

ORDINANCE NO. 132

MID-PENINSULA WATER DISTRICT

**AN ORDINANCE AMENDING THE WATER SERVICE ORDINANCE NO. 103
AND SUPERSEDING ORDINANCE NO. 112 IN PART
FOR THE MID-PENINSULA WATER DISTRICT
REGARDING THE DISTRICT'S CROSS-CONNECTION CONTROL PROGRAM PLAN**

WHEREAS, the Board of Directors of the Mid-Peninsula Water District (District) is authorized to modify its previously-established cross-connection control program to protect the public water supply from cross-connection contamination; and

WHEREAS, the State Water Resources Control Board adopted on December 19, 2023 new rules and regulations governing cross-connections, compliance with which is mandatory; and

WHEREAS, those new rules and regulations are set forth in the State Water Board's Cross-Connection Control Policy Handbook (CCCPH) and require the District as the owner of a public water system to implement the cross-connection program by operating rules, ordinance, by-laws, or a resolution which establishes the District's legal authority to implement corrective actions in the event a customer of the public water supply fails to comply in a timely manner with the provisions regarding the installation, inspection, field testing, or maintenance of backflow protection assemblies; and

WHEREAS, those rules and regulations also require the District to submit a written Cross-Connection Control Plan for State Water Board review; and

WHEREAS, the District now proposes to adopt a revised cross-connection control program in accordance with current law.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Mid-Peninsula Water District as follows:

Section 1: Section 2.4 of the Water Service Ordinance No. 103 hereby is amended and restated to read as follows:

2.4 Backflow Protection Device. A Backflow Prevention Assembly. A mechanical assembly designed and constructed to prevent backflow, such that while in-line it can be maintained and its ability to prevent backflow, as designed, can be field tested, inspected and evaluated.

Section 2: Section 2.7 of the Water Service Ordinance No. 103 hereby is amended and restated to read as follows:

2.7 Cross-Connection. Any actual or potential connection or structural arrangement between a public water system, including a piping system connected to the public water system and located on the premises of a water user or available to the water user, and any source or distribution system containing liquid, gas, or other substances not from an approved water supply

Section 5: Article 3 Section 3.5 of the Water Service Ordinance No. 103 hereby is amended and restated to read as follows:

3.5 Cross-Connection and Backflow Prevention

A. AUTHORITY AND PURPOSES

A.1 The Cross-Connect Control Policy Handbook (CCCPH) Standards and Principles for California's Public Water Systems, adopted by the State Water Resources Control Board (SWRCB) December 19, 2023 and effective July 1, 2024, sets forth rules and regulations governing cross-connections. Compliance with the CCCPH, insofar as the Mid-Peninsula Water District (District) is required to update its previously-established cross-connection control (CCC) program to protect the public water supply from potential cross-connection contamination, is mandatory.

A.2 The CCCPH states (in Chapter 1 – Policy Overview, 1.1 Objective, on page 2) that “The primary objective of the Cross-Connection Control Policy Handbook (CCCPH) is the protection of public health through the establishment of standards intended to ensure a public water systems (PWS) drinking water distribution system will not be subject to the backflow of liquids, gases, or other substances.” The District is a PWS within the meaning of the CCCPH.

A.3 In order to provide for an orderly and adequate means of protection of the District's water distribution system from backflow, the requirements hereinafter set forth are reasonable and necessary. The District adopts this Ordinance for the protection of the District's water distribution system from backflow. New water service connections shall be installed, and existing water service connections shall be modified, to conform to the requirements set forth in the CCCPH or the District's Cross Connection Control Program Plan.

A.4 The District is a county water district that was created under the County Water District Law (California Water Code sections 30000 et seq.), and pursuant to the County Water District Law the District has the authority and obligation to implement and enforce the CCCPH through this Ordinance and the District's Cross Connection Control Program Plan.

A.5 This Ordinance supersedes Section 3.5 of Ordinances 103 and 112.

B. INCORPORATION OF CCCPH AND DISTRICT'S CROSS CONNECTION CONTROL PROGRAM PLAN

The regulations of the CCCPH are hereby incorporated by this reference and made a part hereof, insofar as the same are applicable to the protection of the District's water distribution system. In addition, the District's Cross Connection Control Program Plan, as approved by the State Water Resources Control Board, and as may be amended and updated in the future by the General Manager or designee, is incorporated into this Ordinance.

C. DEFINITIONS

The words used in this Ordinance, unless the context requires otherwise, shall be as defined below.

C.1 Backflow. A reversal of the flow of water and/or other liquids, gases, or other substances into the District's water distribution system.

C.2 Backflow Prevention Assembly. A mechanical assembly designed and constructed to prevent Backflow, such that while in-line it can be maintained and its ability to prevent backflow, as designed, can be field tested, inspected and evaluated.

C.3 Cross-Connection. Any actual or potential connection or structural arrangement between a public water system, including a piping system connected to the public water system and located on the premises of a water user or available to the water user, and any source or distribution system containing liquid, gas, or other substances not from an approved water supply.

