

ORDINANCE NO. 2025-02

**RESCINDING SECTION 8 OF ORDINANCE NO. 81-2 PERTAINING TO
THE CONTROL OF BACKFLOW AND CROSS-CONNECTIONS
CONTAINED WITHIN THE PHWD'S GENERAL REGULATIONS REGARDING WATER SERVICE**

PURISSIMA HILLS WATER DISTRICT

WHEREAS, the Purissima Hills Water District (District) administers and maintains a backflow and cross-connection control program to ensure the public health and safety of its drinking water in accordance with Section 8 of Ordinance 82-1; and

WHEREAS, pursuant to Section 116407 of the California Health and Safety Code, the State Water Resources Control Board chose to adopt standards for backflow protection and cross-connection control through the adoption (12/19/2023) of the Cross-Connection Control Policy Handbook, which became effective July 1, 2024, and was amended on March 19, 2025; and

WHEREAS, Appendix G of the Cross-Connection Control Policy Handbook lists related statutes and regulations; and

WHEREAS, the Purissima Hills Water District is a public water system, as defined by California Health and Safety Code Section 116275(h), and all public water systems are subject to the Cross-Connection Control Policy Handbook; and

WHEREAS, each public water system must have operating rules to implement the cross-connection control program and plan and to be able to: (a) deny or discontinue water service to a water user (user); or (b) install, inspect, field test, and/or maintain a backflow prevention assembly at user premises; or (c) otherwise address in a timely manner a failure to comply with the cross-connection control program and plan.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors for the Purissima Hills Water District that Section 8 "Health Regulations and Requirements" of Ordinance 82-1 pertaining to the control of backflow and cross-connections contained within the District's general regulations regarding water service is hereby rescinded in its entirety and replaced with the following, and applied equally to all new and existing customers:

Section 8. Backflow and Cross-Connection Control

A. Purpose

The Purissima Hills Water District (District) has a responsibility to protect the potable public water supply from contamination through backflow. This shall be achieved by implementing and maintaining an effective cross-connection control program and plan that has been designed to:

1. Protect the public potable water supply against actual or potential cross-contamination or pollution that may occur because of some undiscovered or unauthorized cross-connection on a user's system through the establishment of standards; and

2. Build a foundation of awareness within the community regarding the importance of backflow protection and cross-connection control; and
3. Protect the District's potable water supply from the possibility of contamination or pollution from backflow events; and
4. Promote the elimination of existing connections, actual or potential, between the user's potable water system(s) and non-potable water system(s), plumbing fixtures, appliances, and piping systems; and
5. Provide for the maintenance of a continuing program of cross-connection control which complies with all requirements in the California State Water Resources Control Board's Cross-Connection Control Policy Handbook.

B. Authority

The Purissima Hills Water District is a 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 California State Water Resources Control Board (SWRCB) Cross-Connection Control Policy Handbook through this Ordinance and the District's Cross-Connection Control Program and Plan. This Ordinance is adopted pursuant to the SWRCB Cross-Connection Control Policy Handbook.

Where the minimum backflow protection differs among the California Plumbing Code, this Ordinance, and the SWRCB Cross-Connection Control Policy Handbook, the most protective protection of the District's water system will be required.

This Ordinance provides the authority of the District to implement and enforce its Cross-Connection Control Program and Plan, and all the elements in the SWRCB Cross-Connection Control Policy Handbook.

C. Applicability

The standards of the SWRCB Cross-Connection Policy Handbook and the District's Cross-Connection Control Program and Plan shall apply to all premises, including portable meters, within the District's jurisdictional boundaries, and premises outside of the jurisdictional boundaries receiving potable and non-potable water from the District.

D. Policy

The intent of the District's Cross-Connection Control Program and Plan is to prevent the occurrence of backflow into the District's water distribution system and to protect the health and safety of the community from contamination or pollution from any on-site hazards.

The District's policy is premises protection directly after the water service connection and not in lieu of protection within the premises. Properly installed and maintained backflow prevention assemblies provide protection against the threat posed by conditions typically found on user premises.

The District may also use other technologies in its Cross-Connection Control Program and Plan to assist with monitoring for occurrences (events) of backflow events.

E. Incorporation of Regulations

The regulations of the SWRCB Cross-Connection Control Policy Handbook, as it may be amended or revised, is incorporated into this Ordinance by 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 and Plan, as approved by the SWRCB, and as may be amended and updated in the future, is incorporated into this Ordinance.

If any provision in this Ordinance, or in the District's written Cross-Connection Control Program and Plan, is found to be less stringent than or inconsistent with the SWRCB Cross-Connection Control Policy Handbook, or any other California state statutes or rules, the more stringent state statute, rule, or regulation shall apply.

