

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

Sec. 5-105. Violations -- Generally.

(a) It is unlawful for any customer or consumer of potable water, be it city water or any city-approved potable water supply, to:

- (1) Create, or have created by other persons, any cross-connection involving any city-approved potable water.
- (2) Fail to install, or maintain, any air-gap or backflow assembly as required by the provisions of this division.
- (3) Fail to have any backflow assembly inspected and tested as required by the provisions of this division.
- (4) Fail to install any backflow assembly according to the city installation standards, as per the department.
- (5) Fail to protect any life form within any structure or on any premises from any nonpotable water source.

(b) The department may deny or discontinue, after reasonable notice to the occupants thereof, the water service to anyone using the city water distribution system to any premises where a backflow prevention device required by the provisions of this division is not installed, tested, maintained and repaired in a manner acceptable to the department, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low pressure cutoff required by these regulations is not installed and maintained in working order. Reasonable notice to the occupant of a single-family dwelling shall be deemed given if in writing, mailed to the occupant at the address of the dwelling at least two (2) weeks prior to the contemplated disconnection. Reasonable notice to all others shall be deemed given when done so in writing and mailed to the address one (1) week prior to the contemplated disconnection. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the department, and the required reconnection fee is paid.

(c) If the department determines that a customer's backflow preventive device does not meet current standards, the customer shall retrofit his device so that it will meet current standards.

(d) Customers that have water service prior to October 15, 1987, are subject to all requirements imposed by this division, if the department determines the degree of hazard or potential hazard requires a device to be installed.

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(e) It shall be unlawful to violate any of the provisions of this chapter. A violation of this ordinance shall be a class one misdemeanor.

(f) Each violation of this ordinance is subject to a mandatory minimum fine of not less than one hundred dollars (\$100.00). In addition, the costs of prosecution of the action may be imposed at the discretion of the court. The magistrate court shall order any person convicted of a violation under this chapter to comply with the provisions of this chapter. The imposition of one penalty for any violation of this ordinance shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations and defects within a reasonable time; and each day that the prohibited condition is not corrected or remedied shall constitute a separate offense.

(g) A violation of this chapter may be punished by imposition of a civil penalty which shall not exceed two thousand five hundred dollars (\$2,500.00).

(Code 1977, §§ 8-2-12 -- 8-2-16)

(Ord. No. 91-39, 11/12/91)