C.4 Cross-Connection Control Policy Handbook (CCCPH). A set of regulations established by the California State Water Resources Control Board to protect public health by ensuring that drinking water is not contaminated by backflow from undesirable substances. The CCCPH includes the required standards to prevent contaminated water from entering the public water supply. https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/cccp.html

C.5 Cross-Connection Control Program Coordinator (CCC Program Coordinator). The Cross-Connection Control Specialist that is designated as the person in charge of the District's Cross Connection Control Program and Program Plan.

C.6 Cross-Connection Control Specialist (CCC Specialist). A person who is certified as a cross-connection control specialist.

C.7 Customer. A Person who is authorized to receive water from the Mid-Peninsula Water District.

C.8 Customer's System. The portion of the privately owned potable water system lying between the point of delivery and the point of use. This system includes all pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances use to produce, convey, store or utilize the potable water.

C.9 District. Mid-Peninsula Water District, a county water district organized under the California Water Code Section 30000 *et seq.*

C.10 District's Water Distribution System. The water distribution system owned and operated by District including the Service Connections to water mains.

C.11 Person(s). Any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity or any other form of legal entity.

C.12 Premises. A lot of parcel of real property under one ownership, except where there are well defined boundaries or partitions such as fences, hedges or other restrictions preventing the common use of the property by the several tenants, in which case each portion shall be deemed separate premises. Apartment structures and office buildings and structures of like nature under one ownership may be classified as a separate premises, in the sole discretion of the District. In multiple residential dwelling structures with 2 or more units, other than rental apartments classified as a separate premises by the District, including but not limited to condominium units, townhome units, duplex units and the like, each dwelling unit shall be classified as a separate premises.

C.13 Service Connection. The point at which the District's facilities connect with the customer's facilities. The District side of the service connection includes the pipeline laid from the Main to the property or curb line, up to and including the meter box. The customer's side of the service connection includes the pipeline from the meter box, control valve and other necessary or required fittings to provide water to the premises from the meter box. Every service connection shall include a District meter and have a separate water service account.

D. REQUIREMENTS FOR BACKFLOW PREVENTION ASSEMBLIES

Backflow prevention assemblies shall be required at the service connection, or at another location approved by the CCC Program Coordinator, for premises in compliance under the CCCPH or the District's Cross Connection Control Program Plan.

Backflow prevention assemblies shall be installed, tested and inspected, maintained and repaired, replaced, and approved all in accordance with the CCCPH or the District's Cross Connection Control Program Plan.

E. RIGHT TO ENTER CUSTOMER'S PROPERTY

As a condition of water service for new customers and as a condition of continued water service for existing customers, customers may be required to have a backflow prevention assembly installed on the customer's private property. Customers shall permit District to enter upon customer's property within the normal working hours of District, or in case of emergency, at any time, to test, inspect, service, maintain, repair or replace the backflow prevention assembly, as set forth in the CCCPH or District's Cross Connection Control Program Plan.

F. ENFORCEMENT

If a customer fails to comply in a timely manner with the requirements of the CCCPH or the District's Cross Connection Control Program Plan, the District, in implementing its Cross Connection Control Program Plan, may enforce the requirements by (1) denying or discontinuing water service, and (2) installing, inspecting, testing, maintaining, repairing, or replacing a backflow prevention assembly.

Except in an emergency when public health and safety is immediately at risk, the District will provide the customer with notice and an opportunity to remedy the failure to comply with the requirements of the CCCPH or District's Cross Connection Control Program Plan. The time frame for the customer to implement the remedy will be based on the nature and risk of the public health and safety, and will be established in the District's Cross Connection Control Program Plan.

All costs and expenses for enforcing the CCCPH or District's Cross Connection Control Program Plan will be the responsibility of the customer. These costs and expenses will include all materials, equipment, labor, and services provided by District staff and its consultants, including engineering and legal fees and charges. The District's standard costs and expenses will be established and set forth in the District's Rates and Fees Schedule, available on its website. The District's non-standard costs and expenses will be based on materials, equipment, labor, and services actually provided and documented to enforce the CCCPH or the District's Cross Connection Control Program Plan.

Any customer who willfully fails to install, or permit to be installed, backflow prevention assemblies as required by the CCCPH or District's Cross Connection Control Program Plan, or who willfully bypasses, alters, or refuses to maintain a backflow prevention assembly, will be subject to administrative, civil, and criminal penalties to the maximum extent allowed by law.

Section 6 – Effective Date: This Ordinance shall take effect and be in full force thirty (30) days from enactment. All prior ordinances or parts of ordinances that may be inconsistent with this Ordinance No. ___ hereby are repealed.

REGULARLY PASSED AND ADOPTED at a meeting of the Board of Directors of the Mid-Peninsula Water District duly held on the 25th of September 2025, by the following vote:

AYES: Zucca, Vella, Cotten, Covington, Wheeler

NOES: 0

ABSENT: 0

DocuSigned by:
Kirk Wheeler
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President of the Board of Directors
Mid-Peninsula Water District

ATTEST:

Signed by:
Alison Bell
5558314A921146D...

District Secretary