of the user describing the condition and notifying the user that the condition must be remedied within 30 days after the date of the notice issued by TDWU.

If such condition is not remedied within the 30-day time period, TDWU shall send a second notice, by certified mail, to the user notifying the user that the water service will be discontinued in 15 days if the condition is not remedied within such time.

- D. TDWU may disconnect, without notice, waster service to any user when TDWU discovers, learns, or suspects that the user's potable water supply system is, or has the potential to cause contamination of the public potable water supply system.

SECTION 16-13-12 FEES:

- A. An annual fee may be imposed by TDWU. If such a fee is imposed, it shall be assessed to each user that is required to maintain a backflow prevention assembly regulated by this Article.

SECTION 16-13-13 PENALTY

- C. Any person, firm, corporation, partnership, enterprise, or association, whether as principle, owner, agent, tenant, or otherwise who violates, disobeys, omits, or refuses to comply with, or who resists the enforcement of the provisions of this Article shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$2500.00 or by imprisonment for a period not to exceed 6 months, or by both such fine and imprisonment.

Town of Duncan Backflow Prevention and Cross-Connection

- D. Each Day any violation of any provision of this Article occurs shall constitute a separate offense.