F. Cross-Connection Control Program and Plan

The District has prepared a written Cross-Connection Control Program and Plan and will submit it to the SWRCB. The Cross-Connection Control Program and Plan will provide guidance, policies and procedures for implementation, compliance, and enforcement of its requirements.

G. Ownership of Backflow Prevention Assemblies

A user or water user is defined as including the user of water, the property owner, or customer. The user shall have ownership of the backflow prevention assembly installed on their water and fire service(s). The user shall be responsible for maintenance, upgrades, inspections, and testing of backflow prevention assemblies as required by the SWRCB Cross-Connection Control Policy Handbook or the District's Cross-Connection Control Program and Plan.

H. Right to Enter Property

As a condition of water service for new water users and as a condition of continued water service for existing water users, water users may be required to have a backflow prevention assembly installed on their private property. Water users will permit the District to enter upon water user's property (premises) within the normal working hours of the District, or in case of emergency at any time, to test, inspect, service, maintain, repair, or replace the backflow prevention assembly, and to assess the hazard level of the premises, as set forth in the SWRCB Cross-Connection Control Policy Handbook or the District's Cross-Connection Control Program and Plan.

I. Enforcement

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

Except in an emergency (high hazard conditions exist) when public health and safety are immediately at risk, the District will provide the water user with notice and an opportunity to remedy the failure to comply with the requirements of the SWRCB Cross-Connection Control Policy Handbook or the District's Cross-Connection Control Program and Plan. The timeframe for the water user to implement the remedy will be based on the hazard level, the nature and

risk of the public health and safety and will be established in the District's Cross-Connection Control Program and Plan.

Any user that willfully fails to install, or permit to be installed, backflow prevention assemblies as required by the SWRCB Cross-Connection Control Policy Handbook or the District's Cross-Connection Control Program and Plan, or who willfully bypasses, alters, or refuses to maintain a backflow prevention assembly, shall be subject to civil and criminal penalties to the maximum extent allowed by law.

Water service to any user premises may be discontinued by the District if the backflow prevention assemblies have not met the conditions set forth in this Ordinance or the District's Cross-Connection Control Program and Plan, or if the District's Cross-Connection Control Coordinator has determined that a situation exists that could cause contamination of the District's water distribution system.

Service of water to any premises shall be discontinued by the District under the following circumstances:

1. If a backflow prevention assembly required by this regulation is not installed, tested, and maintained;
2. If it is found that a backflow prevention assembly has been tampered with, removed, or bypassed;
3. If an unprotected or inadequately protected cross-connection exists on the premises; or
4. A known backflow event has occurred.

Water service will not be restored until such conditions or defects are corrected to the satisfaction of the District's Cross-Connection Control Coordinator.

The District has the authority to install, repair, or test a backflow prevention assembly directly after the water meter(s), if deemed necessary to protect the District's distribution system, and if the user has failed to act in a timely manner. All costs (time and materials) associated with the District's actions shall be the responsibility of the user. The District is not liable for damages that may occur with the installation, repair, or testing of the backflow prevention assembly.

Backflow prevention assemblies must be inspected and tested before a service is connected or after being turned off (water service discontinued) for non-compliance.

J. Appeals

Appeals to any enforcement action initiated by the District's Cross-Connection Control Coordinator shall be made in writing to the District General Manager. The General Manager shall reply in writing with their determination within thirty (30) days of receiving the written appeal.

K. Cost Recovery

All costs and expenses for enforcing the SWRCB Cross-Connection Control Policy Handbook and the District's Cross-Connection Control Program and Plan will be the responsibility of the user. These costs and expenses will include all materials, equipment, labor, and services provided by District staff and 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. The Rates and Fees Schedule is adopted by the Board of Directors, which is done by separate legislation. The District's non-standard costs and expenses will be based on materials, equipment, labor and services actually provided and documented to enforce the SWRCB Cross-Connection Control Policy Handbook and the District's Cross-Connection Control Program and Plan.

L. Severability

If any provision or part of this Ordinance is held to be invalid, or unenforceable in particular circumstances, such invalidity shall not affect the remainder of the Ordinance, which shall continue to be of full force and effect, and the District Board of Directors declares this Ordinance to be severable for that purpose.

M. Limitations of Liability

The District shall be held harmless for any damage to user premises by enforcing the SWRCB Cross-Connection Control Policy Handbook, this Ordinance, or the District's Cross-Connection Control Program and Plan.

N. Effect

This Ordinance supersedes and replaces Section 8 "Health and Safety Requirements" of Ordinance 82-1 pertaining to the control of backflow and cross-connections contained within the District's general regulations regarding water service.

PASSED AND ADOPTED this 8th day of October 2025, by the following vote:

AYES: Directors Glassman, Holtz, Jordan, Stone and Ranganathan.

NOES:


ABSTENTIONS:

ABSENCES:



Board President

Attest:



Secretary of the Board